

**ANDHRA PRADESH STATE HANDLOOM WEAVERS CO-  
OPERATIVE SOCIETY (FORMATION) ACT, 1976**

**54 of 1976**

[ ]

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**ANDHRA PRADESH STATE HANDLOOM WEAVERS CO-  
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An Act to provide for the formation of Andhra Pradesh State Handloom Weavers, Co-operative Society Limited, by amalgamation of the Andhra Handloom Weavers' Co-operative Society Limited, the Hyderabad Weavers, Central Co-operative Association Limited, and the Rayalaseemas Apex Weavers, Co-operative Society Limited and for matters connected therewith and incidental thereto. Be it enacted by the Legislature of the State of Andhra Pradesh in the Twenty-seventh Year of the Republic of India as follows

**1. Short title, extent and commencement :-**

(1) This Act may be called the Andhra Pradesh State Handloom Weavers' Co-operative Society (Formation) Act, 1976.

(2) It extends to the whole of the State of Andhra Pradesh. (3) It shall be deemed to have come into force on the 6th July, 1976.

## **2. Definitions :-**

In this Act, unless the context otherwise requires--

(a) "amalgamation" means the amalgamation of the Andhra Handloom Weavers' Co-operative Society, the Hyderabad Handloom Weavers' Central Co-operative Association and the Rayalaseema Apex Weavers' Co-operative Society, under Section 3, for the purpose of formation of a new Society called "the Andhra Pradesh State Handloom Weavers' Co-operative Society Limited", and the expression "amalgamated societies" shall be construed to refer to the aforesaid three societies so amalgamated;

(b) "Andhra Handloom Weavers' Co-operative Society" means the Andhra Handloom Weavers' Co-operative Society Limited, Vijayawada, registered or deemed to be registered under the Co-operative Societies Act;

(c) "appointed day" means the date appointed for the formation of the Andhra Pradesh State Handloom Weavers' Co-operative Society Limited, by the Government under sub-section (1) of Section 3;

(d) "Co-operative Societies Act" means the Andhra Pradesh Co-operative Societies Act, 1964;

(e) "Government" means the State Government;

(f) "Hyderabad Handloom Weavers' Central Co-operative Association" means the Hyderabad Handloom Weavers' Central Co-operative Association Limited, Hyderabad, registered or deemed to be registered under the Co-operative Societies Act;

(g) "new Society" means the Andhra Pradesh State Handloom Weavers' Co-operative Society Limited, formed under sub-section (1) of Section 3;

(h) "notification" means a notification published in the Andhra Pradesh Gazette;

(i) "Rayalaseema Apex Weavers' Co-operative Society" means the Rayalaseema Handloom Weavers' Co-operative Society Limited, Kurnool, registered under the Co-operative Societies Act;

(j) "Registrar" means the Registrar of the Co-operative Societies, Andhra Pradesh and includes any other person on whom all or any

of the powers of the Registrar under this Act are conferred by the Government;

(k) all words and expressions used in this Act and not defined, but defined in the Andhra Pradesh Co-operative Societies Act, 1964, shall have the meanings respectively assigned to them in that Act.

### **3. Formation of the Andhra Pradesh Handloom Weavers Co-operative Society Ltd. :-**

(1) Notwithstanding anything in the Co-operative Societies Act, or the rules made thereunder or the bye-laws for the time being in force, with effect on and from such date as the Government may, by notification, appoint in this behalf, the Andhra Handloom Weavers' Co-operative Society, the Hyderabad Handloom Weavers' Central Co-operative Association and the Rayalaseema Apex Weavers' Co-operative Society, shall stand amalgamated and shall be formed into a single new Society, called the Andhra Pradesh State Handloom Weavers' Co-operative Society Limited having as the area of its operation, the entire territory comprised in the State.

(2) On and from the appointed day--

(a) the registration each of the amalgamated societies shall stand cancelled and the said amalgamated societies shall be deemed to have been dissolved and shall cease to exist as corporate bodies;

(b) the new Society and the bye-laws as framed by the Government or any officer authorised by them in this behalf shall be deemed to have been registered under the provisions of the Co-operative Societies Act and the Registrar shall issue the necessary certificate of registration to the said new Society.

