THE BOMBAY REORGANISATION ACT, 1960

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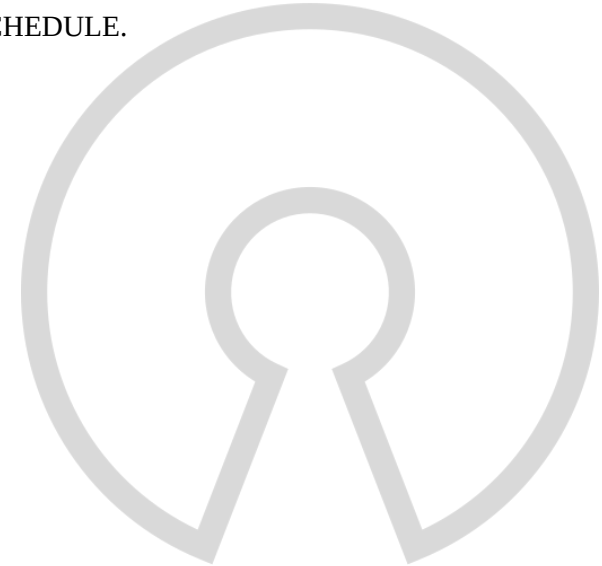
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THE BOMBAY REORGANISATION ACT, 1960

ACT NO. 11 OF 1960

[25*th April*, 1960.]

An Act to provide for the reorganisation of the State of Bombay and for matters connected therewith.

BE it enacted by Parliament in the Eleventh Year of the Republic of India as follows:—

PART I

PRELIMINARY

1. Short title.—This Act may be called the Bombay Reorganisation Act, 1960.

2. Definitions.—In this Act, unless the context otherwise requires,—

(*a*) "appointed day" means the 1st day of May, 1960;

(*b*) "article" means an article of the Constitution;

(*c*) "assembly constituency", "council constituency" and "parliamentary constituency" have the same meaning as in the Representation of the People Act, 1950 (43 of 1950);

(*d*) "law" includes any enactment, ordinance, regulation, order, bye-law, rule, scheme, notification or other instrument having, immediately before the appointed day, the force of law in the whole or in any part of the State of Bombay;

(*e*) "notified order" means an order published in the Official Gazette;

(*f*) "population ratio", in relation to the States of Maharashtra and Gujarat, means the ratio of 66.31 to 33.69;

(*g*) "sitting member", in relation to either House of Parliament or of the Legislature of the State of Bombay, means a person who, immediately before the appointed day, is a member of that House;

(*h*) "transferred territory" means the territories which, as from the appointed day, are the territories of the State of Gujarat;

(*i*) "treasury" includes a sub-treasury;

(*j*) any reference to a district, taluka, village or other territorial division of the State of Bombay shall be construed as a reference to the area comprised within that territorial division as recognised for land revenue purposes on the 1st day of December, 1959.

PART II

REORGANISATION OF BOMBAY STATE

3. Formation of Gujarat State.—(*1*) As from the appointed day, there shall be formed a new State to be known as the State of Gujarat comprising the following territories of the State of Bombay, namely:—

(*a*) Banaskantha, Mehsana, Sabarkantha, Ahmedabad, Kaira, Panch-mahals, Baroda, Broach, Surat, Dangs, Amreli, Surendranagar, Rajkot, Jamnagar, Junagadh, Bhavnagar and Kutch districts; and

(*b*) the villages in Umbergaon taluka of Thana district, the villages in Nawapur and Nandurbar talukas of West Khandesh district and the villages in Akkalkuwa and Taloda talukas of West Khandesh district, respectively specified in Parts I, II and III of the First Schedule;

and thereupon, the said territories shall cease to form part of the State of Bombay, and the residuary State of Bombay shall be known as the State of Maharashtra.

(*2*) The villages in Umbergaon taluka specified in Part I of the First Schedule shall form a separate taluka of the same name and be included in Surat district, and the remaining villages in the said taluka shall be included in, and form part of, Dahanu taluka of Thana district; and the villages specified in Parts II and III of the First Schedule shall respectively be included in, and form part of, Songadh taluka of Surat district and Sagbara taluka of Broach district.

4. Amendment of the First Schedule to the Constitution.—As from the appointed day, in the First Schedule to the Constitution, under the heading "1. THE STATES",—

(*a*) for entry 4, the following entry shall be substituted, namely:—

"4. Gujarat

The territories referred to in sub-section (*1*) of section 3 of the Bombay Reorganisation Act, 1960.";

(*b*) after entry 7, the following entry shall be inserted, namely:—

"8. Maharashtra

The territories specified in sub-section (*1*) of section 8 of the States Reorganisation Act, 1956,
but excluding the territories referred to in sub-section (*1*) of section 3 of the Bombay Reorganisation Act, 1960."; and

(c) entries 8 to 14 shall be renumbered as entries 9 to 15 respectively.

5. Saving powers of State Government.—Nothing in the foregoing provisions of this Part shall be deemed to affect the power of the State Government to alter, after the appointed day, the name, extent or boundaries of any district, taluka or village in the State.

PART III

REPRESENTATION IN THE LEGISLATURES

The Council of States

6. Amendment of the Fourth Schedule to the Constitution.—As from the appointed day, there shall be allotted 19 seats to the State of Maharashtra, and 11 seats to the State of Gujarat, in the Council of States, and in the Fourth Schedule to the Constitution, in the Table,—

(*a*) for entry 4, the following entry shall be substituted, namely:—

"4. Gujarat . . 11";

(*b*) after entry 7, the following entry shall be inserted, namely:—

"8. Maharashtra . . 19";

(*c*) entries 8 to 18 shall be renumbered as entries 9 to 19 respectively; and

(*d*) for the figures "221" the figures "224" shall be substituted.

7. Allocation of sitting members.—(*1*) The twelve sitting members of the Council of States representing the State of Bombay, whose names are specified in Part I of the Second Schedule, and such six of the nine sitting members elected to represent that State at the biennial elections held for the purpose of filling the vacancies existing on the 3rd day of April, 1960, as the Chairman of the Council of States shall by order specify shall, as from the appointed day, be deemed to have been duly elected to fill eighteen of the nineteen seats allotted to the State of Maharashtra.

(*2*) The five sitting members of the Council of States representing the State of Bombay, whose names are specified in Part II of the Second Schedule, and the remaining three of the nine members elected at the said biennial elections shall, as from the appointed day, be deemed to have been duly elected to fill eight of the eleven seats allotted to the State of Gujarat.

8. Bye-elections to fill vacancies.—As soon as may be after the appointed day, bye-elections shall be held to fill the additional seats allotted to the States of Maharashtra and Gujarat as well as the existing casual vacancy in the seats allotted to the State of Gujarat.

9. Term of office.—(*1*) The term of office of the sitting members and of the member chosen to fill the casual vacancy shall remain unaltered.

(*2*) The term of office of the member elected to fill the one additional seat allotted to the State of Maharashtra shall expire on the 2nd day of April, 1966.

(*3*) Out of the two members elected to fill the two additional seats allotted to the State of Gujarat, the term of office of that member who, at the counting of votes, is last declared elected, or if an equality of votes is found to exist, the term of office of such one of them as the returning officer shall decide by lot, shall expire on the 2nd day of April, 1964 and the term of office of the other member shall expire on the 2nd day of April, 1966.

The House of the People

10. Representation in the House of the People.—As from the appointed day, there shall be allotted 44 seats to the State of Maharashtra, and 22 seats to the State of Gujarat, in the House of the People, and in the First Schedule to the Representation of the People Act, 1950 (43 of 1950)—

(*a*) for entry 4, the following entry shall be substituted, namely:—

"4. Gujarat . . 22";

(*b*) after entry 7, the following entry shall be inserted, namely:—

"8. Maharashtra . . 44"; and

(*c*) entries 8 to 22 shall be renumbered as entries 9 to 23 respectively.

11. Delimitation of parliamentary constituencies.—As from the appointed day, the First Schedule to the Delimitation of Parliamentary and Assembly Constituencies Order, 1956, shall stand amended as directed in the Third Schedule to this Act.

12. Provision as to sitting members.—Every sitting member of the House of the People representing a constituency which, on the appointed day, by virtue of the provisions of section 11, stands allotted, with or without alteration of boundaries, to the State of Maharashtra or to the State of Gujarat, shall be deemed to have been elected to the House of the People by that constituency as so allotted.

The Legislative Assemblies

13. Strength of Legislative Assemblies.—As from the appointed day, the total number of seats to be filled by persons chosen by direct election in the Legislative Assemblies of Maharashtra and Gujarat shall be 264 and 132 respectively, and in the Second Schedule to the Representation of the People Act, 1950 (43 of 1950)—

(*a*) for entry 4, the following entry shall be substituted, namely:—

"4. Gujarat . . 132";

(*b*) after entry 7, the following entry shall be inserted, namely:—

"8. Maharashtra . . 264"; and

(*c*) entries 8 to 13 shall be renumbered as entries 9 to 14 respectively.

14. Delimitation of assembly constituencies.—As from the appointed day, the Second Schedule to the Delimitation of Parliamentary and Assembly Constituencies Order, 1956, shall stand amended as directed in the Fourth Schedule to this Act.

15. Allocation of members.—(*1*) Every sitting member of the Legislative Assembly of Bombay representing a constituency which on the appointed day by virtue of the provisions of section 14 stands transferred, whether with or without alteration of boundaries, to the State of Gujarat shall, as from that day, cease to be a member of the Legislative Assembly of Bombay and shall be deemed to have been elected to the Legislative Assembly of Gujarat by that constituency as so transferred.

(*2*) All other sitting members of the Legislative Assembly of Bombay shall become members of the Legislative Assembly of Maharashtra and any such sitting member representing a constituency the extent or the name and extent of which are altered by virtue of the provisions of section 14 shall be deemed to have been elected to the Legislative Assembly of Maharashtra by that constituency as so altered.

(*3*) The sitting member of the Legislative Assembly of Bombay nominated to that Assembly under article 333 to represent the Anglo-Indian community shall be deemed to have been nominated to represent the said community in the Legislative Assembly of Maharashtra under that article.

16. Duration of Legislative Assemblies.—The period of five years referred to in clause (1) of article 172 of the Constitution shall, in the case of the Legislative Assembly of Maharashtra or Gujarat, be deemed to have commenced on the date on which it actually commenced in the case of the Legislative Assembly of Bombay.

17. Speakers and Deputy Speakers.—(*1*) The persons who immediately before the appointed day are the Speaker and Deputy Speaker of the Legislative Assembly of Bombay shall be the Speaker and Deputy Speaker respectively of the Legislative Assembly of Maharashtra.

(*2*) As soon as may be after the appointed day, the Legislative Assembly of Gujarat shall choose two members of that Assembly to be respectively Speaker and Deputy Speaker thereof and until they are so chosen, the duties of the office of Speaker shall be performed by such member of the Assembly as the Governor may appoint for the purpose.

18. Rules of procedure.—The rules as to procedure and conduct of business in force immediately before the appointed day with respect to the Legislative Assembly of Bombay shall, until rules are made under clause (1) of article 208, have effect in relation to the Legislative Assembly of Maharashtra or of Gujarat, subject to such modifications and adaptations as may be made therein by the Speaker thereof.

19. Special provisions in relation to Gujarat Legislative Assembly.—(*1*) The total number of seats in the Legislative Assembly of Gujarat to be filled by persons chosen by direct election on the expiration of the duration of that Assembly under section 16 or on its dissolution shall be increased from 132 to 154; and accordingly, as from the date of such expiration or dissolution, in the Second Schedule to the Representation of the People Act, 1950 (43 of 1950), in entry 4, for the figures "132", the figures "154" shall be substituted.

(*2*) For the purpose of giving effect to the provisions of sub-section (*1*), the Election Commission shall determine in the manner hereinafter provided—

(*a*) the number of seats to be reserved for the scheduled castes and the scheduled tribes of the State in the Legislative Assembly, having regard to the relevant provisions of the Constitution;

[1][(*b*) the assembly constituencies into which the State shall be divided, the extent of each of such constituencies and in which of them seats shall be reserved for the scheduled castes or for the scheduled tribes; and]

(*c*) the adjustments in the boundaries and description of the extent of the parliamentary constituencies in the State that may be necessary or expedient.

[2][(*3*) In determining the matters referred to in clauses (*b*) and (*c*) of sub-section (*2*), the Election Commission shall have regard to the following provisions, namely:—

(*a*) all the constituencies shall be single-member constituencies;

(*b*) all the constituencies shall, as far as practicable, be geographically compact areas and in delimiting them regard shall be had to physical features, existing boundaries of administrative units, facilities of communication and public convenience; and

1. Subs. by Act 1 of 1961, s. 6, for clause (*b*) (w.e.f. 9-3-1961).
2. Subs. by s. 6, *ibid*., for sub-section (*3*) (w.e.f. 9-3-1961).

(*c*) constituencies in which seats are reserved either for the scheduled castes or for the scheduled tribes shall, as far as practicable, be located in the areas in which the population of the scheduled castes or, as the case may be, of the scheduled tribes is most concentrated, but in regard to scheduled castes, care should be taken to distribute the reserved seats in different areas of the State.]

