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PROCEEDINGS OF THE COLLECTOR & DIST. MAGISTRATE, GUNTUR.
PRESENT: SRI B. RAMANJANEYULU, I.A.S.

Rc.No. 2916/2010-H6

Dated: 13.08.2010

Sub:- Shandies-Guntur District -functioning of Shandy
in the limits of Chilakaluripet Municipality without
proper licence from local body- Request for shifting the
Animal Market from the Municipal Limits - Levying penalty
besides closure of un authorized shandy- Orders- Issued.

- Read - 1) ROC.No.2145/2010-A1, Dated 09.08.2010 of the
Commissioner Chilakaluripet Municipality, Chilakaluripet
2) Rc.No.34/Sandy/2010, Dated 02.08.2010 of the Regional
Deputy Director of Marketing, Guntur.

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ORDER:-

(i) It has come to the notice of the under signed through credible information that one Animal Market (Shandy) being organized by a private person without having proper licence from the Local Body of Chilakaluripet. A detailed report in respect of the Shandy being run so unauthorizedly from the Municipal Commissioner, Chilakaluripet has been obtained in the reference 1st read above, where in requested to take steps to stop the unauthorized shandy besides collecting amount more than prescribed fee out of income accrued by the Shandy Manager for running it unauthorizedly.

(ii) The Municipal Commissioner, Chilakaluripet reported that one Sri Mallala Satyanarayana has been organizing a private Shandy since the year 1988 at Door.No.1-845, 1st ward, Chilakaluripet Municipality without getting licence from the Local Body i.e., Municipality, Chilakaluripet which is competent as per the provisions laid in Sections 279, 280 & 281. In this regard, a Council Resolution No.63, dt. 31.05.1988 was passed for payment of advance before commencement of running the shandy. But, the above person has failed to make an advance payment of Rs.4,500/- for the period of one year, i.e., 5.6.1988 to 4.6.1989. In spite of the notice issued to him, he further refrained from payment of the necessary fee towards running of the shandy.

(iii) As evident from the report of the Municipal Commissioner, it is established that at present they are charging Rs.10/- to Rs.20/- on each animal which was at Rs.5/- at the beginning of the shandy. Further, It is estimated that nearly 950 animals are under sale process for every shandy. Accordingly, It comes to an average figure of 3465 Nos. of animals put to sale per month. If it is per a month, nearly 41,580 animals would have been under sale process, for which at Rs.15/- per each animal (average) the Gross income arrived at Rs.6,23,700 which is accrued to the manager of the shandy. Therefore, it is also clear that to levy 15% on Gross income towards licence fee which comes to Rs.93,555/- due to Municipality by the manager of shandy every year and accordingly for 22 years, he has to pay Rs.20,58,210/-.

(iv) The manager of shandy i.e., Sri Mallela Satyanarayana has intentionally evaded a huge amount of Rs.20,58,210/- to the Government exchequer which is against to the rules relating to organization of shandies, in spite of Municipal resolution vide C.R.No.295, dt.29.10.1988 to pay Rs.5 per each animal, which also he has not adhered and violated, lead to loss to the local body and Government

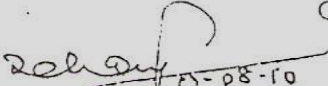
(v) In this regard, as per Section-281 of A.P.Municipalities Act, 1965, the sale of any animal or article in any unlicensed private market is not lawful. Hence, having established that the manager of shandy Sri Mallela Satyanarayana has run the shandy for the last 22 years (1988 to 2010) in an unlicensed private market and to recover the due income to the Municipality, it is decided to levy 2 times penalty on the actual amount of incurred loss, so as to regulate such markets. Accordingly, the Commissioner, Chilakaluripet Municipality is directed to levy of penalty by two times to the total evaded amount i.e., Rs.20,58,210/- as on today and issue notices accordingly and see that amount should be collected within the stipulated time, otherwise necessary penal provisions may be imposed against the defaulter for collecting the said amount, if required under Revenue Recovery Act.

(vi) Further, as per the provisions laid in Section 285 of A.P., Municipalities Act, 1965 and keeping in view of the irregular and unauthorized operation of shandy in the Municipal Limits of Chilakaluripet, the Commissioner, Chilakaluripet Municipality is hereby directed to issue closure order immediately to the above person who has been running the said shandy without observing the conditions of paying advance, licence fee etc., before commencement of the shandy and during its operation, by which act the Government is incurring severe loss in regular flow of income. Accordingly, he is directed to take necessary steps for closure of the shandy and report compliance.

(vii) In this connection, the Regional Deputy Director, Marketing, Guntur is requested to call fresh tenders for organization of a private Shandy in the jurisdiction of the Agricultural Market Committee, Chilakaluripet duly following the Rules & Regulations of Marketing Department in force, facilitating the Government to acruce the reasonable income from every source and among which the private shandy also comes into one of the regular income sources to the Government. Accordingly, he is requested to take immediate steps for realization of the same in consultation with the higher authorities at the earliest and to obtain licence by the successful bidder for private market from local body i.e., Municipality as required under Section-279 of A.P.Municipalities Act, 1965

Sd/- B.Ramanjaneyulu
COLLECTOR & DIST.MAGISTRATE
GUNTUR.

//t.c.f.b.o.//


15-08-10
Administrative Officer

To - 13/8/10
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The Commissioner, Chilakaluripet Municipality, Chilakaluripet.
The Regional Deputy Director, Marketing Guntur
Copy to the Revenue Divisional Officer, Narasaraopet
Copy to the Tahsildar, Chilakaluripet.
Copy to the Secretary, Agricultural Market Committee, Chilakaluripet.

