

**ANDHRA PRADESH PUBLIC SECTOR UNDERTAKINGS
(RECONSTITUTION OF MANAGEMENT) ACT, 1996**

4 of 1996

[]

CONTENTS

1. Short title and commencement
2. Definitions
3. Cessation of office of the non official Chairman and the non official Directors
4. Action for reconstitution of public sector undertakings
5. Power to amend the Schedule
6. Act to override other laws and bar of jurisdiction of Civil Courts
7. Power to remove difficulties
8. Repeal of Ordinance 18 of 1995

SCHEDULE 1 :- SCHEDULE

**ANDHRA PRADESH PUBLIC SECTOR UNDERTAKINGS
(RECONSTITUTION OF MANAGEMENT) ACT, 1996**

4 of 1996

[]

STATEMENT OF OBJECTS AND REASONS At present, number of Societies registered under the Societies Registration Act, 1860, the Andhra Pradesh Public Societies (Telangana Area) Registration Act, 1317 (Fasli) and the Andhra Pradesh Co operative Societies Act, 1964 are functioning for implementation of policies of the State. It h a s been left necessary to accelerate revamping of the management of such societies to function as bodies responsive to the aspirations and the needs of the people. To achieve this object, it has become necessary to reconstitute the managements of the Societies under the control of the State Government by undertaking Legislation. As the Legislative Assembly was not then in session having been prorogued and as it was decided to give effect to the above decision immediately, the Governor has promulgated the Andhra Pradesh Public Societies (Reconstitution of Management) Ordinance, 1995 (A.P. Ordinance No. 17 of 1995) on

the 13th November, 1995. This Bill seeks to replace the said Ordinance. Appeal to L.A.Bill No. 46 of 1995. Received the assent of the Governor on the 16th January, 1996 published on the 20th January, 1996 in the Andhra Pradesh Gazette Part IV B (Ext.).

1. Short title and commencement :-

(1) This Act may be called the Andhra Pradesh Public Sector Undertakings (Reconstitution of Management) Act; 1996.

(2) Item 18 and 19 of the Schedule appended to the Act shall be deemed to have come into force on the 25th November, 1995 and the remaining provisions shall be deemed to have come into force on the 13th 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) "Public Sector Undertaking" means a public sector undertakings specified in the Schedule to this Act;

(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 rule, order or notification or bye laws Memorandum or Articles of Association or in any provision of any law for the time being in force, the non official Chairman and the non official Directors by whatever name called of every public sector undertaking holding office at the commencement of this Act shall cease to hold such office forthwith.

4. Action for reconstitution of public sector undertakings :-

Notwithstanding anything contained in any rule, order or notification or bye laws or Memorandum of Articles of Association or in any provision of any law for the time being in force, the Government shall, within such period as they consider reasonable from the date of commencement of this Act reconstitute the Board, or 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 a non official Director as the case may be, who cease to hold office under this Act;

(b) no Court shall enforce any decree or order directing the continuance of such Chairman or the Director; and

(c) all proceedings pending in any Court claiming his 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 18 of 1995 :-

The Andhra Pradesh Public Sector Undertakings (Reconstitution of Management) Ordinance, 1995 is hereby repealed.

SCHEDULE 1

SCHEDULE

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 Nayee 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. Andhra Pradesh Scheduled Tribes Co operative Finance Corporation.