(*4*) For the purpose of assisting the Election Commission in the performance of its functions under sub-section (*2*), the Commission shall associate with itself such five persons as the Central Government shall by order specify, being persons who are members either of the Legislative Assembly of the State or of the House of the People representing the State:

Provided that none of the said associate members shall have a right to vote or to sign any decision of the Election Commission.

(*5*) The Election Commission shall—

(*a*) publish its proposals in regard to matters mentioned in sub-section (*2*) in the Official Gazette of the State together with a notice specifying the date on or after which the proposals will be further considered by it;

(*b*) consider all objections and suggestions which may have been received by it before the date so specified, and for the purpose of such consideration, hold one or more public sittings at such place or places as it thinks fit;

(*c*) make an order revising to such extent as may be necessary or expedient the Schedules to the Delimitation of Parliamentary and Assembly Constituencies Order, 1956, in so far as they relate to the State; and

(*d*) send authenticated copies of the order to the Central Government and to the State Government.

(*6*) As soon as may be after the said order is received by the Central Government or the State Government, it shall be laid before the House of the People or, as the case may be, the Legislative Assembly of the State.

(*7*) An order made by the Election Commission under this section shall have the full force of law and shall not be called in question in any court.

The Legislative Council

20. Amendment of article 168 of the Constitution.—As from the appointed day, in article 168 of the Constitution, in sub-clause (*a*) of clause (1), the word "Bombay" shall be omitted, and after the word "Madras", the word "Maharashtra" shall be inserted.

21. Legislative Council of Maharashtra.—As from the appointed day, there shall be 78 seats in the Legislative Council of Maharashtra, and in the Third Schedule to the Representation of the People Act, 1950 (43 of 1950),—

(*a*) the entry No. 3 relating to Bombay shall be omitted and the existing entries 4 and 5 shall be renumbered as entries 3 and 4 respectively;

(*b*) after the entry relating to Madras, the following entry shall be inserted, namely:—

"5. Maharashtra.. 78 22 7 7 30 12".

22. Council constituencies.—As from the appointed day, the Delimitation of Council Constituencies (Bombay) Order, 1951 shall stand amended as directed in the Fifth Schedule.

23. Provision as to certain sitting members.—(*1*) On the appointed day—

(*a*) the sitting members of the Legislative Council of Bombay specified in the Sixth Schedule shall cease to be members of that Council; and

(*b*) all other sitting members of that Council shall become members of the Legislative Council of Maharashtra and any such sitting member representing a council constituency the extent of which is altered by virtue of the provisions of section 22 shall be deemed to have been elected to the Legislative Council of Maharashtra by that constituency as so altered.

(*2*) The term of office of the members referred to in clause (*b*) of sub-section (*1*) shall remain unaltered.

24. Special provision as to biennial elections.—(*1*) Notwithstanding anything contained in section 16 of the Representation of the People Act, 1951 (43 of 1951), no notification under that section shall be published before the appointed day for holding biennial elections to fill the seats of members of the Legislative Council of Bombay, retiring on the expiration of their term of office on the 24th day of April, 1960.

(*2*) The term of office of the members of the said Council elected to fill the vacancies at the said biennial elections shall expire on the 24th day of April, 1966.

25. Chairman and Deputy Chairman.—(*1*) The person who immediately before the appointed day is the Deputy Chairman of the Legislative Council of Bombay shall be the Deputy Chairman of the Legislative Council of Maharashtra.

(*2*) As soon as may be after the completion of the biennial elections referred to in section 24, the Legislative Council of Maharashtra shall choose one of its members to be the Chairman thereof.

Scheduled Castes and Scheduled Tribes

26. Amendment of the Scheduled Castes Order.—As from the appointed day, the Constitution (Scheduled Castes) Order, 1950, shall stand amended as directed in the Seventh Schedule.

27. Amendment of the Scheduled Tribes Order.—As from the appointed day, the Constitution (Scheduled Tribes) Order, 1950, shall stand amended as directed in the Eighth Schedule.

PART IV

HIGH COURTS

28. High Court for Gujarat.—(*1*) As from the appointed day, there shall be a separate High Court for the State of Gujarat (hereinafter referred to as "the High Court of Gujarat") and the High Court of Bombay shall become the High Court for the State of Maharashtra (hereinafter referred to as the High Court at Bombay).

(*2*) The principal seat of the High Court of Gujarat shall be at such place as the President may, by notified order, appoint.

(*3*) Notwithstanding anything contained in sub-section (*2*), the Judges and division courts of the High Court of Gujarat may sit at such other place or places in the State of Gujarat other than its principal seat as the Chief Justice may, with the approval of the Governor of Gujarat, appoint.

29. Judges of Gujarat High Court.—(*1*) Such of the Judges of the High Court of Bombay holding office immediately before the appointed day as may be determined by the President shall on that day cease to be Judges of the High Court at Bombay and become Judges of the High Court of Gujarat.

(*2*) The persons who by virtue of sub-section (*1*) become Judges of the High Court of Gujarat shall, except in the case where any such person is appointed to be the Chief Justice of that High Court, rank in that Court according to the priority of their respective appointments as Judges of the High Court of Bombay.

30. Jurisdiction of Gujarat High Court.—The High Court of Gujarat shall have, in respect of any part of the territories included in the State of Gujarat, all such jurisdiction, powers and authority as, under the law in force immediately before the appointed day, are exercisable in respect of that part of the said territories by the High Court of Bombay.

[**31.** ***Power to enrol advocates, etc.*****]—***Rep. by the Advocates Act,* 1961 (25 *of* 1961), *s.* 50 *andthe Schedule* (*w.e.f*. 4-1-1963).

32. Practice and procedure in Gujarat High Court.—Subject to the provisions of this Part, the law in force immediately before the appointed day with respect to practice and procedure in the High Court of Bombay shall, with the necessary modifications, apply in relation to the High Court of Gujarat, and accordingly, the High Court of Gujarat shall have all such powers to make rules and orders with respect to practice and procedure as are immediately before the appointed day exercisable by the High Court of Bombay:

Provided that any rules or orders which are in force immediately before the appointed day with respect to practice and procedure in the High Court of Bombay shall, until varied or revoked by rules or orders made by the High Court of Gujarat, apply with the necessary modifications in relation to practice and procedure in the High Court of Gujarat as if made by that Court.

33. Custody of seal of Gujarat High Court.—The law in force immediately before the appointed day with respect to the custody of the seal of the High Court of Bombay shall, with the necessary modifications, apply with respect to the custody of the seal of the High Court of Gujarat.

34. Form of writs and other processes.—The law in force immediately before the appointed day with respect to the form of writs and other processes used, issued or awarded by the High Court of Bombay shall, with the necessary modifications, apply with respect to the form of writs and other processes used, issued or awarded by the High Court of Gujarat.

35. Powers of Judges.—The law in force immediately before the appointed day relating to the powers of the Chief Justice, single Judges and division courts of the High Court of Bombay and with

respect to all matters ancillary to the exercise of those powers shall, with the necessary modifications, apply in relation to the High Court of Gujarat.

36. Procedure as to appeals to Supreme Court.—The law in force immediately before the appointed day relating to appeals to the Supreme Court from the High Court of Bombay and the Judges and division courts thereof shall, with the necessary modifications, apply in relation to the High Court of Gujarat.

37. Transfer of proceeding from Bombay High Court to Gujarat High Court.—(*1*) Except as hereinafter provided, the High Court at Bombay shall, as from the appointed day, have no jurisdiction in respect of the transferred territory.

(*2*) Such proceedings pending in the High Court of Bombay immediately before the appointed day as are certified, whether before or after that day, by the Chief Justice of that High Court, having regard to the place of accrual of the cause of action and other circumstances, to be proceedings which ought to be heard and decided by the High Court of Gujarat shall, as soon as may be after such certification, be transferred to the High Court of Gujarat.

(*3*) Notwithstanding anything contained in sub-sections (*1*) and (*2*) of this section or in section 30, but save as hereinafter provided, the High Court at Bombay shall have, and the High Court of Gujarat shall not have, jurisdiction to entertain, hear or dispose of appeals, applications for leave to appeal to the Supreme Court, applications for review and other proceedings where any such proceedings seek any relief in respect of any order passed by the High Court of Bombay before the appointed day:

Provided that if after any such proceedings have been entertained by the High Court at Bombay, it appears to the Chief Justice of that High Court that they ought to be transferred to the High Court of Gujarat, he shall order that they shall be so transferred, and such proceedings shall thereupon be transferred accordingly.

(*4*) Any order made by the High Court of Bombay—

(*a*) before the appointed day, in any proceedings transferred to the High Court of Gujarat by virtue of sub-section (*2*), or

(*b*) in any proceedings with respect to which the High Court at Bombay retains jurisdiction by virtue of sub-section (3),

shall for all purposes have effect, not only as an order of the High Court at Bombay, but also as an order made by the High Court of Gujarat.

38. Right to appear or to act in proceedings transferred to Gujarat High Court.—Any person, who, immediately before the appointed day, is an advocate entitled to practise, or an attorney entitled to act, in the High Court of Bombay and was authorised to appear or to act in any proceedings transferred from that High Court to the High Court of Gujarat under section 37, shall have the right to appear or to act, as the case may be, in the High Court of Gujarat in relation to those proceedings.

39. Interpretation.—For the purposes of section 37—

(*a*) proceedings shall be deemed to be pending in a court until that court has disposed of all issues between the parties, including any issues with respect to the taxation of the costs of the proceedings and shall include appeals, applications for leave to appeal to the Supreme Court, applications for review, petitions for revision and petitions for writs;

(*b*) references to a High Court shall be construed as including references to a Judge or division court thereof, and references to an order made by a court or a Judge shall be construed as including references to a sentence, judgment or decree passed or made by that court or Judge.

40. Savings.—Nothing in this Part shall affect the application to the High Court of Gujarat of any provisions of the Constitution, and this Part shall have effect subject to any provision that may be made on or after the appointed day with respect to that High Court by any Legislature or other authority having power to make such provision.

41. Permanent Bench of Bombay High Court at Nagpur.—Without prejudice to the provisions of section 51 of the States Reorganisation Act, 1956 (37 of 1956), such Judges of the High Court at Bombay, being not less than three in number, as the Chief Justice may from time to time nominate, shall sit at Nagpur in order to exercise the jurisdiction and power for the time being vested in that High Court in respect of cases arising in the districts of Buldana, Akola, Amravati, Yeotmal, Wardha, Nagpur, Bhandara, Chanda and Rajura:

Provided that the Chief Justice may, in his discretion, order that any case arising in any such district shall be heard at Bombay.

PART V

AUTHORISATION OF EXPENDITURE

42. Authorisation of expenditure of Gujarat State.—The Governor of Bombay may, at any time before the appointed day, authorise such expenditure from the Consolidated Fund of the State of Gujarat as he deems necessary for a period of not more than six months beginning with the appointed day pending the sanction of such expenditure by the Legislature of the State of Gujarat:

Provided that the Governor of Gujarat may, after the appointed day, authorise such further expenditure as he deems necessary from the Consolidated Fund of the State of Gujarat for any period not extending beyond the said period of six months.

43. Reports relating to accounts of Bombay State.—(*1*) The reports of the Comptroller and Auditor-General of India referred to in clause (2) of article 151 relating to the accounts of the State of Bombay in respect of any period prior to the appointed day shall be submitted to the Governor of each of the States of Maharashtra and Gujarat who shall cause them to be laid before the Legislature of the State.

(*2*) The President may by order—

(*a*) declare any expenditure incurred out of the Consolidated Fund of Bombay on any service in respect of any period prior to the appointed day during the financial year 1960-61 or in respect of any earlier financial year in excess of the amount granted for that service and for that year as disclosed in the reports referred to in sub-section (*1*) to have been duly authorised, and

(*b*) provide for any action to be taken on any matter arising out of the said reports.

44. Allowances and privileges of Governor of Gujarat.—The allowances and privileges of the Governor of Gujarat shall, until provision in that behalf is made by Parliament by law under clause (3) of article 158, be such as the President may, by order, determine.

45. Distribution of revenues.—(*1*) Section 3 of the Union Duties of Excise (Distribution) Act, 1957 (55 of 1957), sections 3 and 5 of the Estate Duty and Tax on Railway Passenger Fares (Distribution) Act, 1957 (57 of 1957), section 4 of, and the Second Schedule to, the Additional Duties of Excise (Goods of Special Importance) Act, 1957 (58 of 1957), and paragraph 3 of the Constitution (Distribution of Revenues) No. 2 Order, 1957, shall have effect subject to such modifications as are specified in the Ninth Schedule.

(*2*) The total amount payable to the State of Maharashtra under the enactments and Order referred to in sub-section (*1*) in respect of the part of the financial year 1960-61 beginning with the appointed day and in respect of the financial year 1961-62 shall be reduced by a sum of 602 lakhs of rupees and 614 lakhs of rupees, respectively and the total amount payable to the State of Gujarat, under those enactments and Order in respect of each of those periods shall be correspondingly increased.

