

Andhra Pradesh Co-Operative Societies (Temporary Provisions) Act, 1995

ANDHRA PRADESH

India

Andhra Pradesh Co-Operative Societies (Temporary Provisions) Act, 1995

Act 3 of 1995

- Published on 3 February 1995
- Commenced on 3 February 1995
- [This is the version of this document from 3 February 1995.]
- [Note: The original publication document is not available and this content could not be verified.]

Andhra Pradesh Co-Operative Societies (Temporary Provisions) Act, 1995(Act No. 3 of 1995)Statement of Objects and Reasons:-The term of office of the committees of the various co-operative societies will expire on various dates from January, 1995 onwards. In the meantime, the Government have taken a decision to amend the Andhra Pradesh Co-operative Societies Act, 1964, in order to strengthen the co-operative movement by introducing the system of direct elections to the office of the President of the committee, etc. Rules have to be framed in pursuance of the said amendments and arrangements have also to be made for conducting elections in pursuance of the altered system. As it is likely to take some time to conduct elections in accordance with the said amendments, it has been decided to promulgate an Ordinance for the following purposes, namely:- (1) to postpone the elections to co-operative bodies for a period not exceeding three months; and (2) to appoint special officers to the 'co-operative bodies during the short interregnum to manage the affairs of the society and to make arrangements for the conduct of elections. As the Legislative Assembly of the State was not then in session and as it was decided to give effect to the above decisions immediately, the Andhra Pradesh Co-operative Societies (Temporary Provisions) Ordinance, 1995 was promulgated by the Governor on the 1st January, 1995. This Bill seeks to replace the said Ordinance. Published in Andhra Pradesh Gazette Part 4B (Ext.) No. 7, dated 3-2-1995. Whereas the term of office of the various Co-operative Societies registered under the Andhra Pradesh Co-operative Societies Act, 1964 expires on various dates commencing from January, 1995; And Whereas under the said Act elections to the office of Members of the Committees have to be held before the expiry of their term; And Whereas in the meantime elections to the Legislative Assembly have been held and a new Government has assumed the office on the 12th December, 1994; And Whereas the Government want to amend the said Act and bring about important structural changes in the societies in order to strengthen the co-operative movement and to plug loopholes in its working and a Cabinet Sub-Committee has been appointed to go into these aspects and recommend necessary changes; And Whereas it will take some time to make necessary

amendments to the said Act and to frame rules relating to the elections in conformity with the amendments; 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 Co-operative Societies (Temporary Provisions) Act, 1995. (2) It shall be deemed to have come into force with effect on and from the 2nd January, 1995.

2. Definitions

: - Words and expressions used in this Act shall have the same meanings assigned to them in the Andhra Pradesh Co-operative Societies Act, 1964 (Act 7 of 1964).

3. Postponement of elections Act 7 of 1964

: - Notwithstanding anything contained in the Andhra Pradesh Co-operative Societies Act, 1964 (Act 7 of 1964), it shall be competent for the Registrar to postpone by notification either generally or specifically, any election due to the committee of a society or class of societies on the expiry of the current term of office for a period not exceeding three months from the date of expiry of such term of office of the committees;

4. Appointment of Special Officers

: - (1) Notwithstanding anything contained in the Andhra Pradesh Co-operative Societies Act, 1964 on and from the date of expiry of the term of office of the committees aforesaid there shall be appointed by the Government in respect of all Apex Co-operative Societies, Rural Electric Co-operative Societies, Co-operative Sugar Factories and Co-operative Spinning Mills and by the Registrar in respect of all other societies, by order a Special Officer to each committee for a period not exceeding three months from the date of expiry of the term aforesaid, to manage the affairs of the society and to safeguard the financial and other interests of the society. (2) The Special Officer appointed under this section shall:-(a) perform his functions in accordance with such directions as may be issued by the Government or by the Registrar, as the case may be, either generally or specifically from time to time; (b) make all arrangements for the conduct of elections to the committees and its office-bearers in accordance with law and the directions issued by the Government or by the Registrar as the case may be, in this behalf; and (c) cease to manage the affairs of the society on the new committee entering upon its office. (3) The Government or the Registrar, as the case may be, may fix the remuneration payable to the Special Officer appointed under this section. The amount of such remuneration and other costs if any, incurred in the management of the society shall be payable out of the funds of the society.

5. Cessation of Persons-in-charge

: - Notwithstanding anything contained in the Andhra Pradesh Co-operative Societies Act, 1964, whenever a person-in-charge or special officer has been appointed to manage the affairs of a Committee consequent on the expiry of the term of office of the committee or otherwise for whatever reason under the provisions of Sections 31, 32 or 34 of the said Act, such Person-in-charge or Special Officer shall, on and from the commencement of this Act, cease to hold office and it shall be competent for the Registrar or the Government, as the case may be, to appoint a Special Officer under Section 4 and upon such appointment the provisions of Section shall apply to such Special Officer.

6. Repeal of Ordinance No. 2 of 1995

: - The Andhra Pradesh Co-operative Societies (Temporary Provisions) Ordinance, 1995 is hereby repealed.