THE STATES REORGANISATION ACT, 1956

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THE STATES REORGANISATION ACT, 1956

ACT NO. 37 OF 1956

[31*st August*, 1956.]

An Act to provide for the reorganisation of the States of India and for matters connected therewith.

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

PART I

PRELIMINARY

1. Short title.—This Act may be called the States Reorganisation Act, 1956.

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

(*a*) "appointed day" means the 1st day of November, 1956;

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

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

(*d*) "corresponding new State" means, in relation to the existing State of Bombay, Madhya Pradesh, Mysore, Punjab or Rajasthan, the new State with the same name, and in relation to the existing State of Travancore-Cochin, the new State of Kerala;

(*e*) "corresponding State" means, in relation to the new State of Bombay, Madhya Pradesh, Mysore, Punjab or Rajasthan, the existing State with the same name, and in relation to the new State of Kerala, the existing State of Travancore-Cochin;

(*f*) "Election Commission" means the Election Commission appointed by the President under article 324;

(*g*) "existing State" means a State specified in the First Schedule to the Constitution at the commencement of this Act;

(*h*) "law" includes any enactment, ordinance, regulation, order, bye-law, rule, scheme, notification or other instrument having the force of law in the whole or in any part of the territory of India;

(*i*) "new State" means a [1]*** State formed by the provisions of Part II;

(*k*) "population ratio", in relation to the successor States of an existing State, means such ratio as the Central Government may by notified order specify to be the ratio in which the population of that existing State as ascertained at the last census is distributed territorially among the several successor States by virtue of the provisions of Part II;

(*l*) "prescribed" means prescribed by rules made under this Act;

(*m*) "principal successor State" means—

(*i*) in relation to the existing State of Bombay, Madhya Pradesh, Madras or Rajasthan, the State with the same name; and

(*ii*) in relation to the existing States of Hyderabad, Madhya Bharat and Travancore-Cochin, the States of Andhra Pradesh, Madhya Pradesh and Kerala, respectively;

1. The word and letter "Part A" omitted by the Adaptation of Laws (No. 1) Order, 1956.

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

(*o*) "successor State", in relation to an existing State, means any State to which the whole or any part of the territories of that existing State is transferred by the provisions of Part II, and includes in relation to the existing State of Madras, also that State as territorially altered by the said provisions and the Union;

(*p*) "transferred territory" means any territory transferred from an existing State to another existing State or to a new State by the provisions of Part II;

(*q*) "treasury" includes a sub-treasury; and

(*r*) any reference to a district, taluk, tahsil or other territorial division of a State shall be construed as a reference to the area comprised within that territorial division on the 1st day of July, 1956.

PART II

TERRITORIAL CHANGES AND FORMATION OF NEW STATES

3. Transfer of territory from Hyderabad to Andhra and alteration of name.—(*1*) As from the appointed day, there shall be added to the State of Andhra the territories comprised in—

(*a*) the districts of Hyderabad, Medak, Nizamabad, Karimnagar, Warangal, Khammam, Nalgonda and Mahbubnagar;

(*b*) Alampur and Gadwal taluks of Raichur district and Kodangal taluk of Gulbarga district;

(*c*) Tandur taluk of Gulbarga district;

(*d*) Zahirabad taluk (except Nirna circle), Nyalkal circle of Bidar taluk and Narayankhed taluk of Bidar district;

(*e*) Bichkonda and Jukkal circles of Deglur taluk of Nanded district; and

(*f*) Mudhol, Bhiansa and Kuber circles of Mudhol taluk of Nanded district; and

(*g*) Adilabad district except Islapur circle of Boath taluk, Kinwat taluk and Rajura taluk; and thereupon the said territories shall cease to form part of the existing State of Hyderabad and the State of Andhra shall be known as the State of Andhra Pradesh.

(*2*) The territories referred to in clauses (*b*), (*c*), (*d*), (*e*) and (*f*) of sub-section (*1*) shall be included in, and become part of, Mahbubnagar, Hyderabad, Medak, Nizamabad and Adilabad districts, respectively, in the State of Andhra Pradesh.

4. Transfer of territory from Travancore-Cochin to Madras.—As from the appointed day, there shall be added to the State of Madras the territories comprised in the Agastheeswaram, Thovala, Kalkulam and Vilavancode taluks of Trivandrum district and the Shencottah taluk of Quilon district; and thereupon—

(*a*) the said territories shall cease to form part of the existing State of Travancore-Cochin;

(*b*) the territories comprised in the Agastheeswaram, Thovala, Kalkulam and Vilavancode taluks shall form a separate district to be known as Kanya Kumari district in the State of Madras; and

(*c*) the territories comprised in the Shencottah taluk shall be included in, and become part of, Tirunelveli district in the State of Madras.

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

(*a*) the territories of the existing State of Travancore Cochin, excluding the territories transferred to the State of Madras by section 4; and

(*b*) the territories comprised in—

(*i*) Malabar district, excluding the islands of Laccadive and Minicoy, and

(*ii*) Kasaragod taluk of South Kanara district;

and thereupon the said territories shall cease to form part of the States of Travancore-Cochin and Madras, respectively.

(*2*) The territories specified in clause (*b*) of sub-section (*1*) shall form a separate district to be known as Malabar district in the State of Kerala.

6. Laccadive, Minicoy and Amindivi Islands.—As from the appointed day, there shall be formed a [2][Union territory] to be known as the Laccadive, Minicoy and Amindivi Islands comprising the Laccadive and Minicoy Islands in the Malabar district and the Amindivi Islands in the South Kanara district; and thereupon the said Islands shall cease to form part of the existing State of Madras.

