

Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Conditional Attachment of Property Rules, 1987

ANDHRA PRADESH

India

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Rule

ANDHRA-PRADESH-CHARITABLE-AND-HINDU-RELIGIOUS-INSTITUT of 1987

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Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Conditional Attachment of Property Rules, 1987Last Updated 28th May, 2019In exercise of the powers conferred by clause (b) sub-section(6) of Section 61 read with Section 153 of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987 (Act No.30of 1987), the Governor of Andhra Pradesh hereby makes the following rules, the same having been previously published as required by sub-section(1) of Section 153 of the said Act.

1. Short title.

- These rules may be called the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Conditional Attachment of Property Rules, 1987.

2. Definitions.

(a)'Act' means the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987;(b)'Assistant Commissioner' means the Assistant Commissioner of Endowments having jurisdiction over the area in which the property intended to be attached is situated;(c)'Section' means a section of the Act.

3.

(1)The Assistant Commissioner shall bring to the notice of the Commissioner that the trustee or other person, with intent to defeat or delay the execution of any order that may be made under sub-section (2) or (3) of Section 61 of the Act is about to dispose of the whole or any part of his property or is about to remove the whole or any part of his property from the jurisdiction of the Commissioner.(2)The report of the Assistant Commissioner shall contain the following particulars also:-(a)The property which is owned or possessed, including property which stands benami in the name of others, within the said jurisdiction by the trustee or other person from whom the amount sare to be recovered.(b)such other information based on the Revenue records which he can obtain without delay.

4.

The conditional attachment of the property referred to in sub section (6) of Section 61 may be made by affixing a notice along with a copy of the order thereof to some conspicuous part of the property of the trustee or other person concerned or in such other manner as the Commissioner may think fit.The notice shall set forth that the property shall be released on furnishing security by the trustee or other person concerned such sum as may be specified therein or on the production of, or placing at the disposal of the Commissioner,the property or the value thereof as may be sufficient to satisfy the order within the time specified therein.

5.

Before passing an order under Rule 4, the Commissioner shall direct the Assistant Commissioner or any other officer of the Endowments Department to specify the property required to be attached and the estimated value thereof together with other particulars relating thereto.

6.

The Assistant Commissioner or Officer of the Endowments Department directed by the Commissioner under Rule 5 shall cause necessary inquiries to be made in respect of the properties referred to in sub-section(6) of Section 61, with reference to Revenue records and encumbrance son immovable properties as disclosed in the records maintained in the Registration Department.