

Andhra Pradesh Agricultural Indebtedness (Relief) Act, 1987

ANDHRA PRADESH

India

Andhra Pradesh Agricultural Indebtedness (Relief) Act, 1987

Act 45 of 1987

- Published on 26 November 1987
- Not commenced
- [This is the version of this document from 26 November 1987.]
- [Note: The original publication document is not available and this content could not be verified.]

An Act to provide relief from Indebtedness to. Agricultural Labourers, Rural Artisans and Small Formers in the State of Andhra Pradesh and for matters connected therewith. Be it enacted by the Legislative Assembly of the State of Andhra Pradesh. In the Thirty-eighth Year of the Republic of India as follows:

Section 1. Short title extent and commencement(1) This Act may be called the Andhra Pradesh Agricultural Indebtedness (Relief) Act, 1987.(2) It extends to the whole of the State of Andhra Pradesh.(3) It shall come into force on such date as the State Government may, by notification in the Andhra Pradesh Gazette, appoint.

Section 2. Declaration It is hereby declared that this Act is for giving effect to the policy of the State towards securing the principles specified, in article 46 of the Constitution.

Section 3. Discharge of debts curred on or after 29th December, 1976(1) Notwithstanding anything in the Andhra Pradesh (Andhra Area) Agriculturists Relief Act, 1938, (Act 4 of 1938,) the Andhra Pradesh (Telangana Area) Money Lenders Act, 1349 F., (Act 5 of 1349 F.) the Andhra Pradesh (Andhra Area) Pawn-brokers Act, 1943 (Act 23 of 1943), the Andhra Pradesh (Telangana Area) Agricultural. Debtors' Relief Act, 1956, (Act 16 of 1956) the Andhra Pradesh (Scheduled Area) Money Lenders Regulation, 1960, (Regulation 1 of 1960) the Andhra Pradesh Indebted Agriculturists, Landless. Labourers and Artisans (Temporary Relief) Act, 1976, (Act 24 of 1976) or any law for the time being in force, or any contract or other instrument having the force of law with effect on and from the commencement of this Act, every debt borrowed or incurred during the period between the 29th December, 1976 and the date of such commencement including interest, if any, owing to any creditor by an agricultural labourer, a rural artisan or a small farmer shall be deemed to be wholly discharged.(2)(a) No Civil Court shall entertain any suit or other proceeding against the debtor for the recovery of any amount of the debt, including interest if any, which is deemed to be discharged under sub-section (1): Provided that where any suit or other proceeding is instituted jointly, against the debtor and any other person nothing in this sub-section shall apply to the maintainability of such suit or preceding in so far as it relates to such other person.(b) All suite and other proceeding including appeal, revisions, attachments or ??? proceeding pending at the ??? of this Act, against any debtor for the recovery of any ??? debt, including interest, if any, shall abate: Provided that nothing in the clause shall apply to the sale, in respect of any such

debt of (i) any movable or immovable property of the debtor acquired before the commencement of the Act; (ii) any debt confirmed before such commencement. (c) Every debt incurred by a debtor in a civil prison in pursuance of a judgment passed against him by a court of law, including any interest thereon, shall be deemed to be a debt incurred by him before the commencement of the Act. (3) (a) Nothing in the section shall be deemed to apply to any debt incurred by a debtor for or on account of any debt or interest paid by him provided from the proceeds of any debt incurred by him before such commencement. Section 4. (1) The provisions of the Andhra Pradesh Agricultural Indebtedness (Relief) Act, 1977, (Act 7 of 1977) shall apply to the said debts, and all the provisions of the said Act shall, be read and construed as if the said provisions had been included and enacted in this Act. (2) For the purpose of facilitating the application of the Andhra Pradesh Agricultural Indebtedness (Relief) Act, 1977, (Act 7 of 1977) to the said debts, the State Government may, by notification in the Andhra Pradesh Gazette, make such adaptations and modifications of the said Act and the rules made thereunder, whether by way of repealing, amending or suspending any provision thereof as may be necessary or expedient and thereupon the said Act and the rules made thereunder shall apply to the said debts subject to the adaptations and modifications so made. (3) Notwithstanding that no provision or insufficient provision has been made under sub-section (2) for the adaptation of the provisions of the said Act, or the rules made thereunder, any court, tribunal or authority required or empowered to enforce those provisions may, for the purpose of facilitating their application to the said debts, construe those provisions in such manner, without affecting the substance as may be necessary or proper in regard to the matter before the court, tribunal or authority. Section 5. Power to make rules (1) The State Government may, by notification in the Andhra Pradesh Gazette, make rules for carrying out all or any of the purposes of this Act. (2) Every rule made under this Act, shall, immediately after it is made, be laid before the Legislative Assembly of the State if it is in session and if it is not in session in the session immediately following for a total period of fourteen days which may be comprised in one session or in two successive sessions, and if before the expiration of the session in which it is so laid or the session immediately following, the legislative Assembly agrees in making any modification in the rule or in the annulment of the rule, the rule shall from the date on which the modification or annulment is notified, have effect only in such modified form or shall stand annulled as the case may be, so however, that any such modification or annulment shall be without prejudice to the validity of any thing previously done under that rule.

1. Received the assent of the President on the 23rd November, 1987. For Statement of Objects and Reasons, please see the Andhra Pradesh Gazette, Part IV-A, Extraordinary, dated the 18th March, 1986 at page 5.