PART VI

APPORTIONMENT OF ASSETS AND LIABILITIES

46. Application of Part.—The provisions of this Part shall apply in relation to the apportionment of the assets and liabilities of the State of Bombay immediately before the appointed day.

47. Land and goods.—(*1*) Subject to the other provisions of this Part, all land and all stores, articles and other goods belonging to the State o

(*a*) if within the transferred territory, pass to the State of Gujarat; or

(*b*) in any other case, remain the property of the State of Maharashtra:

Provided that where the Central Government is of opinion that any goods or class of goods should be distributed otherwise than according to the situation of the goods, the Central Government may issue such directions as it thinks fit for a just and equitable distribution of the goods and the goods shall remain the property of the State of Maharashtra or, as the case may be, pass to the State of Gujarat, accordingly.

(*2*) Any such stores of the State of Bombay as are referred to in the Tenth Schedule shall be divided between the States of Maharashtra and Gujarat in the manner specified therein.

(*3*) In this section, the expression "land" includes immovable property of every kind and any rights in or over such property, and the expression "goods" does not include coins, bank notes and currency notes.

48. Treasury and bank balances.—The total of the cash balances in all treasuries of the State of Bombay and the credit balances of that State with the Reserve Bank of India, the State Bank of India and the State Bank of Saurashtra immediately before the appointed day shall be divided between the States of Maharashtra and Gujarat according to the population ratio:

Provided that for the purposes of such division, there shall be no transfer of cash balances from any treasury to any other treasury and the apportionment shall be effected by adjusting the credit balances of the two States in the books of the Reserve Bank of India on the appointed day:

Provided further that if the State of Gujarat has no account on the appointed day with the Reserve Bank of India, the adjustment shall be made in such manner as the Central Government may, by order, direct.

49. Arrears of taxes.—The right to recover arrears of any tax or duty on property, including arrears of land revenue, shall belong to the State in which the property is situated, and the right to recover arrears of any other tax or duty shall belong to the State in whose territories the place of assessment of that tax or duty is included on the appointed day:

Provided that any sum recovered after the appointed day in respect of any arrears of tax accruing during the period between the 1st day of January, 1960, and the 30th day of April, 1960 (both days inclusive) under the Central Sales Tax Act, 1956 (74 of 1956), or the Bombay Sales Tax Act, 1959 (Bom. Act LI of 1959), shall, after deducting the cost of collection thereof, be divided between the States of Maharashtra and Gujarat according to the population ratio.

50. Right to recover loans and advances.—(*1*) The right of the State of Bombay to recover any loans or advances made before the appointed day to any local body, society, agriculturist or other person in an area within that State shall belong to the State in which that area is included on that day.

(*2*) The right of the State of Bombay to recover any loans or advances made before the appointed day to any person or institution outside that State shall belong to the State of Maharashtra:

Provided that any sum recovered in respect of any such loan or advance shall be divided between the States of Maharashtra and Gujarat according to the population ratio.

51. Credits in certain funds.—(*1*) Out of the investments of the State of Bombay made before the appointed day in the cash balance investment account of the State, such securities of the value of ten crores of rupees, as the Central Government may by order specify, shall pass to the State of Gujarat in connection with the construction of a capital for that State; and the remaining investments in the said account shall be divided between the States of Maharashtra and Gujarat according to the population ratio.

(*2*) The investments of the State of Bombay immediately before the appointed day in the State Famine Relief Fund, the State Road Fund, the Fund for Development Schemes, the Insurance Fund, the Bombay State Milk Fund, the Securities Adjustment Reserve Fund and any other general fund and the sums at the credit of that State in the Central Road Fund shall be divided between the States of Maharashtra and Gujarat according to the population ratio.

(*3*) The investments of the State of Bombay immediately before the appointed day in the Dangs District Reserve Fund, the Port Reserve Fund, the Port Development Fund and the Anand Institute Fund shall pass to the State of Gujarat and the investments in any other special fund the objects of which are confined to a local area shall belong to the State in which that area is included on the appointed day.

(*4*) The investments of the State of Bombay immediately before the appointed day in any private commercial or industrial undertaking, in so far as such investments have not been made or are deemed not to have been made from the cash balance investment account, shall pass to the State in which the principal seat of business of the undertaking is located.

(*5*) Where any body corporate constituted under a Central Act, State Act or Provincial Act for the State of Bombay or any part thereof has, by virtue of the provisions of Part II, become an inter-State body corporate, the investments in, or loans or advances to, any such body corporate by the State of Bombay made before the appointed day shall, save as otherwise expressly provided by or under this Act, be divided between the States of Maharashtra and Gujarat in the same proportion in which the assets of the body corporate are divided under the provisions of Part VII.

52. Special Revenue Reserve Fund in Gujarat.—(*1*) Out of the investments in the cash balance investment account which remain with the State of Maharashtra after giving effect to the provisions of section 51, such securities of the value of 1,420 lakhs of rupees as the Central Government may by order specify shall stand transferred to the State of Gujarat.

(*2*) There shall be constituted in the State of Gujarat a Fund to be called the Special Revenue Reserve Fund consisting of the securities transferred to that State under sub-section (*1*) and such other securities belonging to the State of Gujarat of the value of 1,419 lakhs of rupees as the Central Government may by order specify.

(*3*) From and out of the fund constituted under sub-section (*2*), there shall be transferred as receipts in the revenue account of the State of Gujarat in each of the financial years specified in column 1 of the following Table a sum set out against that year in column 2 thereof, and in the financial year 1969-70, the balance, if any, remaining in that fund:—

TABLE

Financial year	*Amount in lakhs of rupees.*
(1)	(2)
1962-63	612
1963-64	585
1964-65	561
1965-66	526
1966-67	433
1967-68	340
1968-69	209

53. Assets and liabilities of State undertakings.—(*1*) The assets and liabilities relating to any commercial or industrial undertaking of the State of Bombay shall pass to the State in which the undertaking is located.

(*2*) Where a depreciation reserve fund is maintained by the State of Bombay for any such commercial or industrial undertaking, the securities held in respect of investments made from that fund shall pass to the State in which the undertaking is located.

54. Public debt.—(*1*) The public debt of the State of Bombay attributable to loans raised by the issue of Government securities and outstanding with the public immediately before the appointed day shall, as from that day, be the debt of the State of Maharashtra:

Provided that—

(*a*) the State of Gujarat shall be liable to pay to the State of Maharashtra its share of the sums due from time to time for the servicing and repayment of the debt; and

(*b*) for the purpose of determining the said share, the debt shall be deemed to be divided between the States of Maharashtra, and Gujarat as if it were a debt referred to in sub-section (*2*) or sub-section (3), as the case may be.

(*2*) The public debt of the State of Bombay attributable to loans taken from the Central Government, the National Co-operative Development and Warehousing Board or the Khadi and Village Industries Commission or from any other source for the express purpose of re-lending the same to a specific institution and outstanding immediately before the appointed day shall,—

(*a*) if re-lent to any local body, body corporate or other institution in any local area, be the debt of the State in which the local area is included on the appointed day; or

(*b*) if re-lent to the Bombay State Electricity Board, the Bombay State Road Transport Corporation, or the Bombay Housing Board or any other institution which becomes an inter-State institution on the appointed day, be divided between the States of Maharashtra and Gujarat in the same proportion in which the assets of such body corporate or institution are divided under the provisions of Part VII.

(*3*) The remaining public debt of the State of Bombay attributable to loans taken from the Central Government, the Reserve Bank of India or any other body corporate and outstanding immediately before the appointed day shall be divided between the States of Maharashtra and Gujarat in proportion to the total expenditure on all capital works and other capital outlays incurred or deemed to have been incurred up to the appointed day in the territories included respectively in each of those States:

Provided that for the purposes of such division, only the expenditure on assets for which capital accounts have been kept shall be taken into account.

Explanation.—Where any expenditure on capital works or other capital outlays cannot be allocated between the territories included in the States of Maharashtra and Gujarat, such expenditure shall, for the purposes of this sub-section, be deemed to have been incurred in those territories according to the population ratio.

(*4*) Where a sinking fund or a depreciation fund is maintained by the State of Bombay for repayment of any loan raised by it, the securities held in respect of investments made from that fund shall be divided between the States of Maharashtra and Gujarat in the same proportion in which the total public debt is divided between the two States under this section.

Explanation.—For the purposes of this sub-section, the fund in the public account of the State of Bombay known as the Debt Redemption and Avoidance Fund shall be deemed to be a sinking fund.

(*5*) The share of the State of Gujarat in the liability on account of public debt apportioned under sub-section (*3*) shall be reduced by 1,419 lakhs of rupees and the share of the State of Maharashtra in such liability shall be correspondingly increased.

(*6*) In this section, the expression "Government security" means a security created and issued by a State Government for the purpose of raising a public loan and having any of the forms specified in, or prescribed under clause (*2*) of section 2 of the Public Debt Act, 1944 (18 of 1944).

55. Floating Debt.—(*1*) The liability of the State of Bombay in respect of any floating debt of a Merged State shall be the liability of the State in whose territories the area of the Merged State is included on the appointed day.

(*2*) The liability of the State of Bombay in respect of any other floating loan to provide short-term finance to any commercial undertaking shall be the liability of the State in whose territories the undertaking is located.

56. Refund of taxes collected in excess.—The liability of the State of Bombay to refund any tax or duty on property, including land revenue, collected in excess shall be the liability of the State in which the property is situated, and the liability of und any other tax or duty collected in

excess shall be the liability of the State in whose territories the place of assessment of that tax or duty is included:

Provided that the liability to refund any amount after the appointed day on account of any excess collected in respect of any tax accruing during the period between the 1st day of January, 1960, and the 30th day of April, 1960 (both days inclusive) under the Central Sales Tax Act, 1956 (74 of 1956) or the Bombay Sales Tax Act, 1959 (Bom. Act LI of 1959), shall be shared between the two States of Maharashtra and Gujarat according to the population ratio.

57. Deposits, etc.—(*1*) The liability of the State of Bombay in respect of any civil deposit or local fund deposit shall, as from the appointed day, be the liability of the State in whose area the deposit has been made.

(*2*) The liability of the State of Bombay in respect of any charitable or other endowment shall, as from the appointed day, be the liability of the State in whose area the institution entitled to the benefit of the endowment is located or of the State to which the objects of the endowment, under the terms thereof, are confined.

58. Provident fund.—The liability of the State of Bombay in respect of the provident fund account of a Government servant in service on the appointed day shall, as from that day, be the liability of the State to which that Government servant is permanently allotted.

59. Pensions.—The liability of the State of Bombay in respect of pensions shall pass to, or be apportioned between, the States of Maharashtra and Gujarat in accordance with the provisions contained in the Eleventh Schedule.

60. Contracts.—(*1*) Where, before the appointed day, the State of Bombay has made any contract in the exercise of its executive power for any purposes of the State, that contract shall be deemed to have been made in the exercise of the executive power,—

(*a*) if such purposes are, as from that day, exclusively purposes of either the State of Maharashtra or the State of Gujarat, of that State; and

(*b*) in any other case, of the State of Maharashtra;

and all rights and liabilities which have accrued, or may accrue, under any such contract shall, to the extent to which they would have been rights or liabilities of the State of Bombay, be rights or liabilities of the State of Maharashtra or the State of Gujarat, as the case may be:

Provided that in any such case as is referred to in clause (*b*), the initial allocation of rights and liabilities made by this sub-section shall be subject to such financial adjustment as may be agreed upon between the State of Maharashtra and the State of Gujarat or, in default of such agreement, as the Central Government may by order direct.

(*2*) For the purposes of this section, there shall be deemed to be included in the liabilities which have accrued or may accrue under any contract—

(*a*) any liability to satisfy an order or award made by any court or other tribunal in proceedings relating to the contract; and

(*b*) any liability in respect of expenses incurred in or in connection with any such proceedings.

(*3*) This section shall have effect subject to the other provisions of this Part relating to the apportionment of liabilities in respect of loans, guarantees and other financial obligations; and bank balances and securities shall, notwithstanding that they partake of the nature of contractual rights, be dealt with under those provisions.

61. Liability in respect of actionable wrong.—Where, immediately before the appointed day, the State of Bombay is subject to any liability in respect of any actionable wrong other than breach of contract, that liability shall,—

(*a*) if the cause of action arose wholly within the territories which, as from that day, are the territories of the State of Maharashtra or the State of Gujarat, be a liability of that State; and

(*b*) in any other case, be initially a liability of the State of Maharashtra, but subject to such financial adjustment as may be agreed upon between the States of Maharashtra and Gujarat or, in default of such agreement, as the Central Government may by order direct.

62. Liability as guarantor.—Where, immediately before the appointed day, the State of Bombay is liable as guarantor in respect of any liability of a registered cooperative society or other person, that liability shall,—

(*a*) if the area of operations of such society or person is limited to the territories which, as from that day, are the territories of the State of Maharashtra or of the State of Gujarat, be a liability of that State; and

(*b*) in any other case, be initially a liability of the State of Maharashtra, subject to such financial adjustment as may be agreed upon between the States of Maharashtra and Gujarat or, in default of such agreement, as the Central Government may by order direct.

