



## The Provincial Insolvency (Uttar Pradesh Amendment) Act, 1976

Act 53 of 1976

**Keyword(s):**

**Central Act Amendment, The Provincial Insolvency Act, 1920**

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**THE PROVINCIAL INSOLVENCY (UTTAR PRADESH AMENDMENT) ACT, 1976**

[U. P. ACT NO. 53 OF 1976]

[Authoritative English Text of the Prantiya Diwala (Uttar Pradesh Sanshadhan) Adhiniyam, 1976]

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ACT

to amend the Provincial Insolvency Act, 1920, in its application to Uttar Pradesh.

IT IS HEREBY enacted in the Twenty-seventh Year of the Republic of India as follows :—

1. (1) This Act may be called the Provincial Insolvency (Uttar Pradesh Amendment) Act, 1976.

(2) It extends to the whole of Uttar Pradesh.

(3) It shall apply also in respect of all proceedings pending immediately before July 14, 1976.

2. In section 31 of the Provincial Insolvency Act, 1920, hereinafter referred to as the principal Act,—

(a) in sub-section (2),—

(i) for the words "revoked or renewed", the words "revoked, modified or renewed" shall be substituted;

(ii) the following proviso shall be inserted, namely :—

"Provided that a protection order shall not apply to any debt referred to in sub-section (1) of section 44";

(b) in sub-section (3), in the proviso, for the words "revoked", the words "revoked or modified" shall be substituted.

3. In section 44 of the principal Act, in sub-section (1), for clause (d), the following clauses shall be substituted, namely :—

"(d) any liability under any agreement for maintenance or under any decree or order for maintenance passed under any law for the time being in force; or

(e) any debt or liability the amount due in respect of which is recoverable from him as arrears of land revenue under the Uttar Pradesh Public Moneys (Recovery of Dues) Act, 1972 or under any other law for the time being in force."

4. (1) The Provincial Insolvency (Uttar Pradesh Amendment) Ordinance, 1976, is hereby repealed.

(2) Notwithstanding such repeal anything done or any action taken under the principal Act as amended by the aforesaid Ordinance shall be deemed to have been done or taken under the corresponding provisions of the principal Act as amended by this Act, as if this Act was in force at all material times.

[For Statement of Objects and Reasons, please see Part III(a) of the Legislative Supplement of the Uttar Pradesh Gazette (Extraordinary), dated November 5 1976].

(Passed in Hindi by the Uttar Pradesh Legislative Council on November 2, 1976 and by the Uttar Pradesh Legislative Assembly on November 8, 1976).

(Received the Assent of the President on December 4, 1976 under article 201, of the Constitution of India and was published in Part I (a) of the Legislative Supplement of the Uttar Pradesh Gazette (Extraordinary), dated December 10, 1976).

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Short title, extent and application.

Amendment of section 31 of Act no. V of 1920.

Amendment of section 44.

Repeal and savings.

P. Ordinance no. of 1976.

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