

**ANDHRA PRADESH (TELANGANA AREA) STATE CO-
OPERATIVE SOCIETIES (RECONSTITUTION) ACT, 1956**

43 of 1956

[25th September, 1956]

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**ANDHRA PRADESH (TELANGANA AREA) STATE CO-
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An Act to reconstitute certain existing Co-operative Societies in the Telangana area of the State of Andhra Pradesh and to provide for other matters incidental or consequential thereto. Be it enacted in the Seventh Year of the Republic of India as follows

1. Short title, extent and commencement :-

- (1) This Act may be called the Andhra Pradesh (Telangana Area) State Co-operative Societies (Reconstitution) Act, 1956.
- (2) It extends to the whole of the Telangana area of the State of Andhra Pradesh.
- (3) It shall come into force at once.

2. Reconstitution of certain existing Co-operative Societies :-

(1) Each of the following societies, that is to say, the Hyderabad State Co-operative Bank Limited, and the Hyderabad Central Co-operative Land Mortgage Bank Limited (hereinafter in this Act referred to as "the existing societies"), shall be reconstituted in the manner hereinafter appearing.

(2) From the areas of operation of each of the existing societies, the following territories shall be excluded, namely :-

(a) the territories comprised in the talukas of Bidar, Humnabad, Bhalki and Santpur of Bidar district, the talukas of Raichur, Manvi, Sindhur, Gangawathi, Kopbal, Yelbarga, Kushtagi, Lingsugur and Devdurg of Raichur district, and the talukas of Gulbarga, Chitapur, Yadgir, Shahpur, Shorapur, Jiwargi, Afzalpur, Aland, Chincholi and Sedam of Gulbarga district (hereinafter in this Act referred to as the Karnataka area);

(b) the territories comprised in the districts of Aurangabad, Prabhani, Nanded, excluding Kuber, Mudhol and Bhainsa revenue circles of Mudhol taluka and Jukkal and Bichkonda revenue circles of Deglur taluka of Nanded district, Osmanabad and Bhir and the talukas of Nilanga, Ahmedpur and Udgir of Bidar district, Islapur revenue circle of Boath taluka and Kinwat and Rajura talukas of Adilabad district (hereinafter referred to as the Marathwada area).

(3) The proposals for the reconstitution of the existing societies under Section 3 shall, inter alia, provide--

(a) In relation to the Karnataka area--

(i) for the disaffiliation from the existing societies of the member-societies within that area;

(ii) for the affiliation of the said member societies to the corresponding societies of the Mysore State, that is to say, the Mysore State Co-operative Bank Limited, or as the case may be, the Mysore Central Co-operative Land Mortgage Bank Limited, registered under the Mysore Co-operative Societies Act; and

(iii) for the transfer of the relative portion of the assets and liabilities of the existing societies to the said corresponding Mysore societies;

(b) In relation to the Marathwada area--

(i) for the disaffiliation from the existing societies of the member-

societies within that area;

(ii) either for the affiliation of the member-societies to the corresponding societies of the Bombay State, that is to say, the Bombay State Co-operative Bank Limited, or as the case may be, the Bombay State Co-operative Land Mortgage Bank Limited, registered under the Bombay Co-operative Societies Act, or for the formation and registration of a corresponding new society or societies for that area with the societies disaffiliated under sub-clause (i) as its or their members, as the Government may, by notification in the Official Gazette, direct; and

(iii) for the transfer of the relative portion of the assets and liabilities from the existing societies to the said corresponding Bombay societies or, as the case may be, the corresponding new society or societies.

3. Proposals of Registrar and confirmation by General Body of each of the existing societies :-

(1) The Registrar of Co- operative Societies of the State of Hyderabad (hereinafter in this Act referred to as the Registrar) shall, subject to the provisions of Section 2, place before a meeting of the General Body of each of the existing societies, held in such manner as may be prescribed by rules made under this Act, proposals for the reconstitution of the existing societies.

(2) Without prejudice to the generality of the foregoing power, such proposals may provide for--

(a) the allocation of the assets and liabilities of the existing societies among the reconstituted societies, the corresponding Mysore societies mentioned in Section 2(3)(a)(ii) and the corresponding Bombay societies or the corresponding new society or societies, as the case may be, mentioned in Section 2(3)(b)(ii);

(b) the membership and management of the reconstituted societies and the corresponding new society or societies mentioned in Section 2(3)(b)(ii) in case such new society or societies are formed;

(c) the allocation of the establishments of the existing societies among the societies mentioned in Clause (a) and the transfer of service of the officers and employees of such establishment; and

(d) all other matters which are necessary for or incidental to the aforesaid matters.

(3) Where such proposals provided for the allocation of the establishment or the transfer of service of officers or employees such allocation or transfer shall not entitle any such officers or employees to any compensation under the Industrial Disputes Act, 1947 (Central Act 14 of 1947) or any other law for the time being in force and no claim in respect thereof shall be entertained by any court, tribunal or other authority.

(4) If the proposals of the Registrar under sub-section (1) are confirmed by a resolution passed by a majority of the members present at the meeting either without modifications or with modifications to which the Registrar agrees, the Registrar shall certify the proposals and upon such certification the proposal shall, notwithstanding anything to the contrary contained in any law, rules, regulations or bye-laws for the time being in force, be binding on the existing societies and the societies mentioned in Section 2(3)(a)(ii) and Section 2(3)(b)(ii) and their shareholders and creditors.

4. Procedure if Registrars proposals are not confined :-

If the proposals of the Registrar are not confirmed either without modifications or with modifications agreed to by the Registrar, the State Government shall refer the proposals to a Judge of the High Court, Hyderabad, nominated by the Chief Justice, Hyderabad, in this behalf, and the decision of such Judge shall be final for all purposes and shall be binding in the same manner as if the proposals have been certified under sub-section (4) of Section 3.

5. Allocation of liabilities not to affect guarantee of the State Government :-

The allocation of the liabilities of each of the existing societies shall not affect the guarantee, if any, of the State Government for the due repayment of any debt owing by the existing societies.

6. Adaptations and modifications to certain Acts :-

The State Government may, by order, make such adaptations and modifications in the Hyderabad Co-operative Societies Act, 1952 (XVI of 1952) and the Hyderabad Land Mortgage Bank Act, 1349 Fasli (II of 1349 Fasli), as are consequential or necessary to give full effect to the reconstitution of the existing societies and the formation and registration of the new societies.

7. Acts to override certain enactments :-

The provisions of this Act shall have effect notwithstanding

anything to the contrary contained in the Hyderabad Co-operative Societies Act, 1952 XVI of 1952 and the Hyderabad Co-operative Land Mortgage Bank Act, 1349 Fasli II of 1349 Fasli.

8. Power to make rules :-

The State Government may, by notification in the Official Gazette, make rules to carry out the purposes of this Act.