63. Items in suspense.—If any item in suspense is ultimately found to affect an asset or liability of the nature referred to in any of the foregoing provisions of this Part, it shall be dealt with in accordance with that provision.

64. Residuary provision.—The benefit or burden of any asset or liability of the State of Bombay not dealt with in the foregoing provisions of this Part shall pass to the State of Maharashtra in the first instance, subject to such financial adjustment as may be agreed upon between the States of Maharashtra and Gujarat before the 1st day of April, 1961 or, in default of such agreement, as the Central Government may by order direct.

65. Apportionment of assets or liabilities by agreement.—Where the States of Maharashtra and Gujarat agree that the benefit or burden of any particular asset or liability should be apportioned between them in a manner other than that provided for in the foregoing provisions of this Part, then, notwithstanding anything contained therein, the benefit or burden of that asset or liability shall be apportioned in the manner agreed upon.

66. Power of Central Government to order allocation or adjustment in certain cases.—Where, by virtue of any of the provisions of this Part, any of the States of Maharashtra and Gujarat becomes entitled to any property or obtains any benefits or becomes subject to any liability, and the Central Government, on a reference made within a period of three years from the appointed day by either of the States, is of opinion that it is just and equitable that that property or those benefits should be transferred to, or shared with, the other State or that a contribution towards that liability should be made by the other State, the said property or benefits shall be allocated in such manner between the two States, or the other State shall make to the State subject to the liability such contribution in respect thereof, as the Central Government may, after consultation with the two State Governments, by order determine.

67. Certain expenditure to be charged on Consolidated Fund.—All sums payable either by the State of Maharashtra or by the State of Gujarat to the other State or by the Central Government to either of those States, by virtue of the provisions of this Act, shall be charged on the Consolidated Fund of the State by which such sums are payable or, as the case may be, the Consolidated Fund of India.

PART VII

PROVISIONS AS TO CERTAIN CORPORATIONS

68. Provisions as to Bombay State Electricity Board and State Warehousing Corporation.—(*1*) The following bodies corporate constituted for the State of Bombay, namely:—

(*a*) the State Electricity Board constituted under the Electricity Supply Act, 1948 (54 of 1948); and

(*b*) the State Warehousing Corporation established under the Agricultural Produce (Development and Warehousing) Corporations Act, 1956 (28 of 1956),

shall, as from the appointed day, continue to function in those areas in respect of which they were functioning immediately before that day, subject to the provisions of this section and to such directions as may, from time to time, be issued by the Central Government.

(*2*) Any directions issued by the Central Government under sub-section (*1*) in respect of the Board or the Corporation shall include a direction that the Act under which the Board or the Corporation was constituted shall, in its application to that Board or Corporation, have effect subject to such exceptions and modifications as the Central Government thinks fit.

(*3*) The Board or the Corporation referred to in sub-section (*1*) shall cease to function as from, and shall be deemed to be dissolved on, the 1st day of October, 1960, or such earlier date as the Central Government may, by order, appoint; and upon such dissolution, its assets, rights and liabilities shall be apportioned between the State of Maharashtra and the State of Gujarat in such manner as may be agreed upon between them within one year of the dissolution of the Board or the Corporation, as the case may be, or if no agreement is reached, in such manner as the Central Government may by order determine.

(*4*) Nothing in the preceding provisions of this section shall be construed as preventing the Government of the State of Maharashtra or, as the case may be, the Government of the State of Gujarat from constituting, at any time on or after the appointed day, a State Electricity Board or a State Warehousing Corporation for that State under the provisions of the Act relating to such Board or Corporation; and if such a Board or Corporation is so constituted in either of the States before the dissolution of the Board or the Corporation referred to in sub-section (*1*),—

(*a*) provision may be made by order of the Central Government enabling the new Board or the new Corporation to take over from the existing Board or Corporation all or any of its undertakings, assets, rights and liabilities in that State, and

(*b*) upon the dissolution of the existing Board or Corporation, any assets, rights and liabilities which would otherwise have passed to that State by or under the provisions of sub-section (*3*) shall pass to the new Board or the new Corporation instead of to that State.

69. Continuance of arrangements in regard to generation and supply of electric power and supply of water.—If it appears to the Central Government that the arrangement in regard to the generation or supply of electric power or the supply of water for any area or in regard to the execution of any project for such generation or supply has been or is likely to be modified to the disadvantage of that area by reason of the fact that it is, by virtue of the provisions of Part II, outside the State in which the power stations and other installations for the generation and supply of such power, or the catchment area, reservoirs and other works for the supply of water, as the case may be, are located, the Central Government may give such directions as it deems proper to the State Government or other authority concerned for the maintenance, so far as practicable, of the previous arrangement.

70. Provisions as to Bombay State Financial Corporation.—(*1*) The Bombay State Financial Corporation established under the State Financial Corporations Act, 1951 (63 of 1951) shall, as from the appointed day, continue to function in those areas in respect of which it was functioning immediately before that day, subject to the provisions of this section and to such directions as may, from time to time, be issued by the Central Government.

(*2*) Any directions issued by the Central Government under sub-section (*1*) in respect of the Corporation shall include a direction that the said Act, in its application to the Corporation, shall have effect subject to such exceptions and modifications as may be specified in the direction.

(*3*) A general meeting of the Corporation shall be convened, in accordance with the rules to be made in this behalf by the Central Government, by the Board thereof before the 31st day of July, 1960, or within such further time as the Central Government may allow, for the consideration of a scheme for the reconstitution or reorganisation or dissolution, as the case may be, of the Corporation, including proposals regarding the formation of new corporations, and the transfer thereto of the assets, rights and liabilities of the existing Corporation, and if such a scheme is approved at the general meeting by a resolution passed by a majority of the shareholders present and voting, the scheme shall be submitted to the Central Government for its sanction.

(*4*) If the scheme is sanctioned by the Central Government either without modifications or with modifications which are approved at a general meeting, the Central Government shall certify the scheme, and upon such certification, the scheme shall, notwithstanding anything to the contrary contained in any law for the time being in force, be binding on the corporations affected by the scheme as well as the shareholders and creditors thereof.

(*5*) If the scheme is not so approved or sanctioned, the Central Government may refer the scheme to such Judge of the High Court at Bombay as may be nominated in this behalf by the Chief Justice thereof, and the decision of the Judge in regard to the scheme shall be final and shall be binding on the corporations affected by the scheme as well as the shareholders and creditors thereof.

(*6*) Nothing in the preceding provisions of this section shall be construed as preventing the Government of the State of Gujarat from constituting, at any time on or after the appointed day, a State Financial Corporation for that State under the State Financial Corporations Act, 1951 (63 of 1951).

71. Amendment of Act 64 of 1950.—In the Road Transport Corporations Act, 1950,—

(*1*) in section 47A,—

(*a*) in sub-section (*1*),—

(*i*) for the words, letters and figures, "the whole or any part of a State in respect of which a Corporation was, immediately before the 1st day of November, 1956," the words "or any other enactment relating to reorganisation of States, the whole or any part of a State in respect of which a Corporation was, immediately before the day on which the reorganisation takes place," shall be substituted;

(*ii*) in the *Explanation*, for clause (*i*), the following clause shall be substituted, namely:—

"(*i*) in relation to the Bombay State Road Transport Corporation, shall mean the Government of the State of Maharashtra or of Gujarat as formed under the Bombay Reorganisation Act, 1960;";

(*b*) in sub-section (*3*), in clause (*f*), after the words and figures "the States Reorganisation Act, 1956", the words "or any other enactment relating to reorganisation of States" shall be inserted;

(*2*) after section 47A, the following section shall be inserted, namely:—

"**48. Transitional provision relating to Bombay State Road Transport Corporation.—**Notwithstanding anything contained in section 47A, it shall be lawful for the Government of the State of Bombay to frame a scheme under sub-section (*1*) thereof and forward the same to the Central Government before the 1st day of May, 1960, and in such a case, the power conferred on the Central Government to make an order under sub-section (*2*) thereof may be exercised before that day but no order so made shall take effect till that day.".

72. Special provision for Bar Council of Gujarat.—(*1*) In the Indian Bar Councils Act, 1926 (38 of 1926),—

(*a*) in section 4,—

(*i*) to sub-section (*2*), the following *Explanation* shall be added, namely: —

"*Explanation*.—For the purpose of election to the Bar Council for the High Court of Gujarat, the period of ten years aforesaid shall be computed after taking into account the period for which the person concerned was entitled as of right to practise in the High Court of Bombay or of Saurashtra or in the Judicial Commissioner's Court of Kutch before the 1st day of May, 1960.";

(*ii*) for the proviso to sub-section (*4*), the following proviso shall be substituted, namely:—

"Provided that the Advocates-General of West Bengal, Madras, Maharashtra and Gujarat shall be Chairmen *ex-officio*, respectively, of the Bar Councils constituted for the High Courts of those States.";

(*b*) after section 5, the following section shall be inserted, namely:—

"**5A. *Ad hoc* Bar Council for Gujarat High Court.—**Notwithstanding anything contained in this Act, the Chief Justice of the High Court of Gujarat shall nominate the members of the first Bar Council under this Act for the High Court of Gujarat and the members so nominated shall remain in office for a period of twelve months.".

(*2*) The assets and liabilities of the Bar Council for the High Court of Bombay shall be divided between the Bar Councils for the High Court at Bombay and the High Court of Gujarat in such manner as may be agreed upon, and in default of such agreement, as may be directed by the Attorney-General for India.

73. Amendment of Act 6 of 1942.—In the Multi-unit Co-operative Societies Act, 1942, after section 5B, the following section shall be inserted, namely:—

"**5C. Transitional provision relating to certain multi-unit cooperative societies.—**(*1*) Where, in respect of any co-operative society specified in the Twelfth Schedule, which under the provisions of sub-section (*1*) of section 5A becomes a multi-unit co-operative society, the Board of Directors unanimously adopts any scheme for the reconstitution, reorganisation or dissolution of the society, including proposals for the formation of new co-operative societies and the transfer thereto of the assets and liabilities and employees of that society and the State Government of Bombay certifies the scheme at any time before the 1st day of May, 1960, then notwithstanding anything contained in sub-section (*2*) or sub-section (*3*) or sub-section (*4*) of the said section or any other law, regulation or bye-law for the time being in force in relation to that society, the scheme so certified shall be binding on all societies affected by the scheme, as well as the shareholders, creditors and employees of all such societies, subject to such financial adjustments as may be directed in this behalf under sub-section (*3*), but no such scheme shall be given effect to before the said day.

(*2*) When a scheme in respect of a co-operative society is so certified, the Central Registrar shall place the scheme at a meeting, held in such manner as may be prescribed by rules made under this Act, of all the persons who, immediately before the date of certification of the scheme, were members of the society and the scheme may be approved by a resolution passed by a majority of the members present and voting at the said meeting.

(*3*) If the scheme is not so approved or is approved with modifications, the Central Registrar may refer the scheme to such Judge of the High Court at Bombay as may be nominated in this behalf by the Chief Justice thereof and the Judge may direct such financial adjustments to be made among the societies affected as he deems necessary, and the scheme shall be deemed to be approved subject to those financial adjustments.

(*4*) If in consequence of the directions given under sub-section (*3*), a society becomes liable to pay any sum of money, the State within whose area the society is located shall be liable as guarantor in respect of the payment of such money.".

74. General provision as to statutory corporations.—(*1*) Save as otherwise expressly provided by the foregoing provisions of this Part, where any body corporate constituted under a Central Act, State Act or Provincial Act for the State of Bombay or any part thereof has, by virtue of the provisions of Part II, become an inter-State body corporate, then, the body corporate shall, as from the appointed day, continue to function and operate in those areas in respect of which it was functioning and operating immediately before that day, subject to such directions as may from time to time be issued by the Central Government, until other provision is made by law in respect of the said body corporate.

(*2*) Any directions issued by the Central Government under sub-section (*1*) in respect of any such body corporate shall include a direction that any law by which the said body corporate is governed shall, in its application to that body corporate, have effect subject to such exceptions and modifications as may be specified in the direction.

75. Amendment of Act 38 of 1957.—In the Inter-State Corporations Act, 1957, in the preamble, in section 2, in clause (*f*) of sub-section (*2*) of section 4 and in section 5, after the words and figures "the States Reorganisation Act, 1956", wherever they occur, the words "or of any other enactment relating to reorganisation of States" shall be inserte

76. Temporary provisions as to continuance of certain existing road transport permits.—(*1*) Notwithstanding anything contained in section 63 of the Motor Vehicles Act, 1939 (4 of 1939), a permit granted by the State Transport Authority of Bombay or any Regional Transport Authority in that State shall, if such permit was, immediately before the appointed day, valid and effective in any area in the transferred territory, be deemed to continue to be valid and effective in that area after that day subject to the provisions of that Act as for the time being in force in that area; and it shall not be necessary for any such permit to be countersigned by the State Transport Authority of Gujarat or any Regional Transport Authority therein for the purpose of validating it for use in such area:

Provided that the Central Government may, after consultation with the State Governments of Maharashtra and Gujarat, add to, amend or vary the conditions attached to the permit by the Authority by which the permit was granted.

