

THE TELANGANA TOWNS NUISANCES ACT, 1889.

(ACT NO.III OF 1889.)

ARRANGEMENT OF SECTIONS

Sections

1. Short title.
2. Enactments repealed.
3. Penalty for certain offences in public places.
4. Neglecting to fence in well, tank, etc.
5. Penalty for cruelty to animals.
6. Repealed.
7. Repealed.
8. Power to arrest without warrant on view of offence.
9. Repealed.
10. Destruction of stray dogs.
11. Act to form part of District Police Act.

THE TELANGANA TOWNS NUISANCES ACT, 1889.¹

ACT No.III OF 1889.

1. (1) This Act may be called ²[the Telangana Towns Nuisances Act, 1889.] **Short title.**

(2) Section 1 of this Act extends to the whole of the ³[State of ²Telangana]. The remaining sections extend to all towns in the said State which may have been or may hereafter be declared to be municipalities under ⁴[the Andhra Pradesh (Andhra Area) District Municipalities Act, 1920 (Act V of 1920)], or other Act of the same nature for the time being in force; and the State Government may from time to time by notification in the Official Gazette, extend such sections or any part or parts thereof permanently or for a time or for specified occasions only, from such date as may be specified in the notification to any other local area in the ³[State of ²Telangana] and may cancel or modify any such notification. **Local extent.**

2. Repealed by the Amending Act, 1901 (Central Act 11 of 1901). **Enactments repealed**

1. The Andhra Pradesh Towns Nuisances Act, 1889 in force in the combined State, as on 02.06.2014, has been adapted to the State of Telangana, under section 101 of the Andhra Pradesh Reorganisation Act, 2014 (Central Act 6 of 2014) vide. the Telangana Adaptation of Laws Order, 2016, issued in G.O.Ms.No.45, Law (F) Department, dated 01.06.2016.

2. Substituted by G.O.Ms.No.45, Law (F) Department, dated 01.06.2016.

3. Substituted for the words "State of Andhra" by section 3 of and Schedule to the Andhra Pradesh Extension of Laws Act, 1958 (Andhra Pradesh Act XXIII of 1958).

4. Repealed by Act No.6 of 1965.

Penalty for certain offences in public places.

3. Whoever in any public place commits any of the following offences shall be liable on conviction to fine not exceeding fifty rupees or to imprisonment of either description not exceeding eight days:-

Rash and negligent driving.

(1) Whoever drives or rides any animal, or drives, drags or pushes any vehicle, in a rash or negligent manner.

Causing obstruction by negligence in driving cattle.

(2) Whoever by negligence or ill-usage in driving cattle causes any mischief or obstruction by such cattle.

Driving, etc., otherwise than on near or left side of the road.

(3) Whoever without reasonable excuse and so as to cause danger or obstruction to any person shall drive, drag or push any vehicle otherwise than on the near or left side of the road.

Leaving vehicle or cattle without due control.

(4) Whoever, being in charge of any vehicle or cattle, leaves it or them at such a distance as not to have the same under due control.

Obstructing thoroughfare.

(5) Whoever causes any vehicle to remain or stand longer than may be necessary for loading or unloading except at places appointed for the purpose, or fastens any horse or other animal so as to cause obstruction or in any way wilfully obstructs or causes obstruction to the free passage of any throughfare.

Exposing goods so as to cause obstruction.

(6) Whoever exposes goods for sale so as to cause obstruction.

Letting loose horses or ferocious dogs.

(7) Whoever negligently lets loose any horse or suffers any ferocious dog to be at large without a muzzle or sets on or urges any dog or other animal to attack, worry or put in fear any person or cattle.

⁵[(8) Repealed.]

(9) Whoever without reasonable excuse throws or lays down any dirt, filth, rubbish, or any stones or building materials.

Depositing rubbish, stones, etc.

(10) Whoever uses any sound amplifier except at such times and places and subject to such conditions as shall, from time to time, be allowed by an officer of the Police Department not below the rank of a Deputy Superintendent of Police.

Unauthorised use of sound amplifiers in public.

(11) Whoever wilfully and indecently exposes his person or commits a nuisance by easing himself and whoever, having the care or custody of any child under seven years of age, omits to prevent such child from committing a nuisance as aforesaid.

Committing nuisances in public places.

(12) Whoever is found drunk and incapable of taking care of himself, or is guilty of any riotous, disorderly or indecent behaviour.

Drunken or riotous disorderly or indecent behaviour.

Explanation:- In this section "public place" means a place (including a road, street or way, whether a thoroughfare or not, and a landing place) to which the public are granted access or have a right to resort, or over which they have a right to pass.

⁶[XXX]

5. Clause (8) was repealed by section 14 of the Andhra Pradesh (Andhra Area) Prevention of Begging Act, 1945 (Act XIII of 1945). This was permanently re-enacted by section 2 of and the First Schedule to the Andhra Pradesh (Andhra Area) Re-enacting and Repealing (No.I) Act, 1948 (Act VII of 1948).

6. This paragraph was repealed by section 14 of the Andhra Pradesh (Andhra Area) Gaming Act, 1930 (Act III of 1930)

Neglecting to fence in well, tank, etc.

4. Whoever neglects to fence in or protect any well, tank or other dangerous place or structure, or,

Causing offensive matter to run from house, etc.

whoever causes any offensive matter to run from any house, factory, dung-heap or the like into the street –

shall be liable on conviction to fine not exceeding fifty rupees or to imprisonment of either description which may extend to one month.

Penalty for cruelty to animals.

5. Whoever cruelly beats, ill-treats, tortures, or drives, rides or otherwise uses any animal in an unfit state to be so driven, ridden or used, or causes any animal to be cruelly beaten, ill-treated, tortured, or to be driven, ridden or used when unfit to be driven, ridden or used, shall be liable on conviction to fine not exceeding fifty rupees, or to imprisonment of either description not exceeding one month, or to both.

⁷[6. Repealed.]

⁷[7. Repealed.]

Power to arrest without warrant on view of offence.

8. (1) Any police officer may arrest without a warrant any person committing in his view any offence made punishable by this Act.

(2) Any agent of the Society for the Prevention of Cruelty to Animals who is specially empowered by the State Government in that behalf may arrest without a warrant any person committing in his view any offence punishable under section 5;

(3) The agent shall have power to release any person so arrested on his executing a bond, with or without

7. Repealed by Act 1930 (Act III of 1930).

sureties, for his appearance before a Magistrate if and when required.

(4) The provisions of the Code of Criminal Procedure, 1898, shall apply to any arrest made or bond taken under this section as if the arrest had been made, or the bond had been taken, under the said Code.

⁸[9. Repealed.]

10. The District or Sub Divisional Magistrate may from time to time cause to be notified by beat of drum or otherwise that dogs found straying within certain limits will be destroyed, and dogs found straying within such limits after such notification may be destroyed by any person in such manner as the District or Sub Divisional Magistrate may from time to time direct.

**Destruction of
stray dogs.**

11. Sections 3 and 4 of this Act shall be read with, and form part of, Act XXIV of 1859⁹.

**Act to form part of
District Police Act.**

¹⁰[XXX]

* * *

8. Repealed by section 14 of the Andhra Pradesh (Andhra Area) Gaming Act, 1930 (Act III of 1930).

9. Short title, "The Andhra Pradesh (Andhra Area) District Police Act, 1859".

10. The Schedule appended to this Act was repealed by Part III of Third Schedule to the Amending Act, 1901 (Central Act II of 1901).