

Andhra Pradesh Revenue Recovery (Sales of Perishable Articles) Rules, 1959

ANDHRA PRADESH

India

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Rule

ANDHRA-PRADESH-REVENUE-RECOVERY-SALES-OF-PERISHABLE- of 1959

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Andhra Pradesh Revenue Recovery (Sales of Perishable Articles) Rules, 1959Published vide G.O.Ms.No. 480, Revenue (I.L. 3), dated 9th March, 1959In exercise of the powers conferred by Section 60-A of the Andhra Pradesh Revenue Recovery Act, 1864 (Act II of 1864), read with Section 23-A of the said Act, the Government of Andhra Pradesh hereby makes the following rules:

1.

These rules may be called the Andhra Pradesh Revenue Recovery (Sales of Perishable Articles) Rules, 1959.

2.

In these rules, unless the context otherwise requires (a)'Act' means the Andhra Pradesh Revenue Recovery Act, 1864 (Andhra Pradesh Act II of 1864).(b)'Perishable' means crops or products which are in their nature speedily perishable, including milk, eggs and vegetable, fruits, meat, etc.(c)'Section' means a section of the Act.

3.

Where perishables have been distrained under Section 8 the distrainer shall as soon as may be after the distraint, cause to be affixed to the outer door of the defaulter's house or on the premises where the perishables may have been distrained a list of the perishables to be sold with a notice specifying

the place where, and the day on and the hour at which the distrained perishable will be sold and shall cause proclamation of the intended sale to be made by beat of drum in the village where perishables are distrained and in such other places as he may consider necessary to give due publicity to the sale. The date and hour of the sale shall be fixed having regard to the condition of the perishables at the time of distraint.

4.

At the appointed time the perishables shall be sold by public auction in one or more lots as the distrainer may consider advisable and they shall be disposed of to the highest bidder ; where the perishables may sell for more than the amount of the arrears, the over-plus, after deducting expenses of process and interest, shall be paid to the defaulter, and the provisions of Section 24 shall apply to every such sale.

5.

Notwithstanding anything in the preceding rules, the distrainer may, on a written application from the defaulter in this behalf sell the perishables at the nearest market for what, in the opinion of the distrainer, is a fair price, instead of selling them in public auction.

6.

The sale proceeds shall be deposited with the public officer referred to in Section 22.