(*2*) No tolls, entrance fees or other charges of a like nature shall be levied after the appointed day in respect of any transport vehicle for its operations in the State of Gujarat under any such permit, if such vehicle was, immediately before that day, exempt from the payment of any such toll, entrance fees or other charges for its operations in the transferred territory:

Provided that the Central Government may, after consultation with the State Governments of Maharashtra and Gujarat, authorise the levy of any such toll, entrance fees or other charges, as the case may be.

77. Special provision relating to retrenchment compensation in certain cases.—Where on account of the reorganisation of the State of Bombay under this Act, any body corporate constituted under a Central Act, State Act or Provincial Act, any co-operative society registered under any law relating to co-operative societies or any commercial or industrial undertaking of that State is reconstituted or reorganised in any manner whatsoever or is amalgamated with any other body corporate, co-operative society or undertaking, or is dissolved, and in consequence of such reconstitution, reorganisation, amalgamation or dissolution, any workman employed by such body corporate or in any such co-operative society or undertaking, is transferred to, or re-employed by any other body corporate, or in any other co-operative society or undertaking, then notwithstanding anything contained in section 25F of the Industrial Disputes Act, 1947 (14 of 1947), such transfer or re-employment shall not entitle him to any compensation under that section;

Provided that—

(*a*) the terms and conditions of service applicable to the workman after such transfer or re-employment are not less favourable to the workman than those applicable to him immediately before the transfer or re-employment;

(*b*) the employer in relation to the body corporate, the cooperative society or the undertaking where the workman is transferred or re-employed is, by agreement or otherwise, legally liable to pay to the workman, in the event of his retrenchment, compensation under section 25F of the Industrial Disputes Act, 1947 (14 of 1947), on the basis that his service has been continuous and has not been interrupted by the transfer or re-employment.

78. Special provision as to income-tax.—Where the assets, rights and liabilities of any body corporate carrying on any business are, under the provisions of this Part, transferred to any other bodies corporate which after the transfer carry on the same business, the losses of profits or gains sustained by the body corporate first mentioned which, but for such transfer, would have been allowed to be carried forward and set off in accordance with the provisions of section 24 of the Indian Income-tax Act, 1922 (11 of 1922), shall be apportioned amongst the transferee bodies corporate in accordance with the rules to be made by the Central Government in this behalf and, upon such apportionment, the share of loss allotted to each transferee body corporate shall be dealt with in accordance with the provisions of section 24 of the said Act, as if the transferee body corporate had itself sustained such loss in a business carried on by it in the years in which these losses were sustained.

79. Continuance of facilities in certain State institutions.—(*1*) The Government of the State of Maharashtra or, as the case may be, the Government of the State of Gujarat shall, in respect of the

institutions specified in the Thirteenth Schedule located in that State, continue to provide facilities to the people of the other State which shall not, in any respect, be less favourable to such people than what were being provided to them before the appointed day, for such period and upon such terms and conditions as may be agreed upon between the two State Governments before the 1st day of October, 1960, or, if no agreement is reached by the said date, as may be fixed by order of the Central Government.

(2) The Central Government may, at any time before the 1st day of October, 1960, by notification in the Official Gazette, specify in the Thirteenth Schedule any other institution existing on the appointed day in the State of Maharashtra or of Gujarat, and on the issue of such notification, the Schedule shall be deemed to be amended by the inclusion of the said institution therein.

PART VIII

PROVISIONS AS TO SERVICES

80. Provisions relating to All-India Services.—(*1*) In this section, the expression "State cadre"—

(*a*) in relation to the Indian Administrative Service, has the meaning assigned to it in the Indian Administrative Service (Cadre) Rules, 1954, and

(*b*) in relation to the Indian Police Service, has the meaning assigned to it in the Indian Police Service (Cadre) Rules, 1954.

(*2*) In place of the cadres of the Indian Administrative Service and the Indian Police Service existing in the State of Bombay immediately before the appointed day, there shall, as from that day, be two separate cadres, one for the State of Maharashtra, and the other for the State of Gujarat, in respect of each of these services.

(*3*) The initial strength and composition of each of the State cadres shall be such as the Central Government may by order determine before the appointed day.

(*4*) The members of each of the said services borne on those cadres for the State of Bombay immediately before the appointed day shall be allocated to the State cadres of the same service for each of the States of Maharashtra and Gujarat in such manner and with effect from such date or dates as the Central Government may, by order, specify.

(*5*) Nothing in this section shall be deemed to affect the operation, after the appointed day, of the All-India Services Act, 1951 (61 of 1951), or the rules made thereunder in relation to the State cadres of the said services constituted under sub-section (*2*) and in relation to the members of those services borne on the said cadres.

81. Provisions relating to other services.—(*1*) Every person who, immediately before the appointed day, is serving in connection with the affairs of the State of Bombay shall, as from that day, provisionally continue to serve in connection with the affairs of the State of Maharashtra, unless he is required, by general or special order of the Central Government, to serve provisionally in connection with the affairs of the State of Gujarat.

(*2*) As soon as may be after the appointed day, the Central Government shall, by general or special order, determine the State to which every person provisionally allotted to the State of Maharashtra or Gujarat, shall be finally allotted for service and the date with effect from which such allotment shall take effect or be deemed to have taken effect.

(*3*) Every person who is finally allotted under the provisions of sub-section (*2*) to the State of Maharashtra or Gujarat shall, if he is not already serving therein, be made available for serving in that State from such date as may be agreed upon between the two State Governments or, in default of such agreement, as may be determined by the Central Government.

(*4*) The Central Government may by order establish one or more Advisory Committees for the purpose of assisting it in regard to—

(*a*) the division and integration of the services among the States of Maharashtra and Gujarat; and

(*b*) the ensuring of fair and equitable treatment to all persons affected by the provisions of this section and the proper consideration e by such persons.

(*5*) The foregoing provisions of this section shall not apply in relation to any person to whom the provisions of section 80 apply.

(*6*) Nothing in this section shall be deemed to affect, after the appointed day, the operation of the provisions of Chapter I of Part XIV of the Constitution in relation to the determination of the conditions of service of persons serving in connection with the affairs of the State of Maharashtra or Gujarat:

Provided that the conditions of service applicable immediately before the appointed day to the case of any person provisionally or finally allotted to the State of Maharashtra or Gujarat under this section shall not be varied to his disadvantage except with the previous approval of the Central Government.

82. Provisions as to continuance of officers in same post.—Every person who, immediately before the appointed day, is holding or discharging the duties of any post or office in connection with the affairs of the State of Bombay in any area which on that day falls within the State of Maharashtra or Gujarat shall continue to hold the same post or office in that State and shall be deemed, as from that day, to have been duly appointed to the post or office by the Government of, or other appropriate authority in, that State:

Provided that nothing in this section shall be deemed to prevent a competent authority, after the appointed day, from passing, in relation to such person, any order affecting his continuance in such post or office.

83. Power of Central Government to give directions.—The Central Government may give such directions to the State Governments of Maharashtra and Gujarat as may appear to it to be necessary for the purpose of giving effect to the foregoing provisions of this Part and the State Government shall comply with such directions.

84. Provisions as to Bombay Public Service Commission.—(*1*) The Public Service Commission for the State of Bombay shall, as from the appointed day, become the Public Service Commission for the State of Maharashtra.

(*2*) The report of the Bombay Public Service Commission as to the work done by the Commission in respect of any period prior to the appointed day shall be presented under clause (*2*) of article 323 to the Governors of Maharashtra and Gujarat, and the Governor of Maharashtra shall, on receipt of such report, cause a copy thereof together with a memorandum explaining, as far as possible, as respects the cases, if any, where the advice of the Commission was not accepted, the reasons for such non-acceptance to be laid before the Legislature of the State of Maharashtra and it shall not be necessary to cause such report or any such memorandum to be laid before the Legislative Assembly of the State of Gujarat.

PART IX

LEGAL AND MISCELLANEOUS PROVISIONS

85. Amendment of article 371 of the Constitution.—As from the appointed day, in article 371 of the Constitution, in clause (*2*)—

(*a*) for the words "the State of Bombay", the words "the State of Maharashtra or Gujarat" shall be substituted; and

(*b*) for the words "the rest of Maharashtra", the words "and the rest of Maharashtra or, as the case may be," shall be substituted.

86. Amendment of Act 37 of 1956.—In section 15 of the States Reorganisation Act, 1956—

(*i*) in clause (*d*), for the words "Bombay and Mysore", the words "Gujarat and Maharashtra" shall be substituted; and

(*ii*) in clause (*e*), for the words "Madras and Kerala", the words "Madras, Mysore and Kerala" shall be substituted.

87. Territorial extent of law's.—The provisions of Part II shall not be deemed to have effected any change in the territories to which any law in force immediately before the appointed day extends or applies, and territorial references in any such law to the State of Bombay shall, until otherwise provided

by a competent Legislature or other competent authority, be construed as meaning the territories within that State immediately before the appointed day.

88. Power to adapt laws.—For the purpose of facilitating the application in relation to the State of Maharashtra or Gujarat of any law made before the appointed day, the appropriate Government may, before the expiration of one year from that day, by order, make such adaptations and modifications of the law, whether by way of repeal or amendment, as may be necessary or expedient, and thereupon every such law shall have effect subject to the adaptations and modifications so made until altered, repealed or amended by a competent Legislature or other competent authority.

Explanation.—In this section, the expression "appropriate Government" means as respects any law relating to a matter enumerated in the Union List, the Central Government, and as respects any other law, the State Government.

89. Power to construe laws.—Notwithstanding that no provision or insufficient provision has been made under section 88 for the adaptation of a law made before the appointed day, any court, tribunal or authority, required or empowered to enforce such law may, for the purpose of facilitating its application in relation to the State of Maharashtra or Gujarat, construe the law in such manner, without affecting the substance, as may be necessary or proper in regard to the matter before the court, tribunal or authority.

90. Power to name authorities, etc., for exercising statutory functions.—The Government of the State of Gujarat, as respects the transferred territory may, by notification in the Official Gazette, specify the authority, officer or person who, on or after the appointed day, shall be competent to exercise such functions exercisable under any law in force on that day as may be mentioned in that notification and such law shall have effect accordingly.

91. Legal proceedings.—Where immediately before the appointed day, the State of Bombay is a party to any legal proceedings with respect to any property, rights or liabilities subject to apportionment between the States of Maharashtra and Gujarat under this Act, the State of Maharashtra or Gujarat which succeeds to, or acquires a share in, that property or those rights or liabilities by virtue of any provision of this Act shall be deemed to be substituted for the State of Bombay as a party to those proceedings, and the proceedings may continue accordingly.

92. Transfer of pending proceedings.—(*1*) Every proceeding pending immediately before the appointed day before a court (other than a High Court), tribunal, authority or officer in any area which on that day falls within the State of Maharashtra shall, if it is a proceeding relating exclusively to the transferred territory stand transferred to the corresponding court, tribunal, authority or officer in the State of Gujarat.

(*2*) If any question arises as to whether any proceeding should stand transferred under sub-section (*1*), it shall be referred to the High Court at Bombay and the decision of that High Court shall be final.

(*3*) in this section—

(*a*) "proceeding" includes any suit, case or appeal; and

(*b*) "corresponding court, tribunal, authority or officer" in the State of Gujarat means—

(*i*) the court, tribunal, authority or officer in which, or before whom, the proceeding would have lain if it had been instituted after the appointed day; or

(*ii*) in case of doubt, such court, tribunal, authority, or officer in that State, as may be determined after the appointed day by the Government of that State, or before the appointed day by the Government of Bombay, to be the corresponding court, tribunal, authority or officer.

93. Right of pleaders to practise in certain cases.—Any person who, immediately before the appointed day, is enrolled as a pleader entitled to practise in any subordinate courts in the State of Bombay shall, for a period of one year from that day, continue to be entitled to practise in those courts, notwithstanding that the whole or any part of the territories within the jurisdiction of those courts has been transferred to the State of Gujarat.

94. Effect of provisions of the Act inconsistent with other laws.—The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any other law.

95. Power to remove difficulties.—If any difficulty arises in giving effect to the provisions of this Act, the President may, by order, do anything not inconsistent with such provisions which appears to him to be necessary or expedient for the purpose of removing the difficulties.

96. Power to make rules.—(*1*) The Central Government may, by notification in the Official Gazette, make rules to give effect to the provisions of this Act.

(*2*) Every rule made under this section shall be laid as soon as may be after it is made before each House of Parliament while it is in session for a total period of thirty days which may be comprised in one session or [1][in two or more successive sessions, and if, before the expiry of the session immediately following the session or the successive sessions aforesaid], both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, the rule shall thereafter have effect only in such modified form or be of no effect, as the case may be, so, however, that any such modifications or annulment shall be without prejudice to the validity of anything previously done under that rule.

1. Subs. by Act 4 of 1986, s. 2 and the Schedule, for certain words (w.e.f. 15-5-1986).

THE FIRST SCHEDULE

[*See* section 3(*1*) (*b*)]

TERRITORIES TRANSFERRED FROM THE STATE OF BOMBAY TO THE STATE OF GUJARAT (*Any reference in this Schedule to a census code number in relation to a village means the code number assigned to that village in the census of* 1951).