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

(*a*) the territories of the existing State of Mysore;

(*b*) Belgaum district except Chandgad taluka and Bijapur, Dharwar and Kanara districts, in the existing State of Bombay;

(*c*) Gulbarga district except Kodangal and Tandur taluks, Raichur district except Alampur and Gadwal taluks, and Bidar district except Ahmadpur, Nilanga and Udgir taluks and the portions specified in clause (*d*) of sub-section (*1*) of section 3, in the existing State of Hyderabad;

(*d*) South Kanara district except Kasaragod taluk and Amindivi Islands, and Kollegal taluk of Coimbatore district, in the State of Madras; and

(*e*) the territories of the existing State of Coorg; and thereupon the said territories shall cease to form part of the said existing States of Mysore, Bombay, Hyderabad, Madras and Coorg, respectively.

(*2*) The territory comprised in the existing State of Coorg shall form a separate district to be known as Coorg district, and the said Kollegal taluk shall be included in, and become part of, Mysore district, in the new State of Mysore.

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

(*a*) the territories of the existing State of Bombay, excluding—

(*i*) Bijapur, Dharwar and Kanara districts and Belgaum district except Chandgad taluka, and

(*ii*) Abu Road taluka of Banaskantha district;

(*b*) Aurangabad, Parbhani, Bhir and Osmanabad districts, Ahmadpur, Nilanga and Udgir taluks of Bidar district, Nanded district (except Bichkonda and Jukkal circles of Deglur taluk and Mudhol,

1. The word and letter "Part A" omitted by the Adaptation of Laws (No. 1) Order, 1956. 2. Subs., *ibid*., for "New Part C State".

Bhiansa and Kuber circles of Mudhol taluk) and Islapur circle of Boath taluk, Kinwat taluk and Rajura taluk of Adilabad district, in the existing State of Hyderabad;

(*c*) Buldana, Akola, Amravati, Yeotmal, Wardha, Nagpur, Bhandara and Chanda districts in the existing State of Madhya Pradesh;

(*d*) the territories of the existing State of Saurashtra; and

(*e*) the territories of the existing State of Kutch; and thereupon the said territories shall cease to form part of the existing States of Bombay, Hyderabad, Madhya Pradesh, Saurashtra and Kutch, respectively.

(*2*) The said Chandgad taluka shall be included in, and become part of, Kolhapur district, the said Ahmadpur, Nilanga and Udgir taluks shall be included in, and become part of, Osmanabad district, the said Islapur circle of Boath taluk, Kinwat taluk and Rajura taluk shall be included in, and become part of, Nanded

district and the territories comprised in the existing State of Kutch shall form a separate district to be known as Kutch district, in the new State of Bombay.

9. Formation of a new Madhya Pradesh State.—(*1*) As from the appointed day, there shall be formed a new [1]*** State to be known as the State of Madhya Pradesh comprising the following territories, namely:—

(*a*) the territories of the existing State of Madhya Pradesh, except the districts mentioned in clause (*c*) of sub-section (*1*) of section 8;

(*b*) the territories of the existing State of Madhya Bharat, except Sunel tappa of Bhanpura tahsil of Mandsaur district;

(*c*) Sironj sub-division of Kotah district in the existing State of Rajasthan;

(*d*) the territories of the existing State of Bhopal; and

(*e*) the territories of the existing State of Vindhya Pradesh; and thereupon the said territories shall cease to form part of the existing States of Madhya Pradesh, Madhya Bharat, Rajasthan, Bhopal and Vindhya Pradesh, respectively.

(*2*) The said Sironj sub-division shall be included in, and become part of, Bhilsa district in the new State of Madhya Pradesh.

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

(*a*) the territories of the existing State of Rajasthan, except Sironj sub-division of Kotah district;

(*b*) the territories of the existing State of Ajmer;

(*c*) Abu Road taluka of Banaskantha district in the existing State of Bombay; and

(*d*) Sunel tappa of Bhanpura tahsil of Mandsaur district in the existing State of Madhya Bharat; and thereupon the said territories shall cease to form part of the said States of Rajasthan, Ajmer, Bombay and Madhya Bharat, respectively.

(*2*) The territories comprised in the existing State of Ajmer shall form a separate district to be known as Ajmer district, and the territories referred to in clauses (*c*) and (*d*) of sub-section (*1*) shall be included in, and become part of, Sirohi and Jhalawar districts, respectively, in the new State of Rajasthan.

11. Formation of a new Punjab State.—As from the appointed day, there shall be formed a new [1]*** State to be known as the State of Punjab comprising the following territories, namely:—

(*a*) the territories of the existing State of Punjab; and

1. The word and letter "Part A" omitted by the Adaptation of Laws (No. 1) Order, 1956.

(*b*) the territories of the existing State of Patiala and East Punjab States Union; and thereupon the said territories shall cease to form part of the said existing States of Punjab and Patiala and East Punjab States Union, respectively.

12. Amendment of the First Schedule to the Constitution.—As from the appointed day, in the First Schedule to the Constitution, for Part A, Part B and Part C, the following Parts shall be substituted, namely:—

"PART A

Name	Territories
1. Andhra Pradesh . . .	The territories specified in sub-section (*1*) of section 3 of the Andhra State Act, 1953, and the territories specified in sub-section (*1*) of section 3 of the States Reorganisation Act, 1956.
2. Assam	The territories which immediately before the

commencement of this Constitution were comprised in the Province of Assam, the Khasi States and the Assam Tribal Areas, but excluding the territories specified in the Schedule to the Assam (Alteration of Boundaries) Act, 1951.

