

Andhra Pradesh Single Window Co-Operative Credit Structure At State Level Act, 1994

ANDHRA PRADESH

India

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Act 14 of 1994

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Andhra Pradesh Single Window Co-Operative Credit Structure At State Level Act, 1994(Act No. 14 of 1994)Statement of Objects and Reasons:-The Government have been endeavouring to bring about a Single Window Agricultural Credit setup at all levels in the State. The Government of India in consultation with the Reserve Bank of India and the National Bank for Agriculture and Rural Development gave clearance in the year 1986 for integration of short term and long term co-operative credit structure for implementation at the district level in the first phase. Accordingly, as a first step in this direction the Primary Agricultural Development Banks have been abolished and their functions have been entrusted to the District Co-operative Central Bank, in order to have a Single Window Credit Structure at the District level. This has been done by the Andhra Pradesh Co-operative Laws (Amendment) Act, 1987.At present at the State level the Andhra Pradesh Co-operative Central Agricultural Development Bank and the Andhra Pradesh State Co-operative Bank Limited are operating as Apex level Agricultural Credit Agencies. The National Bank for Agriculture and Rural Development in consultation with the Reserve Bank of India and the Government of India communicated its consent recently for the integration of the aforesaid two Banks in furtherance of the policy of a complete Single Window Co-operative Credit System in the State. Accordingly, it has been decided to abolish the Andhra Pradesh Co-operative Central Agricultural Development Bank and transfer all its functions along with its assets and liabilities and staff to the Andhra Pradesh State Co-operative Bank and also to make necessary consequential and incidental provisions and amendments to the Andhra Pradesh Co-operative Societies Act, 1964.This Bill seeks to give effect to the above decision.An Act to usher in the Single Window Co-operative Credit System at the State Level and to make consequential Amendments to the Andhra Pradesh Co-operative Societies Act, 1964.Whereas a team of high level Officers constituted to study the existing rural co-operative credit delivery setup recommended the reorganisation of the Primary Agricultural Co-operative Societies and integration of short term and long term credit structures;And whereas a Committee constituted under the Chairmanship of the Additional

Secretary to Government of India, Ministry of Agriculture recommended integration of long term and short term credit structures and suggested the integration to be taken at the district level in the first phase; And whereas the integration of both the structures has accordingly been completed upto district level in all aspects in the year 1987; And whereas at the State level the Andhra Pradesh State Co-operative Bank and the Andhra Pradesh Co-operative Central Agricultural Development Bank are now functioning as Apex level credit structures; And whereas it is expedient to merge both the said Banks at the State level as a logical corollary and to achieve the desired results to the full extent as envisaged under the Single Window Co-operative Credit system in the State; And whereas the National Bank for Agriculture and Rural Development in consultation with the Reserve Bank of India and the Government of India communicated its consent for integration of the Apex level credit agencies by merger of the Andhra Pradesh Co-operative Central Agricultural Development Bank with the Andhra Pradesh State Co-operative Bank Limited; Be it enacted by the Legislative Assembly of the State of Andhra Pradesh in the Forty-fifth Year of the Republic of India as follows:

1. Short title and commencement

: - (1) This Act may be called the Andhra Pradesh Single Window Co-operative credit Structure at State Level Act, 1994. (2) It shall come into force on such date [as the State Government may, by notification, published in the Andhra Pradesh Gazette, appoint.] [Came into force from 30-4-1994, vide G.O.Ms. No. 205 A&C (Co-Operative III), dated 27.4.1994.]

2. Abolition of Central Agricultural Development Bank, Act 7 of 1964

: - (1) With effect on and from the date Abolition of appointed by the Government under sub-section (2) of Section 1, the Andhra Pradesh Central Co-operative Agricultural Development Bank registered under Andhra Pradesh Co-operative Societies Act, 1964 (hereinafter in this section referred to as the 'said bank') shall stand abolished. (2) On 'such abolition of the said Bank under sub-section (1), - (a) all properties, assets including all balances, rights, privileges, benefits, licences, powers, authorities and interest vested in the said Bank shall devolve upon the Andhra Pradesh State Co-operative Bank Limited (hereinafter in this section referred to as the Successor Bank); (b) all contracts including guarantees, deeds, bonds, debentures, agreements, powers of attorney and other instruments of whatever nature executed by or in favour of the said Bank and having effect immediately before its abolition shall be enforced and effected against or in favour of the Successor Bank and may be acted upon as fully and effectively as if the Successor Bank is a party thereto; (c) any suit, appeal or other legal proceeding of whatever nature by or against the said Bank pending on the date of its abolition shall be prosecuted by or continued against the Successor Bank; (d) all persons who are members of the said Bank on the date of its abolition shall be deemed to be the members of the Successor Bank and shall continue to hold office as such only so long as they would have held office as members of the said Bank had it not been abolished: Provided that the institutions and corporate bodies, other than the District Co-operative Central Banks who were the nominal members in the said Bank shall continue to be the nominal members of the Successor Bank without a right to vote; (e) the Successor Bank shall exercise the power and discharge the functions of all long term, medium term and short term agricultural credit and allied functions such as the banking functions; (f) all the employees of the said Bank shall be transferred to and shall be deemed

to be the employees of the Successor Bank: Provided that the staff so transferred shall continue to be governed by the respective service regulations applicable to them immediately before such transfer until new service regulations are framed by the Successor Bank with the approval of the Commissioner of Co-operation and Registrar of Co-operative Societies: Provided further that the service rendered by the staff so transferred in the said Bank upto its abolition shall be deemed to be the service under the Successor Bank and they shall be entitled to count that service for all purpose including increments, leave, provident fund and gratuity: Provided also that their existing terms and conditions of service shall not be varied to their disadvantage. (3) The integration of the services of the employees of the said Bank with the employees of the Successor Bank shall be effected in accordance with such principles as may be prescribed by rules framed in this behalf by the Government subject to the provisions of Clause (f) of sub-section (2). (4) The Registrar shall cause all consequential amendments to the Bye-laws and regulations of the Successor Bank to be made to carry out the purpose of this section.

3. Amendment of Act 7 of 1964

:- (1) Throughout the Andhra Pradesh Co-operative Societies Act, 1964 (hereinafter referred to as the principal Act), for the words "Central Agricultural Development Bank" wherever they occur, the words "The Andhra Pradesh State Co-operative Bank Limited" shall be substituted. (2) In Section 84 of the Principal Act, Clause (b) shall be omitted.

4. Act to override other laws Act 7 of 1964

: - The provisions of this Act shall have effect notwithstanding anything contained in the Andhra Pradesh Co-operative Societies Act, 1964 or in any other law for the time being in force.