PART I

Umbergaon taluka of Thana District

Name of Village	*Census Code No.*
*Umbergaon	1
Kalgaon	2
Kalai	3
Govad	4
Tadgaon	6
Dehari	7
Nargol	8
Phansa (whole)	9
Mamakwada	11
*Maroli	12
Saronda	13
Achhari	14
Angaon	15
Ahu	16
Eklahare	17
Kachigaon	18
Bhati Karambeli	19
Karambeli Pali	20
Karambele	21
*Khattalwada	22
Ghimse Kakaria	23
Jamburi	24
Tembhi	25
Tumb	26
Dahad	27
Nahuli	28
Palgaon	29
Pali	30
Punat	31
Borigaon Tarf Kachigaon	32
Borlai	33
Bhilad	34
Name of Village	*Census Code No.*
Manda	35
Manikpur	36
Mohan	37
Vankas	38
Valvada	39
Shirgaon	40
Sanjan	41
Sarai	42
Solsumba	43
Humran	44

Dehali	48
Talwada	49
Dhanoli	50
Nandgaon	51
Malav	52
Anklas	55
Zaroli	67
Nagvas	70

NOTE: * includes towns of the same name.

PART II

West Khandesh District

Nawapur taluka

Name of Village	*Census Code No.*
Abhankuwa (Forest)	—
Anandpur	2
Babarghat	3
Bhadbunja	6
Bhint Bk.	11
Bhint Khurd	12
Chacharbunde	18
Chadhavbunde (Forest)	—
Chhapti	19
Chikhli (Forest)	—
Dhaj	27
Haripur	35

Name of Village	*Census Code No.*
Jamaki	38
Jamane	36
Kachali	39
Kamalapur	41
Kataswan	48
Khabade	50
Kokambe (Forest)	—
Manikpur	68
Mirkot	70
Mogarbara (Forest)	72
Mograni (Forest)	—
Nanchhal	75
Narayanpur	77
Nurabad	82
Pakhari	83
Parchuli	86
Pethapur	89
Sakarde (Digar)	94
Sase	96
Shelud	101
Sundarpur	106
Thuti	108
Uchhal	111
Vadadhe Kd.	115
Vadapatal	117
Zaranpada	123
Nandurbar taluka	
Adade	2
Anturli	5
Arkunda (Forest)	—
Bhilbhavali	19
Bhiljamboli	20
Borathe	25
Borde	23
Chinchode	28
Chorgaon (Deserted)	28A
Devhale	31

Name of Village	*Census Code No.*
Dev Mogra-Gaibi Umber (Forest village Coupe Nos. 1, 2 and 20 of felling series XX and Coupe Nos. 1 to 9 of felling series XXI).	
Gamadi	39

Gujarpur	43
Harduli (Digar)	44
Hatnoor (Digar)	46
Hingani (Digar)	48
Kavithe	63
Khairave Kd. T. Dhanore	65
Khodade	69
Kothali Budruk	77
Lakhmikhede	79
Lekurwali	80
Mubarakpur	86
Nasarpur	93
Newale	96
Nizar	99
Pimplod T. Nisar	108
Raigad	109
Ranikhadkale (Deserted)	112A
Sarvale	115
Shale	119
Shelu	121
Sulvade	125
Tapikhadkale	128
Vadali	136
Vake	143
Velade	149
Vyawal	154

PART III

West Khandesh District

Akkalkuwa taluka

Name of Village	*Census Code No.*
Akkalkuwa Budruk	1
Anghat	6A
Barktura	15
Bhogwad	23
Name of Village	*Census Code No.*
Chatwad	32
Choti Korali (Deserted)	35A
Davariamba	37
Dogaripada (G)	44
Gangtha	50

Itwai	59
Javali	63
Kenvada	78
Kevadamoi	79
Khairpada	84
Khanore	85
Khokwad	91
Koktipada	94
Kolwan	95

Langadi 104

Medhi 111

Nawagaon (G) 120

Nevadi (Amba) 126

Palaswada 132

Pana 133

Parod 135

Parodi 136

Patipada 138

Pimparipada (R) 143

Ranipur 150

Ranjaniwad 152

Rundigavan 156

Uman 176

Umja 175

Umran 180

Vadgav 189

Zapa-amli 196

Ziribeda 197

Taloda taluka

Akkalutar	1
Amode Tarf Satone	6
Name of Village	*Census Code No.*
Amode T. Taloda	7
Asapur	10
Ashrave	11
Ashte T. Budhawal	13
Bahurupe	14

Balade	16
Balambe	15
Bej	20
Bhamsal	21
Borikuva	25
Chirmati	31
Chokhiamali	33
Fulwadi	90
Gadid	41
Gorase	44
Hatode	47
Hol	48
Kelani	56
Kondaraj	64
Kukurmunde	66
Mohammadpur (Deserted)	70A
Matawal	73
Mendhpur	74
Modale	77
Morambe	80
Nimbhore	84
Panibare	87
Pati	89
Pimplas	91
Pisawar	93
Rajpur	95
Ranaichi	98
Sadgaven	106
Satole	108
Torande	120
Tulse	122
Name of Village	*Census Code No.*
Ubhad	123
Untavad	126
Varpade	128
Vesgaon	129
Zumkati	131

THE SECOND SCHEDULE

PART I

Maharashtra Members of the Council of States

Members whose term of office expires on the 2nd April, 1962

1. Shri P.N. Rajabhoj.
2. Dr. Waman Sheodas Barlingay.
3. Shri T.R. Deogirikar.
4. Shri G.R. Kulkarni.
5. Shri Dhairyashilrao Yeshwantrao Pawar.
6. Shri M.D. Tumpalliwar

Members whose term of office expires on the 2nd April, 1964.

7. Shri Babubhai M. Chinai.
8. Shri Ramrao Madhaorao Deshmukh.
9. Shri Bhaurao Dewaji Khobaragade.
10. Shri Sonusing Dhansing Patil.
11. Shri Lalji Pendse.
12. Shri Abid Ali.

PART II

Gujarat Members of the Council of States

Members whose term of office expires on the 2nd April, 1962.

1. Shri Jadavji Keshavji Modi.
2. Professor Dr. Raghu Vira.
3. “Vacant”

Members whose term of office expires on the 2nd April, 1964

4. Shri Rohit Manushankar Dave.
5. Shri Khandubhai K. Desai.
6. Shri Dahyabhai Vallabhbhai Patel.

THE THIRD SCHEDULE

(*See* section 11)

AMENDMENTS TO THE FIRST SCHEDULETO THE DELIMITATION OF PARLIAMENTARY AND ASSEMBLY CONSTITUENCIES ORDER, 1956

(*1*) For the heading "4-BOMBAY", substitute "4-GUJARAT".

(*2*) In entry 111, after the word "Pardi", insert the word "Umbergaon" and for the words "Surat district", substitute the words "Surat district; and Dangs district".

(*3*) After entry 111, add the following Note:—

"*Note*.—Any reference in this Part to Broach, Surat or Dangs district or to Songadh or Umbergaon taluka of Surat district or to Sagbara taluka of Broach district shall be taken to mean the area comprised in that district or taluka, as the case may be, on the 1st day of May, 1960.".

(*4*) Immediately before entry 112, insert the heading "4A-MAHARASHTRA".

(*5*) In entry 129, omit the words "Dangs district;".

(*6*) To the note after entry 148, add:—

"(*3*) Any reference in this Part to Thana or West Khandesh district or to Nawapur, Nandurbar, Akkalkuwa or Taloda taluka of West Khandesh district shall be taken to mean the area comprised in that district or taluka, as the case may be, on the 1st day of May, 1960.".

(*7*) In the Appendix—

(*a*) for the heading "II-Bombay", substitute "II-Gujarat"; and

(*b*) immediately before the sub-heading "KOLABA District", insert the heading "II-A MAHARASHTRA".

THE FOURTH SCHEDULE

(*See* section 14)

AMENDMENTS TO THE SECOND SCHEDULE TO THE DELIMITATION OF PARLIAMENTARY AND ASSEMBLY CONSTITUENCIES ORDER, 1956.

(*1*) For the heading "4-BOMBAY", substitute "4-GUJARAT".

(*2*) In entry 103, for the words "Sagbara mahal", substitute "Sagbara taluka".

(*3*) For the sub-heading "SURAT DISTRICT" appearing before entry 106 substitute the sub-heading "SURAT AND DANGS DISTRICTS".

(*4*) In entry 114, for the words "Bansda taluka;", substitute the words "Dangs district; Bansda taluka;".

(*5*) In entry 118, for the words "Pardi taluka" in column 3, substitute the words "Pardi and Umbergaon talukas".

(*6*) After entry 118—

(*a*) add the following Note:—

"*Note*.—Any reference in this Part to Broach, Surat or Dangs district or to Sagbara taluka of Broach district or to Songadh or Umbergaon taluka of Surat district shall be taken to mean the area comprised in that district or taluka, as the case may be, on the 1st day of May, 1960.";

(*b*) after the said Note, insert an Appendix reproducing items (*1*) to (*33*) of the existing Appendix to Part 4 of the Order.

(*7*) Immediately before the sub-heading "GREATER BOMBAY DISTRICT", insert the heading "4-A MAHARASHTRA" to make all following entries, together with the Appendix and Annexure, a separate Part for the State of Maharashtra.

(*8*) Omit the asterisk mark before the sub-heading "GREATER BOMBAY DISTRICT" and foot-notes 1 and 2.

(*9*) In entry 143, for the words "Dahanu and Umbergaon talukas", substitute the words "Dahanu taluka".

(*10*) For the sub-heading immediately before entry 228, for the words "NASIK AND DANGS DISTRICTS", substitute "NASIK DISTRICT".

(*11*) In entry 230, for the words "Peint and Surgana mahals", substitute the words "Peint mahal".

(*12*) In entry 231, for the word "Dangs" in column 2, substitute the word "Kalwan" and for the words "Dangs district;" in column 3, substitute the words "Surgana mahal".

(*13*) In entry 238, for the entry in column 3, substitute "Sakri and Nandurbar talukas".

(*14*) In entry 239, for the entry in column 3, substitute "Nawapur taluka".

(*15*) For the Note appearing immediately after entry 339, substitute:—

"*Note*.—(*1*) Any reference in this Part to Thana or West Khandesh district or to Dahanu taluka of Thana district or to Nawapur, Nandurbar, Akkalkuwa or Taloda taluka of West Khandesh district shall be taken to mean the area comprised in that district or taluka, as the case may be, on the 1st day of May, 1960.

(*2*) The names of the 77 census wards of Greater Bombay are set out in item (*1*) of the Appendix; and a fuller description of the Assembly constituencies Nos. 1 to 21 in terms of roads, streets and other thoroughfares and of villages is given in item (2) of the Appendix.

(*3*) The names of the villages in Banoti and Soegaon circles referred to in the Assembly constituencies Nos. 220 and 221, respectively, are set out in the Annexure to this Part.".

(*16*) Renumber entries 119 to 339 as entries 1 to 221 respectively, and the references in those entries to items (*36*) to (*71*) and (*73*) to (*79*) of the Appendix as (*3*) to (*45*) respectively.

(*17*) In the Appendix,—

(*a*) omit items (*1*) to (*33*) and the sub-headings thereof;

(*b*) renumber items (*34*) to (*71*) as items (*1*) to (*38*) respectively;

(*c*) omit item (*72*);

(*d*) renumber items (*73*) to (*79*) as items (*39*) to (*45*) respectively; and

(*e*) in item (*2*) as so renumbered, renumber the references to Assembly constituencies Nos. 119 to 139 as Nos. 1 to 21 respectively.

THE FIFTH SCHEDULE

(*See* section 22)

AMENDMENTS TO THE DELIMITATION OF COUNCIL CONSTITUENCIES (BOMBAY) ORDER, 1951.

(*1*) In paragraph 2, for the word "Bombay" substitute the word "Maharashtra".

(*2*) In the Table, omit

(*a*) the entries relating to—

(*i*) Gujarat (Graduates) constituency;

(*ii*) Gujarat (Teachers) constituency;

(*iii*) Saurashtra (Local Authorities) constituency;

(*iv*) Gujarat North (Local Authorities) constituency;

(*v*) Gujarat South (Local Authorities) constituency; and (*b*) the word "Dangs" wherever it occurs in column 2.

(*3*) In the Table, in column 2,—

(*a*) against "Vidarbha (Graduates)" in column 1, for "Bhandara and Chanda districts," substitute "Bhandara, Chanda and Rajura districts";

(*b*) against "Vidarbha (Teachers)" in column 1, after "Chanda", insert "Rajura";

(*c*) against "Vidarbha (Local Authorities)" in column 1, for "Bhandara and Chanda districts," substitute "Bhandara, Chanda and Rajura districts".

THE SIXTH SCHEDULE

[*See* section 23(*1*)]

SITTING MEMBERS WHO SHALL CEASE TO BE MEMBERS OF THE BOMBAY LEGISLATIVE COUNCIL

(*i*) Members representing any of the five Constituencies specified in item (*2*) (*a*) of the Fifth Schedule.