3. Bihar . . . . . The territories which immediately before the commencement of this Constitution were either comprised in the Province of Bihar or were being administered as if they formed part of that Province.

4. Bombay . . . . . The territories specified in sub-section (*1*) of section 8 of the States Reorganisation Act, 1956.

5. Kerala . . . . . The territories specified in sub-section (*1*) of section 5 of the States Reorganisation Act, 1956.

6. Madhya Pradesh. . . The territories specified in sub-section (*1*) of section 9 of the States Reorganisation Act, 1956.

7. Madras . . . . . The territories which immediately before the commencement of this Constitution were either comprised in the Province of Madras or were being administered as if they formed part of that Province and the territories specified in section 4 of the States Reorganisation Act, 1956, but excluding the territories specified in sub-section (*1*) of section 3 and sub-section (*1*) of section 4 of the Andhra State Act, 1953, and the territories specified in clause (*b*) of sub- section (*1*) of section 5, section 6 and clause (*d*) of sub-section (*1*) of section 7 of the States Reorganisation Act, 1956.

8. Mysore . . . . . The territories specified in sub-section (*1*) of section 7 of the States Reoganisation Act, 1956.

9. Orissa . . . . . The territories which immediately before the commencement of this Constitution were either comprised in the Province of Orissa or were being administered as if they formed part of that Province.

Name	Territories
10. Punjab	The territories specified in section 11 of the States Reorganisation Act, 1956.

11. Rajasthan . . . . The territories specified in section 10 of the States Reorganisation Act, 1956.

12. Uttar Pradesh . . . The territories which immediately before the commencement of this Constitution were either comprised in the Province known as the United Provinces or were being administered as if they formed part of that Province.

13. West Bengal . . . . The territories which immediately before the commencement of this Constitution were either comprised in the Province of West Bengal or were being administered as if they formed part of that Province and the territory of Chandernagore as defined in clause (*c*) of section 2 of the Chandernagore (Merger) Act, 1954.

PART B

Name	Territory
1. Jammu and Kashmir . .	

The territory which immediately before the commencement of this Constitution was comprised in the Indian State of Jammu and Kashmir.

PART C

Name	Territory
1. Delhi	The territory which immediately before the commencement of this Constitution was comprised in the Chief Commissioner's Province of Delhi.
2. Himachal Pradesh . .	The territories which immediately before the commencement of the Himachal Pradesh and Bilaspur (New State) Act, 1954, were comprised in the States of Himachal Pradesh and Bilaspur.
3. Manipur	The territory which immediately before the commencement of this Constitution was being administered as if it were a Chief Commissioner's Province under the name of Manipur.
4. Tripura	The territory which immediately before the commencement of this Constitution was being administered as if it were a Chief Commissioner's Province under the name of Tripura.
5. The Laccadive Minicoy and Amindivi Islands.	The territory specified in section 6 of the States Reorganisation Act, 1956."

13. Saving powers of State Governments.—Nothing in the foregoing provisions of this Part shall be deemed to affect the power of a State Government to alter after the appointed day the name, extent and boundaries of any district or division in the State.

PART III

ZONES AND ZONAL COUNCILS

14. [*Definitions.*]—*Rep. by the Adaptation of Laws (No.* 1*) Order,* 1956.

15. Establishment of Zonal Councils.—As from the appointed day, there shall be a Zonal Council for each of the following five zones, namely:—

(*a*) the Northern Zone, comprising the States of [1][Haryana], [2][Punjab, Himachal Pradesh], Rajasthan and Jammu and Kashmir* and the [3][Union territories] of Delhi, [4][and Chandigarh];

(*b*) the Central Zone, comprising the States of Uttar Pradesh and Madhya Pradesh;

[5][(*c*) the Eastern Zone, comprising the States of Bihar, West Bengal [6][Orissa and Sikkim];]

[7][(*d*) the Western Zone, comprising the States of Goa, Gujarat and Maharashtra and the Union territories of Dadra and Nagar Haveli and Daman and Diu; and]

(*e*) the Southern Zone, comprising the States of Andhra Pradesh, [8][[9][Tamil Nadu], [10][Karnataka] and Kerala] [11][and the Union territory of Pondicherry].

16. Composition of the Councils.—(*1*) The Zonal Council for each zone shall consist of the following members, namely:—

(*a*) a Union Minister to be nominated by the President;

(*b*) the Chief Minister of each of the States included in the zone and two other Ministers of each such State to be nominated by the Sadar-i-Riyasat, in the case of Jammu and Kashmir*, and by the Governor, in any other case, and if there is no Council of Ministers in any such State, three members from that State to be nominated by the President;

(*c*) where any [3][Union territory] is included in the zone, not more than two members from each [12][such territory] to be nominated by the President;

[13]* * * * *

(*2*) The Union Minister nominated under clause (*a*) of sub-section (*1*) to a Zonal Council shall be its Chairman.

(*3*) The Chief Ministers of the States included in each zone shall act as Vice-Chairman of the Zonal Council for that zone by rotation, each holding office for a period of one year at a time:

Provided that if during that period there is no Council of Ministers in the State concerned, such member from that State as the President may nominate in this behalf shall act as Vice-Chairman of the Zonal Council.

