

**Andhra Pradesh State Electricity Board (Recovery Of Dues)
Act, 1984**

28 of 1984

[22 August 1984]

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**Andhra Pradesh State Electricity Board (Recovery Of Dues)
Act, 1984**

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[22 August 1984]

An Act to provide for the recovery of certain sums due to the Andhra Pradesh State Electricity Board.

Be it enacted by the Legislature of the State of Andhra Pradesh in the Thirty-fifth Year of the Republic of India as follows:-

* Received the Assent of the Governor on the 21st August, 1984. For Statement of Objects and Reasons, please see the Andhra Pradesh Gazette, Part IV-A Extraordinary, dated the 3rd April, 1984, page 6.

1. Short title, extent and commencement :-

(1) This Act may be called the Andhra Pradesh State Electricity Board (Recovery of Dues) Act, 1984.

(2) It extends to the whole of the State of Andhra Pradesh.

(3) It shall come into force on such date as the Government may, by notification, appoint.

2. Definitions :-

In this Act, unless the context otherwise requires,-

(1) "Board" means the Andhra Pradesh State Electricity Board constituted under section 5 of the Electricity (Supply) Act, 1948(Central Act 54 of 1948);

(2) "debtor" means any consumer or other person by whom any dues are payable to the Board;

(3) " dues " means any sum payable to the Board on account of-

(i) Consumption of electrical energy supplied including the minimum charges payable after disconnection and other charges payable under the terms and conditions of supply; or

(ii) any remuneration, rent or other charges for hire, inspection, test, installation connection, repairs, maintenance or removal of any electric meter, electric machinery, control, gear, fittings, wires or apparatus for lighting, heating, cooling or motive power or for any other purpose for which electricity can or may be used, or any industrial or agricultural machinery operated by electricity; or

(iii) price of any such goods as aforesaid taken on loan but not returned;

(4) "Government" means the State Government;

(5) "notification" means a notification published in the Andhra Pradesh Gazette and the word "notified" shall be construed accordingly;

(6)" prescribed " means prescribed by rules made under this Act;

(7) "prescribed authority" means any person authorised, whether by virtue of office or otherwise, by the Government, by notification, to perform the functions of the prescribed authority under this Act in and for such area, as may be specified in the notification.

3. Bills to state the date by which payments are to be made and consequences of non-pay ment :-

(1) Every bill for dues payable to the Board by a debtor shall be in the prescribed form and shall specify conspicuously the amount of dues and the date by which such dues are to be paid.

(2) If the dues are not paid. by such date, the debtor shall be liable to pay in addition thereto such penalty as may be prescribed; and such dues and penalty shall be recoverable along with the costs incurred in making such recovery, in the manner hereinafter laid down in this Act.

4. Notice of demand for dues and penalty not paid :-

Where the dues are not paid by the debtor by the date specified in the bill therefor, the prescribed authority may, at any time, serve on or cause to be served upon the debtor or his authorised representative, a notice of demand in the prescribed form, stating the name of the debtor, the amount payable by him on account of the dues, the penalty and the costs of recovery.

Explanation:-The sending of the notice by registered post either in the name of the debtor or of authorised representative to the last known address shall be deemed to be a sufficient service upon the person concerned.

5. Suit to challenge liability to payment :-

Where a notice of demand has been served upon the debtor or his authorised representative under section 4 the debtor may, if he denied his liability to pay the dues, penalty or costs or any part of any of them institute a suit within six months from the date of service of notice of demand, after depositing with the prescribed authority the aggregate amount specified in the notice of demand under protest in writing that he is not liable to pay the same. Subject to the result of such suit, the notice of demand shall be conclusive proof of the dues, penalty and costs, mentioned therein.

6. Recovery of dues, etc. if not paid :-

(1) If the aggregate amount of the dues, penalty and costs mentioned in the notice of demand served under section 4 is not deposited with the prescribed authority within three months of the date of such service or such extended period as the prescribed authority may, from time to time allow, the debtor shall be deemed to be in default in respect of such amount and the same shall be recoverable as if it were an arrear of land revenue, notwithstanding anything to the contrary contained in any other law for the time being in force, or in any instrument or agreement having the force of law.

(2) For the purpose of such recovery, the prescribed authority may forward to the Collector having jurisdiction, a certificate under his signature in the prescribed form stating the amount and details of the demand and the name and description of the debtor in default, and the Collector shall on receipt of such certificate, proceed to recover from the debtor the amount of the demand as if it were an arrear of land revenue.

7. Power to make rules :-

(1) The Government may, by notification, 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 each House of the State Legislature 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 into two successive sessions and if, before the expiration of the session in which it is so laid or the session immediately following, both Houses agree 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 anything previously done under that rule.