(*ii*) The following members elected by the members of the Bombay Legislative Assembly, namely:—

1. Shri Dadoobhai Amin.
2. Shri Chandrakant Chhotalal Mehta.
3. Shri Gulam Haider Walimohammed Momin.
4. Shrimati Madinabai Akbarbhai Nagori.
5. Shrimati Bhanumatiben Manilal Parekh.
6. Shrimati Anasuya Chhotalal Shah.
7. Shrimati Jyotsnaben Bahusukhram Shukla.

THE SEVENTH SCHEDULE

(*See* section 26)

AMENDMENTS OF THE CONSTITUTION (SCHEDULED CASTES) ORDER, 1950

(*1*) For paragraph 4, substitute:—

"4. Any reference in this Order, except Parts IV and VII-A of the Schedule, to a State or to a district or other territorial division thereof, shall be construed as a reference to the State, district or other territorial division, constituted as from the 1st day of November, 1956; and any reference in Parts IV and VII-A of the Schedule to a State or to a district or other territorial division thereof shall be construed as a reference to the State, district or other territorial division constituted as from the 1st day of May, 1960".

(*2*) For Part IV, substitute the following:—

"PART IV.—*Gujarat*

1. Throughout the State *except* the Rajkot Division and the district of Kutch:—
   1. Ager
   2. Bakad or Bant
   3. Bhambi, Bhambhi, Asadaru, Asodi, Chamadia, Chamar, Chambhar, Chamgar, Haralayya, Harali, Khalpa, Machigar, Mochigar, Madar, Madig, Telegu Mochi, Kamati Mochi, Ranigar, Rohidas, Rohit or Samgar
   4. Bhangi, Mehtar, Olgana, Rukhi, Malkana, Halalkhor, Lalbegi, Balmiki, Korar or Zadmalli
   5. Chalvadi or Channayya
   6. Chenna Dasar or Holaya Dasar
   7. Dhor, Kakkayya or Kankayya
   8. Garoda or Garo
   9. Halleer
   10. Halsar, Haslar, Hulasvar or Halasvar
   11. Holar or Valhar
   12. Holaya or Holer
   13. Lingader
   14. Mahar, Taral or Dhegu Megu
   15. Mahyavanshi, Dhed, Vankar or Maru Vankar
   16. Mang, Matang or Minimadig
   17. Mang-Garudi
   18. Meghval or Menghvar
   19. Mukri
   20. Nadia or Hadi
   21. Pasi
   22. Shenva, Chenva, Sedma or Rawat

23. Tirgar or Tirbanda
24. Turi.

2. In the district of Dangs and Umbergaon taluka of Surat district:— Mochi.

3. In the Rajkot Division:—

1. Bawa (Dedh) or Dedh-Sadhu
2. Bhangi or Rukhi
3. Chamadia
4. Chamar, Nalia or Rohit
5. Dangashia
6. Garoda
7. Garmatang
8. Hadi
9. Meghwal
10. Senva
11. Shemalia
12. Thori
13. Turi
14. Turi-Barot or Dedh-Barot
15. Vankar, Dhedh or Antyaj.

4. In the district of Kutch:—

1. Bhangi
2. Chamar
3. Garoda
4. Meghwal
5. Turi
6. Turi-Barot.

(*3*) After Part VII, insert the following:—

"PART VII-A.—*Maharashtra*

1. Throughout the State *except* the districts of Buldana, Akola, Amravati, Yeotmal, Wardha, Nagpur, Bhandara, Chanda, Aurangabad, Parbhani, Nanded, Bhir, Osmanabad and Rajura:—

1. Ager
2. Baked or Bant
3. Bhambi, Bhambhi, Asadaru, Asodi, Chamadia, Chamar, Chambhar, Chamgar, Haralayya, Harali, Khalpa, Machigar, Mochigar, Madar, Madig, Mochi, Telegu Mochi, Kamati Mochi, Ranigar, Rohidas, Rohit or Samgar
4. Bhangi, Mehtar, Olgana, Rukhi, Malkana, Halalkhor, Lalbegi, Balmiki, Korar or Zadmalli 5. Chalvadi or Channayya
6. Chenna Dasar or Holaya Dasar
7. Dhor, Kakkayya or Kankayya
8. Garoda or Garo
9. Halleer
10. Halsar, Haslar, Hulasvar or Halasvar
11. Holar or Valhar
12. Holaya or Holer
13. Lingader
14. Mahar, Taral or Dhegu Megu
15. Mahyavanshi, Dhed, Vankar or Maru Vankar
16. Mang, Matang or Minimadig
17. Mang-Garudi
18. Meghval or Menghvar
19. Mukri

20. Nadia or Hadi
21. Pasi
22. Shenva, Chenva, Sedma or Ravat
23. Tirgar or Tirbanda
24. Turi

2. In the districts of Buldana, Akola, Amravati, Yeotmal, Wardha, Nagpur, Bhandara and Chanda:—

1. Bahna or Bahana
2. Balahi or Balai
3. Basor, Burud, Bansor or Bansodi
4. Chamar, Chamari Mochi, Nona, Rohidas, Ramnami, Satnami Surjabanshi or Surjyaramnami 5. Dom or Dumar
6. Dohor
7. Ganda or Gandi
8. Ghasi or Ghasia
9. Kaikadi
10. Katia or Patharia
11. Khatik, Chikwa or Chikvi
12. Madgi
13. Mahar or Mehra
14. Mang, Dankhni-Mang, Mang Mahashi, Mang-Garudi, Madari, Garudi or Radhe-Mang 15. Mehtar or Bhangi
16. Sansi.

3. In the districts of Akola, Amravati and Buldana:—

Bedar.

4. In the district of Bhandara:—

1. Chadar
2. Holiya.

5. In the districts of Bhandara and Buldana:—

Khangar, Kanera or Mirdha.

6. In the districts of Amravati, Bhandara and Buldana:—

Kori.

7. In the districts of Aurangabad, Parbhani, Nanded, Rajura, Bhir and Osmanabad:—

1. Anamuk
2. Aray (Mala)
3. Arwa Mala
4. Beda (Budga) Jangam
5. Bindla
6. Byagara
7. Chalvadi
8. Chambhar
9. Dakkal (Dokkalwar)
10. Dhor
11. Ellamalwar (Yellammalawandlu)
12. Holeya
13. Holeya Dasari
14. Kolupulvandlu
15. Madiga
16. Mahar
17. Mala
18. Mala Dasari
19. Mala Hannai
20. Malajangam
21. Mala Masti

22. Mala Sale (Netkani)
23. Mala Sanyasi
24. Mang
25. Mang Garodi
26. Manne
27. Mashti
28. Mehtar
29. Mitha Ayyalvar
30. Mochi
31. Samagara
32. Sindhollu (Chindollu)".

THE EIGHTH SCHEDULE

(*See* section 27)

AMENDMENT OF THE CONSTITUTION (SCHEDULED TRIBES) ORDER, 1960

(*1*) For paragraph 3, substitute:—

"3. Any reference in this Order, except Parts IV and VII-A of the Schedule, to a State or to a district or other territorial division thereof, shall be construed as a reference to the State, district or other territorial division, constituted as from the 1st day of November, 1956; and any reference in Parts IV and VII-A of the Schedule to a State or to a district or other territorial division thereof shall be construed as a reference to the State, district or other territorial division, constituted as from the 1st day of May, 1960."

(*2*) For Part IV, substitute the following:—

"PART IV.—*Gujarat*

1. Throughout the State *except* the Rajkot Division and the district of Kutch:—

1. Barda
2. Bavacha or Bamcha
3. Bhil, including Bhil Garasia, Dholi Bhil, Dungri Bhil, Dungri, Garasia, Mewasi Bhil, Rawal Bhil, Tadvi Bhil, Bhagalia, Bhilala, Pawra, Vasava and Vasave
4. Chodhara
5. Dhanka, including Tadvi, Tetaria and Valvi
6. Dhodia
7. Dubla, including Talavia or Halpati
8. Gamit or Gamta or Gavit, including Mavchi, Padvi, Vasava, Vasave and Valvi
9. Gond or Rajgond
10. Kathodi or Katkari, including Dhor Kathodi or Dhor Katkari and Son Kathodi or Son Katkari
11. Kokna, Kokni, Kukna
12. [1][Koli Dhor], Tokre Koli, Kolcha or Kolgha
13. Naikda or Nayaka, including Cholivala Nayaka, Kapadia Nayaka, Mota Nayaka and Nana Nayaka
14. Pardhi, including Advichincher and Phanse Pardhi
15. Patelia
16. Pomla
17. Rathawa
18. Varli
19. Vitolia, Kotwalia or Barodia

2. In Dangs district, Kunbi.

3. In Surat District:—

(*a*) in Umbergaon taluka, Koli Malhar, Kohi Mahadev or Dongar Koli;

(*b*) in the other talukas, Chaudhri

4. In the Rajkot Division, Siddi.

1. Subs. by Act 52 of 1964, s. 3 and the Second Schedule, for "Koli, Dhor" (w.e.f. 29-12-1964).

5. In Nasses area in the forests of Alech, Gir and Barada:—

1. Bharwad
2. Charan
3. Rabari

6. In Surendranagar district:—

Padhar.

7. In Kutch district:—

1. Bhil
2. Dhodia
3. Koli
4. Paradhi
5. Vaghri

(*3*) After Part VII, insert the following:—

"PART VII-A.—*Maharashtra*

1. Throughout the State *except* the districts of Buldana, Akola, Amravati, Yeotmal, Wardha, Nagpur, Bhandara, Chanda, Aurangabad, Parbhani, Nanded, Bhir, Osmanabad and Rajura:—

1. Barda
2. Bavacha or Bamcha
3. Bhil, including Bhil Garasia, Dholi Bhil, Dungri Bhil, Dungri Garasia, Mewasi Bhil, Rawal Bhil, Tadvi Bhil, Bhagalia, Bhilala, Pawra, Vasava and Vasave
4. Chodhara
5. Dhanka, including Tadvi, Tetaria and Valvi
6. Dhodia
7. Dubla, including Talavia or Halpati
8. Gamit or Gamta or Gavit, including Mavchi, Padvi, Vasava, Vasave and Valvi
9. Gond or Rajgond
10. Kathodi or Katkari, including Dhor Kathodi or Dhor Katkari and Son Kathodi or Son Katkari
11. Kokna, Kokni, Kukna
12. [1][Koli Dhor], Tokre Koli, Kolcha or Kolgha
13. Naikda or Nayaka, including, Cholivala Nayaka, Kapadia Nayaka, Mota Nayaka and Nana Nayaka
14. Pardhi, including Advichincher and Phanse Pardhi
15. Patelia
16. Pomla
17. Rathawa
18. Varli

1. Subs. by Act 52 of 1964, s. 3 and the Schedule, for "Koli, Dhor" (w.e.f. 29-12-1964).

19. Vitolia, Kotwalia or Barodia

2. In Thana district:—

Koli Malhar

3. (*a*) In Ahmednagar district:—

and Kalvan talukas and Surgana and Peint Mahals.

Velhe Mahal.

Dahanu, Palghar, Jawhar and Mokhada talukas.

(*d*) In Poona district:—

(*e*) In Thana district:—

Ambegaon, Junnar, Khed, Mawal and Mulshi talukas and Thana, Murbad, Bhivandi, Bassein, Wada, Shahapur, Akola, Rahuri and Sangamner talukas.

(*b*) In Kolaba district:—

Karjat, Khalapur, Alibagh, Mahad and Sudhagad talukas.

(*c*) In Nasik district:—

Nasik, Niphad, Sinnar, Chandor, Baglan, Igatpuri, Dindori

4. (*a*) In Ahmednagar district:—

Shahapur, Palghar, Jawhar and Mokhada talukas.

(*c*) In Nasik district:—

(*d*) In Poona district:—

(*e*) In Thana district:—

Igatpuri, Nasik and Sinnar talukas.

Ambegaon, Junnar, Khed and Mawal talukas.

Thana, Kalyan, Murbad, Bhivandi, Bassein, Wada, Akola, Rahuri and Sangamner talukas.

(*b*) In Kolaba district:—

Karjat, Khalapur, Pen, Panvel and Sudhagad talukas

and Matheran.

5. In (*1*) Melghat tahsil of Amravati district, (*2*) Gadchiroli and Sironcha tahsils of the Chanda district, (*3*) Kelapur, Wani and Yeotmal tahsils of the Yeotmal district:—

1. Andh
2. Baiga
3. Bhaina
4. Bharia-Bhumia or Bhuinhar-Bhumia including Pando
5. Bhattra
6. Bhil
7. Bhunjia
8. Binjhwar
9. Birhul or Birhor
10. Dhanwar
11. Gadaba or Gadba
12. Gond, including—
    - Arakh or Arrakh
    - Agaria
    - Asur
    - Badi Maria or Bada Maria
    - Bhatola
    - Bhimma
    - Bhuta, Koilabhuta or Koilabhuti
    - Bhar
    - Bisonhorn Maria
    - Chota Maria

Koli Mahadav or Dongar Koli.