1. Subs. by Act 31 of 1966, s. 86, for "Punjab" (w.e.f. 1-11-1966).
2. Subs. by Act 53 of 1970, s. 47, for "Punjab" (w.e.f. 25-1-1971).
3. Subs. by the Adaptation of Laws (No. 1) Order, 1956, for "Part C States".
4. Subs. by Act 53 of 1970, s. 47, for "Himachal Pradesh and Chandigarh" (w.e.f. 25-1-1971).
5. Subs. by Act 81 of 1971, s. 74, for clause (*c*) (w.e.f. 21-1-1972).
7. Subs. by Act 18 of 1987, s. 64, for clause (*d*) (w.e.f. 30-5-1987).
8. Subs. by Act 11 of 1960, s. 86, for "Madras and Kerala" (w.e.f. 1-5-1960).
9. Subs. by the Madras State (Alteration of Name) (Adaptation of Laws on Union Subjects) Order, 1970, for "Madras" (w.e.f. 14-1-1969).
10. Subs. by the Mysore State (Alteration of Name) (Adaptation of Laws on Union Subjects) Order, 1974, for "Mysore" (w.e.f. 1-11-1973).
11. Ins. by Act 20 of 1963, s. 57 and Second Schedule (w.e.f. 13-5-1963).
12. Subs. by the Adaptation of Laws (No. 1) Order, 1956, for "such State".
13. Omitted by Act 81 of 1971, s. 74 (w.e.f. 21-1-1972).

*. *Vide* notification No. S.O. 3912(E), dated 30th October, 2019, this Act is made applicable to the Union territory of Jammu and Kashmir and the Union territory of Ladakh.

(*4*) The Zonal Council for each zone shall have the following persons as Advisers to assist the Council in the performance of its duties, namely:—

(*a*) one person nominated by the Planning Commission;

(*b*) the Chief Secretary to the Government of each of the States included in the Zone; and

(*c*) the Development Commissioner or any other officer nominated by the Government of each of the States included in the Zone.

(*5*) Every Adviser to a Zonal Council shall have the right to take part in the discussions of the Council or of any Committee thereof of which he may be named a member but shall not have a right to vote at a meeting of the Council or of any such Committee.

17. Meetings of the Councils.—(*1*) Each Zonal Council shall meet at such time as the Chairman of the Council may appoint in this behalf and shall, subject to the other provisions of this section, observe such rules of procedure in regard to transaction of business at its meetings as it may, with the approval of the Central Government, lay down from time to time.

(*2*) The Zonal Council for each zone shall, unless otherwise determined by it, meet in the States included in that zone by rotation.

(*3*) The Chairman or in his absence the Vice-Chairman or in the absence of both the Chairman and the Vice-Chairman, any other member chosen by the members present from amongst themselves shall preside at a meeting of the Council.

(*4*) All questions at a meeting of a Zonal Council shall be decided by a majority of votes of the members present and in the case of an equality of votes the Chairman or, in his absence any other person presiding shall have a second or casting vote.

(*5*) The proceedings of every meeting of a Zonal Council shall be forwarded to the Central Government and also to each State Government concerned.

18. Power to appoint Committees.—(*1*) A Zonal Council may from time to time by resolution passed at a meeting appoint Committees of its members and Advisers for performing such functions as may be specified in the resolution and may associate with any such Committee, such Ministers either for the Union or for the States and such officers serving either in connection with the affairs of the Union or of the States as may be nominated in that behalf by the Council.

(*2*) A person associated with a Committee of a Zonal Council under sub-section (*1*) shall have the right to take part in the discussions of the Committee, but shall not have a right to vote at a meeting thereof.

(*3*) A Committee appointed under sub-section (*1*) shall observe such rules of procedure in regard to transaction of business at its meetings as the Zonal Council may, with the approval of the Central Government, lay down from time to time.

19. Staff of the Council.—(*1*) Each Zonal Council shall have a secretarial staff consisting of a Secretary, a Joint Secretary and such other officers as the Chairman may consider necessary to appoint.

(*2*) The Chief Secretaries of the States represented in such Council shall each be the Secretary of the Council by rotation and hold office for a period of one year at a time.

(*3*) The Joint Secretary of the Council shall be chosen from amongst officers not in the service of any of the States represented in the Council and shall be appointed by the Chairman.

20. Office of the Council.—(*1*) The office of the Zonal Council for each zone shall be located at such place within the zone as may be determined by the Council.

(*2*) The administrative expenses of the said office, including the salaries and allowances payable to or in respect of members of the secretarial staff of the Council other than the Secretary, shall be borne by the Central Government out of monies provided by Parliament for the purpose.

21. Functions of the Councils.—(*1*) Each Zonal Council shall be an advisory body and may discuss any matter in which some or all of the States represented in that Council, or the Union and one or more of the States represented in that Council, have a common interest and advise the Central Government and the Government of each State concerned as to the action to be taken on any such matter.

(*2*) In particular, and without prejudice to the generality of the provisions of sub-section (*1*), a Zonal Council may discuss, and make recommendations with regard to,—

(*a*) any matter of common interest in the field of economic and social planning;

(*b*) any matter concerning border disputes, linguistic minorities or inter-State transport; and

(*c*) any matter connected with, or arising out of, the reorganisation of the States under this Act.

22. Joint meetings of Zonal Councils.—(*1*) Where it is represented to the Zonal Council for any zone that a matter in which a State included in that zone and one or more States included in any other zone or zones have a common interest should be discussed at a joint meeting, it shall be lawful for the Zonal Councils concerned—

(*a*) to meet at such time and place as the Chairman thereof may, in consultation with each other, appoint in this behalf; and

(*b*) to discuss the said matter at such joint meeting and make recommendations to the Governments concerned as to the action to be taken on that matter.