### **4. General effect of amalgamation :-**

(1) On the amalgamation with effect on and from the appointed day :-

(i) save as otherwise expressly provided in this Act, the provisions of the Co-operative Societies Act shall apply to the new society:-

(ii) the assets and liabilities of every description of the amalgamated societies shall stand transferred to the new society:

Provided that no such transfer shall prejudicially affect or render ineffective any suit, appeal or legal proceedings of whatever nature

pending by or against the amalgamated societies, but such suit, appeal or legal proceedings may be continued, prosecuted and enforced by or against the new society:-

Provided further that the liabilities of the amalgamated societies shall continue to be governed by such guarantee of the Government as subsisted with regard to them on the appointed day, as if such guarantee were given in respect of the liabilities so transferred, immediately after the appointed day;

(iii) the Government and the primary and other Co-operative Societies which are members of, or affiliated to the amalgamated societies shall be deemed to be the members of, and affiliated to, the new society;

(iv) all contracts, deeds, agreements and other instruments of whatever nature subsisting and relating to the assets and liabilities transferred to the new society, from the amalgamated societies which have been parties thereto shall have full force in favour of or against the new society, and may be enforced as if the said new society has been a party thereto.

(2) The Government may, by notification, make such supplemental, incidental and consequential provisions (including the provisions as to committees, authorities, properties, rights and interests, liabilities, duties and obligations of the amalgamated societies or new society) as they may deem necessary to give effect to the provisions of this Act.

## **5. Ultimate authority of the new society to vest in its General Body :-**

Subject to the provisions of this Act, the Co-operative Societies Act, the rules and the bye-laws, the ultimate authority of the new society shall vest in the general body consisting of such members of the general bodies of the amalgamated societies as may be specified by the Government by notification.

## **6. Management of the affairs of the new Society :-**

(1) Notwithstanding anything in this Act, the Co-operative Societies Act, or the rules made thereunder or the bye-laws for the time being in force the management of the affairs of the new society shall vest in the Committee consisting of the following members, namely:

(i) three representatives of the Primary Handloom Weavers' Co-operative Societies (other than Primary Wool Weavers' Co-operative Societies) one each to represent the Coastal Andhra Area, Rayalaseema Area and the Telangana Area to be elected from among themselves by the delegates of the Society in their respective areas;

Explanation :- For the purpose of this sub-section the expression :-

(a) "Coastal Andhra Area" means the area comprising the districts of Srikakulam, Vizianagaram, Visakhapatnam, East Godavari, West Godavari, Krishna, Guntur, Prakasam and Nellore.

(b) "Rayalaseema Area" means the area comprising of the districts of Kurnool, Cuddapah, Anantapur and Chittoor; and

(c) "Telangana Area" means the territories specified in sub-section (1) of Section 3 of the States Re-organisation Act, 1956 (Central Act 37 of 1956).

(ii) one representative of the Primary Handloom Wool Weavers' Co-operative Societies to be elected from among themselves by the delegates of such class of societies in the State;

(iii) three nominees of the Government consisting of--

(a) Director of Handlooms and Textiles;

(b) Joint Secretary to Government or Deputy Secretary to Government in the Industries and Commerce Department dealing with the Handloom Industry;

(c) one expert in Handlooms and Textiles technology;

(iv) Managing Director, Andhra Pradesh State Co-operative Bank;

(v) Deputy General Manager, Regional Office of the National Bank for Agricultural and Rural Development, Hyderabad.

(vi) Regional Director, National Co-operative Development Corporation, Poona;

(vii) Managing Director, Andhra Pradesh State Handloom Weavers Co-operative Society Limited.

(2) The elected members of the Committee shall elect from among themselves a Chairman.

## **7. Transfer of services of officers and other employees of**

### **the amalgamated societies :-**

(1) The Services of officers and other employees of the amalgamated societies shall stand transferred to the new society.

(2) Every person who has been, immediately before the appointed day, in the employment of the amalgamated societies shall, in so far as such person is employed in connection with the amalgamated societies, become as from the appointed day, an employee of the new society and shall hold his office or service therein by the same tenure, at the same remuneration and upon the same terms and conditions and with the same rights and privileges as to pension and gratuity and other matters as he would have held the same under the amalgamated societies prior to their amalgamation and shall continue to do so unless the until his employment in the new society terminated or until his terms and conditions of employment are duly altered by the new society.

(3) The transfer of the services of any officer or other employee of the amalgamated societies to the new society shall not entitle such officer or other employee to any compensation under this Act or other law for the time being in force and no such claim shall be entertained by any court, tribunal or other authority.

### **8. Over-riding effect of the Act :-**

The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in the Co-operative Societies Act.

### **9. Power to make rules :-**

(1) The Government may, by notification make rules to carry 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 in 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.

**10. Power to remove difficulties :-**

If any difficulty arises in giving effect to the provisions of this Act the Government may make such orders not inconsistent with the purpose of this Act as appear to them to be necessary or expedient for the purpose of removing the difficulty.

**11. Repeal of Ordinance 14 of 1976 :-**

The Andhra Pradesh State Handloom Weavers' Co-operative Society (Formation) Ordinance, 1976 is hereby repealed.