Thakur or Thakar including

Ka Thakur, Ka Thakar, Ma Thakur and Ma Thakar.

Dandami Maria
Dhuru or Dhurwa
Dhoba
Dhulia
Dorla
Gaiki
Gatta or Gatti
Gaita
Gond Gowari
Hill Maria
Kandra
Kalanga
Khatola
Koitar
Koya
Khirwar or Khirwara
Kucha Maria
Kuchaki Maria
Madia (Maria)
Mana
Mannewer
Moghya or Mogia or Monghya
Mudia (Muria)
Nagarchi
Nagwanshi
Ojha
Raj
Sonjhari Jhareka
Thatia or Thotya
Wade Maria or Vade Maria

13. Halba or Halbi
14. Kamar
15. Kawar, Kanwar, Kaur, Cherwa, Rathia Tanwar or Chattri
16. Khairwar
17. Kharia
18. Kondh or Khond or Kandh
19. Kol
20. Kolam
21. Korku, including Bopchi, Mouasi, Nihal or Nahul and Bondhi or Bondeya
22. Korwa, including Kodaku
23. Majhwar
24. Munda
25. Nagesia or Nagasia
26. Nihal
27. Oraon, including Dhanka and Dhangad
28. Pardhan, Pathari and Saroti
29. Pardhi, including Bahelia or Bahellia, Chita Pardhi, Langoli Pardhi, Phans Pardhi, Shikari, Takankar and Takia
30. Parja
31. Saonta or Saunta
32. Sawar or Sawara

6. In the districts of Aurangabad, Parbhani, Nanded, Rajura, Bhil and Osmanabad:—

1. Andh

2. Bhil
3. Gond (including Naikpod and Rajgond)
4. Kolam (including Mannervarlu)
5. Koya (including Bhine Koya and Rajkoya)
6. Pardhan
7. Thoti.

THE NINTH SCHEDULE

[*See* section 45(*1*)]

I—MODIFIED FORM OF SECTION 3 OF THE UNION DUTIES OF EXCISE (DISTRIBUTION) ACT, 1957

(*1*) Section 3 of the Union Duties of Excise (Distribution) Act, 1957, shall, as from the 1st day of May, 1960, have effect subject to the following modifications, namely:—

In the Table below section 3, for the entry relating to Bombay, the following entries shall be substituted, namely:—

"Maharashtra	8.07
Gujarat	4.10".

(*2*) For the purposes of calculating the amount payable under section 3 to Bombay in the first month of the financial year commencing on the 1st day of April, 1960, and to Maharashtra and Gujarat during the remaining eleven months of that financial year, the distributable Union duties of excise shall be deemed to be one-twelfth and eleven-twelfths, respectively, of the distributable Union duties of excise for that financial year.

II—MODIFIED FORM OF SECTIONS 3 AND 5 OF THE ESTATE DUTY AND TAX ON RAILWAY PASSENGER FARES (DISTRIBUTION) ACT, 1957

A—*Distribution of estate duty*

(*1*) Section 3 of the Estate Duty and Tax on Railway Passenger Fares (Distribution) Act, 1957, shall, as from the 1st day of May, 1960, have effect subject to the following modifications, namely:—

In clause (*b*) of sub-section (*2*), for the entry relating to Bombay, the following entries shall be substituted, namely:—

"Maharashtra	8.97
Gujarat	4.55".

(*2*) For the purposes of calculating the amount payable under sub-section (*1*) of section 3 to Bombay in the first month of the financial year commencing on the 1st day of April, 1960, and to Maharashtra and Gujarat during the remaining eleven months of that financial year, the total amount falling to be distributed shall be deemed to be one-twelfth and eleven-twelfths, respectively, of the total amount falling to be distributed for that financial year.

B—*Distribution of tax on railway passenger fares*

(*1*) Section 5 of the Estate Duty and Tax on Railway Passenger Fares (Distribution) Act, 1957, shall, as from the 1st day of May, 1960, have effect subject to the following modifications, namely:—

For the entry relating to Bombay, the following entries shall be substituted, namely:—

"Maharashtra	10.80
Gujarat	5.48".

(*2*) For the purposes of calculating the amount payable under section 5 to Bombay in the first month of the financial year commencing on the 1st day of April, 1960, and to Maharashtra and Gujarat during the remaining eleven months of that financial year, the net proceeds of the tax on railway passenger fares shall be deemed to be one-twelfth and eleven-twelfths, respectively, of the net proceeds of such tax for that financial year.

III—MODIFIED FORM OF THE SECOND SCHEDULE TO THE ADDITIONAL DUTIES OF EXCISE (GOODS OF SPECIAL IMPORTANCE) ACT, 1957

A—*Distribution of additional duties on sugar*

(*1*) In the Second Schedule, the Table at the end of Part I shall, as from the 1st day of May, 1960, have effect subject to the following modificat

For the entry relating to Bombay, the following entries shall be substituted, namely:—

"Maharashtra	8.07	162	13.37
Gujarat	4.10	83	6.80".

(*2*) For the purposes of calculating the amount payable under Part I of the Second Schedule to Bombay in the first month of the financial year commencing on the 1st day of April, 1960, and to Maharashtra and Gujarat during the remaining eleven months of that financial year, the net proceeds of the additional duties in respect of sugar shall be deemed to be one-twelfth and eleven-twelfths, respectively, of the net proceeds of such duties for that financial year; and in respect of that financial year, the sums specified in the third column of the Table shall be deemed to have been replaced by 20 for the first month in relation to Bombay and by 149 for the remaining eleven months in relation to Maharashtra and by 76 in relation to Gujarat.

B—*Distribution of additional duties on tobacco*

(*1*) In the Second Schedule, the Table below paragraph 4 shall, as from the 1st day of May, 1960, have effect subject to the following modifications, namely:—

For the entries relating to Bombay, the following entries shall be substituted, namely:—

"Maharashtra	8.07	76	11.54
Gujarat	4.10	39	5.87".

(*2*) For the purposes of calculating the amount payable under paragraph 4 to Bombay in the first month of the financial year commencing on the 1st day of April, 1960, and to Maharashtra and Gujarat during the remaining eleven months of that financial year, the net proceeds of the additional duties on tobacco shall be deemed to be one-twelfth and eleven-twelfths, respectively, of the net proceeds of such duties for that financial year; and in respect of that financial year, the sums specified in the third column of the Table shall be deemed to have been replaced by 10 for the first month in relation to Bombay and by 70 for the remaining eleven months in relation to Maharashtra, and by 35 in relation to Gujarat.

C—*Distribution of additional duties on textiles*

(*1*) In the Second Schedule, the Table at the end of Part III shall, as from the 1st day of May, 1960, have effect subject to the following modifications, namely:—

For the entry relating to Bombay, the following entries shall be substituted, namely:—

"Maharashtra	399	10.91
Gujarat	202	5.55".

(*2*) For the purposes of calculating the amount payable under Part III of the Second Schedule to Bombay in the first month of the financial year commencing on the 1st day of April, 1960, and to Maharashtra and Gujarat during the remaining eleven months of that financial year, the net proceeds of the additional duties in respect of cotton fabrics, rayon or artificial silk fabrics and woollen fabrics shall be deemed to be one-twelfth and eleven-twelfths, respectively, of the net proceeds of such duties for that financial year; and in respect of that financial year the sums specified in the second column of the Table shall be deemed to have been replaced by 50 for the first month in relation to Bombay and by 365 for the remaining eleven months in relation to Maharashtra, and by 185 in relation to Gujarat.

IV—MODIFIED FORM OF PARAGRAPH 3 OF THE CONSTITUTION (DISTRIBUTION OF REVENUES) NO. 2ORDER, 1957

(*1*) Paragraph 3 of the Constitution (Distribution of Revenues) No. 2 Order, 1957, shall, as from the 1st day of May, 1960, have effect subject to the following modifications, namely:—

In the Table at the end of paragraph 3, for the entry relating to Bombay, the following entries shall be substituted, namely:—

"Maharashtra	10.59
Gujarat	5.38".

(*2*) For the purposes of calculating the amount payable under paragraph 3 to Bombay in the first month of the financial year commencing on the 1st day of April, 1960, and to Maharashtra and Gujarat during the remaining eleven months of that financial year, the net proceeds of taxes on income shall be deemed to be one-twelfth and eleven-twelfths, respectively, of the net proceeds of taxes on income for that financial year.

THE TENTH SCHEDULE

[*See* section 47(*2*)]

1. Stores held for specific purposes such as for use or utilisation in particular institutions, workshops or undertakings or on particular works under construction shall pass to the State in which such institutions, workshops, undertakings or works are located on the appointed day.

2. Stores relating to Sachivalaya and offices of Heads of Departments having, immediately before the appointed day, jurisdiction over the whole of the State of Bombay shall remain the property of the State of Maharashtra:

Provided that typewriters, duplicators, clocks and vehicles shall be divided between the States of Maharashtra and Gujarat according to the population ratio.

3. All other unissued stores, pooled stores, and stores purchased on or after the 1st July, 1959, of any class shall be divided between the States of Maharashtra and Gujarat in proportion to the total stores of that class purchased in the period of three years ending with the 31st March, 1960 for the territories included respectively in each of those States:

Provided that where such proportion cannot be ascertained in respect of any class of stores or where the value of any class of such stores does not exceed Rs. 10,000, that class of stores shall be divided between the two States according to the population ratio.

THE ELEVENTH SCHEDULE

(*See* section 59)

APPORTIONMENT OF LIABILITY IN RESPECT OF PENSIONS

1. Subject to the adjustments mentioned in paragraph 3, each of the States of Maharashtra and Gujarat shall, in respect of pensions granted by the State of Bombay before the appointed day, pay the pensions drawn in its treasuries.

2. Subject to the said adjustments, the liability in respect of pensions of officers serving in connection with the affairs of the State of Bombay who retire or proceed on leave preparatory to retirement before the appointed day, but whose claims for pensions are outstanding immediately before that day, shall be the liability of the State of Maharashtra.

3. There shall be computed in respect of the part of the financial year commencing on the appointed day and in respect of each subsequent financial year, the total payments made in each of the States of Maharashtra and Gujarat in respect of pensions referred to in paragraphs 1 and 2; that total, representing the liability of the State of Bombay in respect of pensions, shall be apportioned between the States of Maharashtra and Gujarat in the population ratio, and the State paying more than its due share shall be reimbursed the excess amount by the other State.

4. (*1*) The liability in respect of the pension of any officer serving immediately before the appointed day in connection with the affairs of the State of Bombay and retiring on or after that day, shall be that of the State which grants him the pension; but the portion of the pension attributable to the service of any such officer before the appointed day in connection with the affairs of the State of Bombay shall be allocated between the States of Maharashtra and Gujarat in the population ratio, and the Government which grants the pension shall be entitled to receive from the other Government its share of this liability.

(*2*) If any such officer was serving after the appointed day for some period in connection with the affairs of the State of Maharashtra and for some period in connection with the affairs of the State of Gujarat, the Government other than the one granting the pension shall reimburse to the Government by which the pension is granted on amount which bears to the portion of the pension attributable to his service after the appointed day the same ratio as the period of his qualifying service after the appointed day under the reimbursing State bears to the total qualifying service after the appointed day reckoned for the purposes of pension.

5. Any reference in this Schedule to a pension shall be construed as including a reference to the commuted value of the pension.

THE TWELFTH SCHEDULE

(*See* section 73)

1. The Bombay State Cooperative Bank Limited.
2. The Bombay State Cooperative and Mortgage Bank Limited.
3. The Bombay State Cooperative Housing Finance Society.
4. The Bombay State Industrial Cooperative Association.
5. The Bombay State Cooperative Union.
6. Mumbai Rajya Sahakari Karkhana Sangh.

THE THIRTEENTH SCHEDULE

(*See* section 79)

1. J. J. College of Architecture, Bombay.
2. J. J. Institute of Applied Art, Bombay.
3. School of Printing Technology, Bombay.
4. Government Tanning Institute, Bombay.
5. Government Leather Working School, Bombay.
6. Veterinary College, Bombay.
7. R. A. Podar Medical College (Ayurvedic), Bombay.
8. C. E. M. Dental College, Bombay.
9. Haffkine Institute, Bombay.
10. Forensic Science Laboratory and Chemical Analysers Department, Bombay.
11. State Fire School, Ghatkopar, Bombay.
12. Secretariat Record Office, Bombay.
13. Mathematical Instruments Depot and Workshop, Bombay.
14. Drugs Testing Laboratory, Bombay.
15. Training Institute for Physical Education, Kandivli, Bombay.
16. J. J. School of Art, Bombay.
17. S. T. College, Bombay.
18. Jail Officers' Training School, Yeravda, Poona.
19. Alienation Office, Poona.
20. Government Photozinco Press, Poona.
21. Government Photo Registry, Poona.
22. Institute of Veterinary Biological Products, Poona.
23. Police Wireless Training Centre, Dapodi, Poona.
24. Public Health Institute, Nagpur.
25. Vaccine Institute, Nagpur.
26. Bombay State Hemp Drugs and Opium Packing and Supply Depot, Ahmedabad.
27. Police Training School, Nasik.