(*2*) The Central Government may make rules for regulating the procedure at joint meetings of the Zonal Councils.

PART IV

REPRESENTATION IN THE LEGISLATURES

The Council of States

23. Amendment of the Fourth Schedule to the Constitution.—As from the appointed day, in the

Fourth Schedule to the Constitution, for the Table of Seats, the following Table shall be substituted, namely:—

"*Table of Seats*

1. Andhra Pradesh	18
2. Assam	6
3. Bihar	21
4. Bombay	27
5. Kerala	9
6. Madhya Pradesh	16
7. Madras	17
8. Mysore	12
9. Orissa	9
10. Punjab	11
11. Rajasthan	10
12. Uttar Pradesh	31
13. West Bengal	14
14. Jammu and Kashmir	4
15. Delhi	1
16. Himachal Pradesh	1
18. Tripura	1
17. Manipur	

208".

24. Allocation of sitting members in the Council of States.—(*1*) The twelve sitting members representing the State of Andhra and such six of the eleven sitting members representing the State of Hyderabad as the Chairman shall by order specify shall, as from the appointed day, be deemed to have been duly elected to fill the eighteen seats allotted to the State of Andhra Pradesh.

(*2*) Such five of the six sitting members representing the State of Travancore-Cochin and such three of the eighteen sitting members representing the State of Madras as the Chairman shall by order specify shall, as from the appointed day, be deemed to have been duly elected to fill eight of the nine seats allotted to the State of Kerala.

(*3*) The eleven sitting members representing the States of Bhopal, Madhya Bharat and Vindhya Pradesh and such five of the twelve sitting members representing the State of Madhya Pradesh as the Chairman shall by order specify shall, as from the appointed day, be deemed to have been duly elected to fill the sixteen seats allotted to the new State of Madhya Pradesh.

(*4*) Such one of the six sitting members representing the State of Travancore-Cochin as the Chairman shall by order specify shall, as from the appointed day, be deemed to have been duly elected to fill one of the seats allotted to the State of Madras.

(*5*) The six sitting members representing the State of Mysore, and such four of the seventeen sitting members representing the State of Bombay, and such two of the eleven sitting members representing the State of Hyderabad, as the Chairman shall by order specify shall, as from the appointed day, be deemed to have been duly elected to fill the twelve seats allotted to the new State of Mysore.

(*6*) The eleven sitting members representing the existing States of Punjab and Patiala and East Punjab States Union shall, as from the appointed day, be deemed to have been duly elected to fill the eleven seats allotted to the new State of Punjab.

(*7*) The nine sitting members representing the State of Rajasthan and the sitting members representing the States of Ajmer and Coorg shall, as from the appointed day, be deemed to have been duly elected to fill the ten seats allotted to the new State of Rajasthan:

Provided that if the number of sitting members representing the State of Rajasthan is less than nine, such one of the sitting members representing the existing State of Bombay as the Chairman shall by order specify shall, as from the appointed day, be deemed to have been duly elected to fill one of the seats allotted to the new State of Rajasthan.

(*8*) The five sitting members representing the State of Saurashtra and Kutch and the sitting members representing the existing States of Bombay, Hyderabad and Madhya Pradesh who have not been allocated under sub-sections (*1*), (*3*), (*5*) and (*7*) to Andhra Pradesh, Madhya Pradesh, Mysore or Rajasthan shall, as from the appointed day, be deemed to have been duly elected to fill the twenty-seven seats allotted to the new State of Bombay.

(*9*) In this section, "Chairman" means the Chairman of the Council of States.

25. By-elections to fill vacancies.—As soon as may be after the appointed day, by-elections shall be held to fill the vacancies existing on the appointed day in the seats allotted to the States of Kerala and Madras.

26. Term of office of members.—In order that, as nearly as may be, one-third of the members may retire on the 2nd day of April, 1958, and on the expiration of every second year thereafter, the President shall, after consultation with the Election Commission, make by order such provisions as he thinks fit in regard to the terms of office of the members elected under section 25 and such modifications as he thinks fit in the terms of office of any of the sitting members.

The House of the People

27. Provision as to existing House.—Nothing in Part II shall be deemed to affect the constitution or duration of the existing House of the People or the extent of the constituency of any sitting member of that House.

The Legislative Assembly

28. Changes in composition and allocation of sitting members.—(*1*) Where by virtue of the provisions of Part II the whole area of any Assembly constituency in an existing State is transferred to any other existing State or becomes part of a new State other than Kerala,—

(*a*) that area shall, as from the appointed day, be deemed to form a constituency provided by law for the purpose of elections to the Legislative Assembly of such other existing State or of such new State, as the case may be; and

(*b*) the sitting member representing that constituency shall, as from the appointed day, be deemed to have been elected to the said Legislative Assembly by that constituency and shall cease to be a member of the Legislative Assembly of which he was a member immediately before that day.

(*2*) The sitting members representing the assembly constituencies in the State of Madras falling wholly or partly within the territories of that State which, on the appointed day, become part of the new State of Kerala shall, as from that day, cease to be members of the Legislative Assembly of Madras.

(*3*) The provisions of the First Schedule shall apply in relation to the sitting members representing the Assembly constituencies specified therein, parts of which are by virtue of the provisions of Part II transferred from an existing State to another existing State or to a new State.

