

THE ANDHRA PRADESH PUBLIC SOCIETIES (RECONSTITUTION OF  
MANAGEMENT) ACT, 1996

ACT NO. 3 OF 1996

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SECTIONS

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SCHEDULE

THE ANDHRA PRADESH PUBLIC SOCIETIES (RECONSTITUTION  
OF MANAGEMENT) ACT, 1996

ACT No.3 OF 1996

[20<sup>th</sup> January, 1996]

AN ACT TO PROVIDE FOR EFFECTIVE FUNCTIONING OF SOCIETIES BY  
RECONSTITUTING THEIR MANAGEMENT AND FOR THE MATTERS  
CONNCTED THEREWITH OR INCIDENTAL THERETO.

Whereas there are a large number of societies registered under the law for the time being in force providing for registration and functioning for implementation of the policies of the State under the various branches of administration;

And whereas, immediate action is found to be essential in public interest to accelerate revamping of managements of such societies to function as bodies responsive to the aspirations and needs of the people;

Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Forty-sixth Year of Republic of India, as follows:-

1. Short title and commencement - (1) This Act may be called the Andhra Pradesh Public Societies (Reconstitution of Management) Act, 1996.

(2) Item 18 of the Schedule appended to the Act shall be deemed to have come into force on the 25<sup>th</sup> November, 1995 and the remaining provisions shall be deemed to have come into force on the 13<sup>th</sup> November, 1995.

2. Definitions - In this Act, unless the context otherwise requires,-

(a) "Government" means the Government of Andhra Pradesh;

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

(c) "Society" means a society registered under the provisions of the Andhra Pradesh Co-operative Societies Act, 1964 and includes any other society registered under the provisions of any other law providing for registration for the time being inforce and functioning for implementation of the policies of the State as specified in the Schedule;

(d) "Schedule" means the Schedule appended to this Act.

3. Cessation of office of the non-official Chairman and the non-official Directors - Notwithstanding anything contained in any bye-law, Memorandum of Association or Articles of Association, Notification, order, rule or regulation or in any provision of any other law for the time being in force, the non-official Chairman or president and non-official Director or member, as the case may be, by whatever name called, or every society holding such office at the commencement of this Act shall cease to hold such office forthwith.

4. Action for reconstitution of societies - Notwithstanding anything contained in any bye-law, Memorandum of Association, Notification, order, rule or regulation or any other law for the time being in force, the Government shall, within such period as they consider reasonable reconstitute the board, committee or management or the governing body by whatever name called.

5. Power to amend the Schedule - (1) The Government may, by notification, alter or add to or cancel any item in the Schedule.

(2) Where a notification has been issued under sub-section (1), there shall, unless the notification is in the meantime rescinded, be introduced in the Legislative Assembly as soon as may be, but in any case during the next session of the Legislative Assembly following the date of the issue of the notification, a Bill on behalf of the Government, to give effect to the alteration, addition or cancellation, as the case may be, of the Schedule specified in the notification, and the notification shall cease to have effect when such Bill becomes law, whether with or without modifications but without prejudice to the validity of anything previously done thereunder:

Provided that if the notification under sub-section (1) is issued when the Legislative Assembly is in session, such a Bill shall be introduced in the Legislative Assembly during that session:

Provided further that where for any reason a Bill as aforesaid does not become law within six months from the date of its introduction in the Legislative Assembly, the notification shall cease to have effect on the expiration of the said period of six months.

(3) All references made in this Act to any item in the Schedule shall be construed as relating to the item in the Schedule as for the time being amended in exercise of the powers conferred by this section.

6. Act to override other laws and bar of jurisdiction of civil courts. -

The provisions of this Act shall have effect notwithstanding anything contained in any other law for the time being in force, and accordingly,-

(a) no suit or other proceeding shall be instituted, maintained or continued in any Court for the continuance of any non-official Chairman, or President or a non-official Director or a member, as the case may be, by whatever name called who ceased to hold office

under this Act;

(b) no court shall enforce any decree or order directing the continuance of such person in such office; and

(c) all proceedings pending in any court claiming such continuance shall abate.

7. Power to remove difficulties - (1) If any difficulty arises in giving effect to the provisions of this Act, the Government may make such orders not inconsistent with the provisions of this Act as appear to them to be necessary or expedient for the purpose of removing the difficulty.

(2) Every order made under this section shall be laid before the Legislative Assembly of the State, as soon as may be, but in any case during the next session of the Legislative Assembly following the date of making such order.

8. Repeal of Ordinance 17 of 1995 - The Andhra Pradesh Public Societies (Reconstitution of Management) Ordinance, 1995 is hereby repealed.

#### SCHEDULE (See Section 2 (d))

1. Andhra Pradesh State Co-operative Consumer Federation.
2. Andhra Pradesh State Co-operative Rural Irrigation Corporation.
3. SPINFED.
4. SETWIN.
5. SERIFED.
6. Andhra Pradesh State Women's Co-operative Finance Corporation.
7. Andhra Pradesh Backward Classes Co-operative Finance Corporation.
8. Andhra Pradesh Vikalangula Co-operative Corporation.
9. Andhra Pradesh Scheduled Castes Co-operative Finance Corporation.
10. Andhra Pradesh Girijana Co-operative Corporation.
11. Andhra Pradesh Nayer Brahmin's Co-operative Societies Federation Limited.
12. Andhra Pradesh Washermen Co-operative Societies Federation Limited.
13. Andhra Pradesh Geetha Parishramikula Sahakara Arthika Samkshema Samstha.
14. Rural Electric Co-operative Society, Cheepurupalli.

15. Rural Electric Co-operative Society, Anakapalli.
16. Rural Electric Co-operative Society, Kadiri (West).
17. Rural Electric Co-operative Society, Jogipet.
18. The Andhra Pradesh Scheduled Tribes Co-operative Finance Corporation.