

The Andhra Pradesh Legislative Council Act, 2005

(ACT NO. 1 OF 2006)

[*As on the* 27*th September,* 2026]

LIST OF ABBREVIATIONS USED

G.S.R.	*for*	General Statutory Rules.
S.O.	,,	Statutory Order.
Notifn.	,,	Notification.

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THE ANDHRA PRADESH LEGISLATIVE COUNCIL ACT, 2005

ARRANGEMENT OF SECTIONS

SECTIONS

1. Short title.
2. Definitions.
3. Creation of Legislative Council for Andhra Pradesh.
4. Amendment of Third Schedule and Fourth Schedule of Act 43 of 1950.
5. Amendment of section 15A of Act 43 of 1951.

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THE ANDHRA PRADESH LEGISLATIVE COUNCIL ACT, 2005

ACT NO. 1 OF 2006

[11*th January,* 2006.]

An Act to provide for the creation of Legislative Council for the State of Andhra Pradesh and for matters supplemental, incidental and consequential thereto.

BE it enacted by Parliament in the Fifty-sixth Year of the Republic of India as follows:—

1. Short title.—This Act may be called the Andhra Pradesh Legislative Council Act, 2005.

2. Definitions.—In this Act, unless the context otherwise requires, each of the words and expressions used herein and not defined but defined in the Representation of the People Act, 1950 (43 of 1950), shall have the same meaning as in that Act.

3. Creation of Legislative Council for Andhra Pradesh.—(*1*) As from such date[1] as the President may by order appoint, there shall be a Legislative Council for the State of Andhra Pradesh; and as from that date, in sub-clause (*a*) of clause (*1*) of article 168, after the words "States of", the words "Andhra Pradesh,", shall be inserted.

(*2*) In the said Council, there shall be 90 seats of which—

(*a*) the numbers to be filled by persons elected by the electorates referred to in sub-clauses (*a*), (*b*) and (*c*) of clause (3) of article 171 shall be 31, 8 and 8 respectively;

(*b*) the number to be filled by persons elected by the members of the Legislative Assembly of Andhra Pradesh in accordance with the provisions of sub-clause (*d*) of the said clause shall be 31; and

(*c*) the number to be filled by persons nominated by the Governor of Andhra Pradesh in accordance with the provisions of sub-clause (*e*) of that clause shall be 12.

(*3*) As soon as may be after the commencement of this Act, the President, after consultation with the Election Commission, shall, by order, determine—

(*a*) the constituencies into which the State of Andhra Pradesh shall be divided for the purpose of elections to the said Council under each of the sub-clauses (*a*), (*b*) and (c) of clause (3) of article 171;

(*b*) the extent of each constituency; and

(*c*) the number of seats to be allotted to each constituency.

(*4*) As soon as may be after such determination, steps shall be taken to constitute the said Council in accordance with the provisions of this Act, the Representation of the People Act, 1950 (43 of 1950) and the Representation of the People Act, 1951 (43 of 1951).

4. **Amendment of Third Schedule and Fourth Schedule of Act 43 of 1950.**—In the Representation of the People Act, 1950,—

(*a*) in the Third Schedule, before entry No. 2 relating to Bihar, the following entry shall be inserted, namely:—

"1.	Andhra Pradesh	90	31	8	8	31	12";

1. 30th March, 2007, (Legislative Council for Andhra Pradesh come to existence), *vide* notification No. G.S.R. 262(E), dated 30th March, 2007, *see* Gazette of India, Extraordinary, Part II, sec. 3(*ii*).

(*b*) in the Fourth Schedule, before the heading "BIHAR", the following heading and entries shall be inserted, namely:—

"ANDHRA PRADESH

1. Municipal Corporations.
2. Municipalities.
3. Nagar Panchayats.
4. Cantonment Boards.
5. Zila Praja Parishads.
6. Mandal Praja Parishads.".

5. Amendment of section 15A of Act 43 of 1951.—In section 15A of the Representation of the People Act, 1951, for the words and figures "under the Legislative Councils Act, 1957" (37of 1957), the words and figures "under the Andhra Pradesh Legislative Council Act, 2005" shall be substituted.

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STATEMENT OF OBJECTS AND REASONS

Under article 169(1) of the Constitution, Parliament may, by law, provide for the creation of a Legislative Council in a State having no such Council, if the Legislative Assembly of the State passes a resolution to that effect by a majority of the total membership of the Assembly and by a majority of not less than two-thirds of the Members of the Assembly present and voting. The Legislative Assembly of the State of Andhra Pradesh passed a resolution on the 8th July, 2004 in terms of article 169(1) of the Constitution for the creation of Legislative Council in that State. It is accordingly proposed to provide for the creation of Legislative Council for the State of Andhra Pradesh. The said Council will have the same number of seats as it had when it was abolished by the Andhra Pradesh Legislative Council (Abolition) Act, 1985, with effect from the 1st June, 1985.

2. The Bill seeks to achieve the said objects and also provides for matters supplemental, incidental and consequential to the creation of such Council.

NEW DELHI; H.R. BHARDWAJ.

The 3*rd December*, 2004

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