(*4*) The members of the electoral college for Kutch constituted under section 27A of the Representation of the People Act, 1950 (43 of 1950) shall, as soon as may be after the commencement of this Act, elect eight persons from among themselves in accordance with the system of proportional representation by means of the single transferable vote and in such manner as may be prescribed; and the persons so elected shall, as from the appointed day, be deemed to have been elected to the Legislative Assembly of Bombay by a constituency comprising the whole of Kutch district.

(*5*) The office of member of the Council of Advisers constituted for the State of Kutch under section 42 of the Government of Part C States Act, 1951 (49 of 1951), is hereby declared to be an office of profit under the Government of India which shall not disqualify its holder for being elected under sub-section (*4*) or for becoming a member of the Legislative Assembly of Bombay as provided in that sub- section.

(*6*) The sitting members nominated under article 333 to represent the Anglo-Indian community in the Legislative Assemblies of Madhya Pradesh and Mysore shall, as from the appointed day, cease to be members of those Assemblies and shall be deemed to have been nominated under the said article by the respective Governors to the Legislative Assemblies of the corresponding new States.

29. Special provision for elections to the Andhra Pradesh Legislative Assembly.—When a general election is next held in the State of Andhra Pradesh for electing members to the House of the People, elections shall also be held to fill the seats allotted to the assembly constituencies into which the transferred territory in that State is divided in the order referred to in sub-section (*2*) of section 47, as if those seats had become vacant; and as from the date appointed under the Representation of the People Act, 1951 (43 of 1951) as the date before which the said elections shall be completed, all the persons who, having been sitting members of the Legislative Assembly of Hyderabad, become on the appointed day members of the Legislative Assembly of Andhra Pradesh under sub-section (*1*) or sub-section (*3*) of section 28 of this Act shall cease to be such members.

30. Duration of Legislative Assemblies.—The period of five years referred to in clause (*1*) of article 172 shall, in the case of the Legislative Assembly of each new State except Kerala, as constituted by the provisions of section 28, be deemed to have commenced on the date on which it actually commenced in the case of the Legislative Assembly of the corresponding State.

31. Speakers and Deputy Speakers.—(*1*) As from the appointed day and until the first meeting of the Legislative Assembly of a new State other than Kerala, the persons who immediately before the appointed day are the Speaker and Deputy Speaker of the Legislative Assembly of the corresponding State shall, if they are members of the Legislative Assembly of the new State, be the Speaker and Deputy Speaker, respectively, of that Assembly.

(*2*) As soon as may be after the appointed day, the Legislative Assembly of the State of Andhra Pradesh shall choose two members of the Assembly to be respectively Speaker and Deputy Speaker thereof and until they are so chosen, the persons who immediately before the appointed day are the Speaker and Deputy Speaker of the Legislative Assembly of the existing State of Andhra shall be the Speaker and Deputy Speaker, respectively, of the Legislative Assembly of the State of Andhra Pradesh.

32. Rules of procedure.—Until rules are made under clause (*1*) of article 208 by the Legislative Assembly of a new State, the rules as to procedure and conduct of business in force immediately before the appointed day with respect to the Legislative Assembly of the corresponding State shall have effect in relation to the Legislative Assembly of the new State subject to such modifications and adaptations as may be made therein by the Speaker.

The Legislative Councils

33. Madhya Pradesh Legislative Council.—(*1*) As from such date as the President may by order appoint, there shall be a Legislative Council for the new State of Madhya Pradesh.

(*2*) In the said Council there shall be [1][90] seats of which—

(*a*) the numbers to be filled by persons elected by the electorates referred to in sub-clauses (*a*), (*b*) and (*c*) of clause (*3*) of article 171 shall be [2][31, 8 and 8] respectively;

(*b*) the number to be filled by persons elected by the members of the Legislative Assembly in accordance with the provisions of sub-clause (*d*) of the said clause shall be [3][31]; and

(*c*) the number to be filled by persons nominated by the Governor in accordance with the provisions of sub-clause (*e*) of that clause shall be 12.

(*3*) As soon as may be after the commencement of [4][the Legislative Councils Act, 1957 (37 of 1957)], the President, after consultation with the Election Commission, shall by order determine—

(*a*) the constituencies into which the said new State shall be divided for the purpose of elections to the Council under each of the sub-clauses (*a*), (*b*) and (*c*) of clause (3) of article 171;

1. Subs. by Act 37 of 1957, s. 6, for "72" (w.e.f. 18-9-1957).
2. Subs. by s. 6, *ibid*., for "24, 6 and 6" (w.e.f. 18-9-1957).
3. Subs. by s. 6, *ibid*., for "24" (w.e.f. 18-9-1957).
4. Subs. by s. 6, *ibid*., for "this Act" (w.e.f. 18-9-1957).

(*b*) the extent of each constituency; and

(*c*) the number of seats allotted to each constituency.

(*4*) As soon as may be after [1][such commencement], steps shall be taken to constitute the said Council in accordance with the provisions of this section and the provisions of the Representation of the People Act, 1950 (43 of 1950) and the Representation of the People Act, 1951 (43 of 1951).

[2]* * * * *

34. Bombay Legislative Council.—(*1*) As from such date as the President may by order appoint, there shall be a Legislative Council for the new State of Bombay.

(*2*) [3][Until otherwise provided by law], the said Council shall consist of—

(*a*) all the sitting members of the Legislative Council of the existing State of Bombay, except those representing the Belgaum (Local Authorities), Bijapur (Local Authorities) and Dharwar (Local Authorities) constitutencies; and

(*b*) 25 members to represent the territories specified in clauses (*b*), (*c*), (*d*) and (*e*) of sub-section (*1*) of section 8 who shall be chosen in such manner as may be prescribed.

