

# Telangana State Co-Operative Societies (Reconstitution) Act, 1956

TELENGANA

India

## Telangana State Co-Operative Societies (Reconstitution) Act, 1956

### Act 42 of 1956

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Telangana State Co-Operative Societies (Reconstitution) Act, 1956(Act No. 42 of 1956)Last Updated 14th January, 2020The Andhra Pradesh (Telangana Area) State Co-operative Societies (Reconstitution) Act, 1956 received the assent of the President on the 21st September, 1956. The said Act in force in the combined State of the Andhra Pradesh, as on 02.06.2014, has been adapted to the State of Telangana, under section 101 of the Andhra Pradesh Reorganisation Act, 2014 (Central Act 6 of 2014) vide. the Telangana Adaptation of Laws (No.2) Order, 2016, issued in G.O.Ms.No.46, Law (F) Department, dated 01.06.2016.

### 1. Short title, extent and commencement.

(1)This Act may be called [the Telangana State Co-operative Societies (Reconstitution) Act, 1956] [Substituted by G.O.Ms.No.46, Law (F) Department, dated 01.06.2016.].(2)It extends to the whole of the [State of Telangana] [Substituted by G.O.Ms.No.46, Law (F) Department, dated 01.06.2016.].(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 operations 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, Sindhnur, 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, Parbhani, 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 the membersocieties to the corresponding societies of Co-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 Telangana] [Substituted for the words 'Telangana Area of the State of Andhra Pradesh' by G.O.Ms.No.46, Law (F) Department, dated 01.06.2016.] (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 provide for the allocation of the establishment or the transfer of service of officers or employees such allocation or transfer shall not entitle any such officer or employee 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 Registrar's proposals not confirmed.**

- 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)] [Repealed by Andhra Pradesh Act 7 of 1964.] and [the Hyderabad Land Mortgage Bank Act, 1349 Fasli (II of 1349 Fasli)] [Repealed by Andhra Pradesh Act 44 of 1961.], as are consequential on or necessary to give full effect to the reconstitution of the existing societies and the formation and registration of the new societies.

#### **7. Act 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)] [Repealed by Andhra Pradesh Act 7 of 1964.] and [the Hyderabad Co-operative Land Mortgage Bank Act, 1349 Fasli (II of 1349 Fasli)] [Repealed by Andhra Pradesh Act 44 of 1961.].

#### **8. Power to make rules.**

- The State Government may, by notification in the [Telangana Gazette] [Substituted by G.O.Ms.No.46, Law (F) Department, dated 01.06.2016.], make rules to carry out the purposes of this Act.