

THE ANDHRA PRADESH RURAL ELECTRIC CO-OPERATIVE SOCIETIES  
(TEMPORARY PROVISIONS) ACT, 1998

(ACT NO. 32 OF 1998)

ARRANGEMENT OF SECTIONS

Sections

CHAPTER - I

1. Short title and commencement.
2. Appointment and term of Persons-in-charge.
3. Validation.

THE ANDHRA PRADESH RURAL ELECTRIC CO-OPERATIVE SOCIETIES  
(TEMPORARY PROVISIONS) ACT, 1998

ACT No.32 OF 1998

(18<sup>th</sup> December, 1998)

AN ACT TO PROVIDE FOR THE MANAGEMENT OF THE AFFAIRS OF THE RURAL ELECTRIC CO-OPERATIVE SOCIETIES BY PERSONS INCHARGE UNTIL EVOLUTION OF AN ELECTRICITY POLICY AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

Whereas, there are nine Rural Electric Co-operative Societies in the State of Andhra Pradesh, the object of which is to purchase power from the Andhra Pradesh State Electricity Board and to distribute and supply electricity in their areas of operation, and the affairs of several of them are being managed by the persons-in-charge;

And whereas, the constitution of an electricity regulatory commission, restructuring of the Electricity Industry, rationalisation of the generation, transmission, distribution and supply of electricity, avenues for participation of private sector in the electricity industry and taking measures conducive to the development and management of the electricity industry in an efficient, economic and competitive manner has been engaging the attention of the State Government since a considerable time;

And whereas, the Andhra Pradesh Electricity Reform Act, 1998 (A.P. Act No.30 of 1998) has been passed by the Legislative Assembly of the State and received the assent of the President;

And whereas, the comprehensive policy and guidelines are being evolved from restructuring and rationalising the generation, transmission, distribution and supply of electricity, participation of private sector in the Electricity Industry and development and management of electricity industry;

And whereas, future organisation and operation of the Rural Electric Co-operative Societies will be depending upon such policy and guidelines;

And whereas, sub section (7) of Section 32 of the Andhra Pradesh Co-operative Societies Act, 1964 (A.P. Act 7 of 1964) provides for appointment of a person or persons to manage the affairs of a Society for a period not exceeding six months which can be extended from time to time so however, that the aggregate period including the extended period, if any, shall not exceed three years;

And whereas, such period of three years has expired in respect of persons – in –charge of certain Rural Electric Co-operative Societies;

And whereas, evolution of an electricity policy and guidelines for the State will take sometime and it is considered desirable and advisable to conduct elections to the said Rural Electric Co-operative Societies soon after the finalization of such policy and guidelines.

Be it enacted by the Legislative Assembly of the State of Andhra

Pradesh in the Forty-ninth Year of the Republic of India, as follows:-

1.Short title and commencement - (1) This Act may be called the Andhra Pradesh Rural Electric Co-operative Societies (Temporary Provisions) Act, 1998.

(2) It shall be deemed to have come into force with effect from the 1<sup>st</sup> November, 1976.

2. Appointment and term of Persons-in-charge - Notwithstanding anything contained in the Andhra Pradesh Co-operative Societies Act, 1964 (A.P. Act 7 of 1964) or the rules made thereunder, the Government may extend from time to time the period of appointment of a person or persons appointed to manage the affairs of any Rural Electric Co-operative Society beyond the expiry of the period of three years, so however, that the period of such appointment including the extended period shall not be beyond the <sup>1</sup>[the 31<sup>st</sup> March, 2010].

3. Validation - Notwithstanding any judgement, decree or order of any court, tribunal or other authority,-

(a) no order passed under clause (a) of sub-section (7) of section 32 of the Andhra Pradesh Co-operative Societies Act, 1964 (A.P. Act 7 of 1964), extending the term of office of the persons appointed to manage the affairs of any Rural Electric Co-operative Society; and

(b) no act or thing done or proceeding taken after the commencement of section 2 of this Act in pursuance of an order passed under clause (a) of sub-section (7) of section 32 of the Andhra Pradesh Co-operative Societies Act, 1964 by any person or persons appointed to manage the affairs of any Rural Electric Co-operative Society, in exercise of the powers or the performance of the duties entrusted to them by or under the Andhra Pradesh Co-operative Societies Act, 1964; shall be deemed illegal or invalid and accordingly the extension of the term of office of the person or persons appointed to manage the affairs of the Rural Electric Cooperative Societies ordered from time to time and all acts or things done or proceedings taken by the said person or persons shall for all purposes be deemed to be and to have always been done or taken, in accordance with the provisions of the Andhra Pradesh Co-operative Societies Act, 1964 and this Act, and no suit or other proceeding shall be instituted in any court against any such extension, act or thing or proceeding on the ground only that any such extension, act, thing or proceeding was not done or taken in accordance with law.

---

<sup>1</sup> . The expression "the 31<sup>st</sup> March, 2010" substituted by the Act No. 18 of 2009, section 2.