[4]* * * * *

35. Madras Legislative Council.—(*1*) In the Legislative Council of Madras, as from the appointed day, there shall be [5][50] seats of which—

(*a*) the numbers to be filled by persons elected by the electorates referred to in sub-clauses (*a*), (*b*) and (*c*) of clause (*3*) of article 171 shall be [6][16, 6 and 4] respectively;

(*b*) the number to be filled by persons elected by the members of the Legislative Assembly in accordance with the provisions of sub-clause (*d*) of the said clause shall be 16; and

(*c*) the number to be filled by persons nominated by the Governor in accordance with the provisions of sub-clause (*e*) of that clause shall be 8.

(*2*) As from the appointed day, the Delimitation of Council Constituencies (Madras) Order, 1951 shall have effect subject to the modifications directed by the Second Schedule, and in the said Order,—

(*a*) any reference to the State of Madras shall be construed as including the territory added to that State by section 4 and as excluding the territory which ceases to be part of that State by virtue of section 5, section 6 or section 7;

(*b*) any reference to Tirunelveli district shall be construed as including the territory added to that district by section 4; and

(*c*) any reference to Coimbatore district shall be construed as excluding Kollegal taluk.

(*3*) The two sitting members of the said Council representing the West Coast (Local Authorities) Constituency [7]***, and such two of the eighteen sitting members elected by the members of the

1. Subs. by Act 37 of 1957, s. 6, for "the appointed day" (w.e.f.18-9-1957).
2. Proviso omitted by s. 6, *ibid*. (w.e.f. 18-9-1957).
3. Subs. by s. 5, *ibid*., for "Until the said Council has been reconstituted in accordance with the provisions of sub-sections (*4*) and (*5*) of this section and summoned to meet for the first time" (w.e.f. 18-9-1957).
4. Omitted by s. 5, *ibid*. (w.e.f. 18-9-1957).
5. Subs. by Act 67 of 1956, s. 2, for "48" (w.e.f. 1-11-1956).
6. Subs. by s. 2, *ibid*., for "16, 4 and 4" (w.e.f. 1-11-1956).
7. The words and brackets "and such two of the six sitting members representing the Madras (Graduates) Constituency" omitted by s. 2, *ibid*. (w.e.f. 1-11-1956).

Legislative Assembly, as the Chairman of the said Council shall by order specify, shall, on the appointed day, cease to be members of the said Council.

(*4*) If, immediately before the appointed day, the total number of sitting members nominated by the Governor is nine, such one of them as the Governor shall by order specify shall, on the appointed day, cease to be a member of the said Council.

(*5*) Save as provided by sub-section (*3*), every sitting member of the said Council representing a council constituency the extent of which is altered by virtue of sub-section (*2*) shall, as from the appointed day, be deemed to have been elected to the said Council by that constitutency as so altered.

(*6*) As soon as may be after the appointed day, by-elections shall be held in all the local authorities constituencies to fill the vacancies existing on that day in the said Council.

(*7*) In order that, as nearly as may be, one-third of the members of the said Council may retire on the 20th April, 1958, and on the expiration of every second year thereafter, the Governor shall after consultation with the Election Commission, make by order such provisions as he thinks fit in regard to the terms of office of the members elected under sub-section (*6*) and such modifications as he thinks fit in the terms of office of any of the sitting members.

36. Mysore Legislative Council.—(*1*) As from the appointed day there shall be a Legislative Council for the new State of Mysore.

(*2*) [1][Until otherwise provided by law], the said Council shall consist of—

(*a*) all the sitting members of the Legislative Council of the existing State of Mysore, and

(*b*) 12 members to represent the territories specified in clauses (*b*), (*c*), (*d*) and (*e*) of sub-section (*1*) of section 7 who shall be chosen in such manner as may be prescribed.

[2]* * * * *

37. Punjab Legislative Council.—(*1*) As from the appointed day there shall be a Legislative Council for the new State of Punjab.

(*2*) [3][Until otherwise provided by law] the said Council shall consist of—

(*a*) all the sitting members of the Legislative Council of the existing State of Punjab; and

(*b*) six persons to be elected in such manner as may be prescribed by the members of the Legislative Assembly of the existing State of Patiala and East Punjab States Union from amongst persons who are not members of that Assembly.

[4]* * * * *

38. Chairman and Deputy Chairman.—As from the appointed day until the first meeting of the Legislative Council of the new State of Bombay, Mysore or Punjab, as the case may be, the persons who immediately before the appointed day are the Chairman and Deputy Chairman of the Legislative Council of the corresponding State shall be the Chairman and Deputy Chairman, respectively, of that Council.

39. Rules of procedure.—Until rules are made under clause (*1*) of article 208 by the Legislative Council of the new State of Bombay, Mysore or Punjab, the rules as to procedure and conduct of business in force immediately before the appointed day with respect to the Legislative Council of the

1. Subs. by Act 37 of 1957, s. 8, for "Until the said Council has been reconstituted in accordance with the provisions of sub-sections (*3*) and (*4*) of this section and summoned to meet for the first time" (w.e.f. 18-9-1957).
2. Omitted by s. 8, *ibid*. (w.e.f. 18-9-1957).
3. Subs. by s. 9, *ibid*., for certain words (w.e.f. 18-9-1957).
4. Omitted by s. 9, *ibid*. (w.e.f. 18-9-1957).

corresponding State shall have effect in relation to the Legislative Council of the new State subject to such modifications and adaptations as may be made therein by the Chairman.

