

# **U.P. Co-operative Laws (Amendment and Miscellaneous Provisions) Act, 1976**

UTTAR PRADESH

India

## **U.P. Co-operative Laws (Amendment and Miscellaneous Provisions) Act, 1976**

### **Act 12 of 1976**

- Published on 19 April 1976
- Commenced on 19 April 1976
- [This is the version of this document from 19 April 1976.]
- [Note: The original publication document is not available and this content could not be verified.]

U.P. Co-operative Laws (Amendment and Miscellaneous Provisions) Act, 1976(U.P. Act 12 of 1976)(As passed by the Uttar Pradesh Legislature)Received the assent of the Governor on April 19, 1976, published in Uttar Pradesh Gazette, Extraordinary, dated 19th April, 1976, pages 10-18.An Act further to amend the Uttar Pradesh Co-operative Societies Act, 1965 and to provide for the creation of a trust in respect of certain unclaimed sums of money and for matters connected therewith.It is hereby enacted in the Twenty-seventh Year of the Republic of India as follows:

### **1. Short title and commencement.**

(1)This Act may be called the Uttar Pradesh Co-operative Laws (Amendment and Miscellaneous Provisions) Act, 1976.(2)Section 7 shall be deemed to have come into force on February 16, 1976, Section 9 shall come into force on such date as the State Government may by notification, appoint in that behalf, Section 22 shall be deemed to have come into force on November 24, 1975 and rest of the sections shall be deemed to have come into force on October 3, 1975.[\* \* \*]

### **21. Transfer of certain unclaimed deposits to the Sansthan.**

(1)Notwithstanding anything contained in any other law for the time being in force or in any contract or instrument, all sums deposited in the U.P. Co-operative Bank Limited (hereinafter referred to as the Bank) on behalf of the sugarcane growers of Uttar Pradesh in pursuance of the State Government Notifications No. 3072-S(2)/XII-C- 118-1948, dated November 24, 1948 and No. 3321-S/XII-C-188-1948, dated January 19, 1949, by way of fixed deposits, including interest thereon, which remains unclaimed by the cane-growers concerned, on the twenty-fourth day of November, 1975, shall be paid by the Bank to the Uttar Pradesh Ganna Kisan Sansthan Society registered under the Societies Registration Act, 1860 (hereinafter referred to as the Sansthan)

within such period as the State Government may, by general or special order direct.(2)Any dispute between the Bank and the Sansthan about the amount to be transferred under sub-section (1) shall be decided by the State Government, and its decision shall be final and binding on both.(3)The Sansthan shall keep the sums so received in a separate account and hold them in trust on behalf of the depositors or their legal representatives, as the case may be.(4)The payment of the said sums by the Bank to the Sansthan shall discharge the Bank of the liability in respect thereof to the extent only of the amount so paid and the liability to make that payment to the depositors or their legal representatives to the extent aforesaid shall stand transferred to the Sansthan.(5)As soon as may be after the payment to the Sansthan under sub-section (1) the Sansthan shall publish, in such manner, a general notice, containing all such particulars, as the State Government may by order direct, inviting claims (to be preferred within a period of three months from the date of first publication of the notice) by the depositors or their legal representatives, as the case may be, for any payment due to them out of the amounts so transferred to the Sansthan.(6)Any claim received in pursuance of the general notice shall be decided by Cane Commissioner, Uttar Pradesh, or an officer not below the rank of Assistant Cane Commissioner nominated by him (hereinafter referred to as the Claims Authority).(7)If a claim is rejected by the Claims Authority, under sub-section (6), the claimant shall have a right to appeal before the District Judge of the district in which the depositor was a member of a cane-growers' co-operative society. The appeal shall lie within sixty days from the date of the order of the said authority.(8)The decision of the Claims Authority under sub-section (6) shall, subject to the result of any appeal under sub-section (7), be final, and the decision of the District Judge in such appeal, if any, shall be final.(9)Out of the amounts transferred to the Sansthan, any amount for which no claim has been made within the time specified in the general notice or in respect of which the claims filed as aforesaid have been finally rejected shall be deemed to be abandoned property and shall vest in the State as bona vacantia and shall be deemed to be transferred to and form part of a Fund to be called the Uttar Pradesh Ganna Vikas Fund.(10)The Fund shall vest in and be held and administered by the Sansthan for the purposes of development, research and training in the cultivation of cane and such other purposes of common utility for the cane-growers as the Cane Commissioner may from time to time direct.

## **22. Repeal and savings.**

(1)The Uttar Pradesh Co-operative Laws (Amendment and Miscellaneous Provisions) Ordinance, 1976 (U.P. Ordinance 3 of 1976), is hereby repealed.(2)Notwithstanding such repeal or the repeal of the Uttar Pradesh Co-operative Societies (Amendment) Ordinance, 1975 (U.P. Ordinance 36 of 1975), and the Uttar Pradesh Sugarcane Growers Deposits in the Uttar Pradesh Co-operative Bank Limited (Trust for Unclaimed Deposits) Ordinance, 1975 by the Ordinance mentioned in sub-section (1) anything done or any action taken-(a)under the principal Act, as amended by the said Uttar Pradesh Cooperative Societies (Amendment) Ordinance, 1975 (U.P. Ordinance 36 of 1975), shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act:Provided that when under sub-section (4) of Section 29 of the principal Act as so amended, an ad hoc committee was appointed by the Registrar for the administration of any society, he shall, not later than two weeks from the commencement of this Act, appoint an Administrator in place of the ad hoc committee, and until an Administrator is so appointed, the ad hoc committee shall be in charge of only the current duties of the Committee of

Management: Provided further that in respect of a society other than an apex or a central society where the Registrar has appointed an Administrator, he may, if he thinks fit, restore the management of the society to the outgoing Committee of Management, without prejudice to his powers to act again under the said sub-section (4) whenever he so thinks fit, or (b) under the Uttar Pradesh Sugarcane Growers Deposits in the Uttar Pradesh Co-operative Bank Limited (Trust for Unclaimed Deposits) Ordinance, 1975 (U. P. Ordinance 36 of 1975), shall be deemed to have been done or taken under Section 22 of this Act, -as if this Act were in force at all material times.