Delimitation of Constituencies

40. Allocation of seats in the House of the People and assignment of seats to State Legislative Assemblies.—The number of seats in the House of the People allotted to each of the States and the number of seats assigned to the Legislative Assembly of each Part A State and of each Part B State other than Jammu and Kashmir by order of the Delimitation Commission under the Delimitation Commission Act, 1952 (81 of 1952) (hereinafter in this Part referred to as "the former Commission" and "the former Act", respectively) shall be modified as shown in the Third Schedule.

41. Modification of the Scheduled Castes and Scheduled Tribes Orders.—As soon as may be after the commencement of this Act, the President shall by order make such modifications in the Constitution (Scheduled Castes) Order, 1950, the Constitution (Scheduled Castes) (Part C States) Order, 1951, the Constitution (Scheduled Tribes) Order, 1950 and the Constitution (Scheduled Tribes) (Part C States) Order, 1951, as he thinks fit having regard to the territorial changes and formation of new States under the provisions of Part II.

42. Determination of population of Scheduled Castes and Scheduled Tribes.—(*1*) After the said Orders have been so modified, the population as at the last census of the scheduled castes and of the scheduled tribes in the territory which, as from the appointed day, will be comprised in each of the States of Andhra Pradesh, Bombay, Kerala, Madhya Pradesh, Madras, Mysore, Punjab and Rajasthan, shall be ascertained or estimated by the census authority in such manner as may be prescribed and shall be notified by that authority in the Gazette of India.

(*2*) The population figures so notified shall be taken to be the relevant population figures as ascertained at the last census and shall supersede any figures previously published.

43. Constitution of Delimitation Commission.—(*1*) As soon as may be after the commencement of this Act, the Central Government shall constitute a Commission to be called the Delimitation Commission which shall consist of three members as follows:—

(*a*) two members each of whom shall be a person who is, or has been, a Judge of the Supreme Court or of a High Court, to be appointed by the Central Government; and

(*b*) the Chief Election Commissioner, *ex officio*.

(*2*) The Central Government shall nominate one of the members appointed under clause (*a*) of sub-section (*1*) to be the Chairman of the Commission.

44. Duties of the Commission.—It shall be the duty of the Commission—

(*a*) to determine on the basis of the population figures notified under section 42 the number of seats, if any, to be reserved for the scheduled castes and scheduled tribes of each of the States mentioned in that section in the House of the People and in the Legislative Assembly of the State, having regard to the relevant provisions of the Constitution and of this Act;

(*b*) to determine the parliamentary and assembly constituencies into which each new State shall be divided, the extent of, and the number of seats to be allotted to each such constituency, and the number of seats, if any, to be reserved for the scheduled castes and the scheduled tribes of the State in each such constituency; and

(*c*) to revise or cancel any of the orders of the former Commission made under section 8 of the former Act so as to provide, having regard to the provisions of the Constitution and of this Act, for a proper delimitation of all parliamentary and assembly constituencies.

45. Associate members.—(*1*) For the purpose of assisting the Commission in the performance of its functions under clause (*b*) of section 44, the Commission shall associate with itself in respect of each new State such five persons as the Central Government shall by order specify, being persons who are members either of the House of the People or of the Legislative Assembly of an existing State:

Provided that such persons shall be chosen, so far as practicable, from among those members who were associated with the former Commission in delimiting constituencies in any part of the territories of the new State.

(*2*) None of the associate members shall have a right to vote or to sign any decision of the Commission.

46. Casual vacancies.—If, owing to death or resignation, the office of the Chairman or of a member or of an associate member falls vacant, it shall be filled as soon as may be practicable by the Central Government in accordance with the provisions of section 43 or, as the case may be, of section 45.

47. Procedure as to delimitation.—(*1*) The provisions of section 7 of the former Act shall apply in relation to the Commission as it applied in relation to the former Commission; and in determining the matters referred to in clauses (*b*) and (*c*) of section 44, the Commission shall have regard to the provisions contained in clauses (*a*) to (*e*) of sub-section (*2*) of section 8 of the former Act.

(*2*) After determining all the matters referred to in section 44, the Commission shall prepare an order, to be known as the Delimitation of Parliamentary and Assembly Constituencies Order, 1956 and send authenticated copies thereof to the Central Government and to each of the State Governments; and thereupon, that Order shall supersede all the orders made by the former Commission and have the full force of law and shall not be called in question in any Court.

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

(*4*) Subject to the provisions of sub-section (*5*), the readjustment of the representation of the several constituencies in the House of the People or in the Legislative Assembly of a State and the delimitation of those constituencies provided for in the said Order shall apply in relation to every election to the House of the People or to the Legislative Assembly of a State, as the case may be, held after the appointed day, and shall so apply in supersession of the provisions contained in any other law.

(*5*) Nothing in this section shall affect the representation in the House of the People or in the Legislative Assembly of a State until the dissolution of the House or the Assembly, as the case may be, existing or brought into existence on the appointed day.

(*6*) At any time within six months of the date of the said Order, any printing mistake found therein and any other error arising therein from an accidental slip or omission may be corrected by the Chief Election Commissioner by order published in the Gazette of India.

48. Special provision as to certain elections.—Where any election is held during the year commencing on the appointed day to fill a seat or seats in the Council of States allotted to a new or reorganised State or a seat or seats in the Legislative Assembly or Legislative Council, if any, of such State, any person who is for the time being an elector for a parliamentary constituency or assembly constituency in any of the connected States, shall, for the purpose of sub-section (*1*) of section 3, clause (*c*) of section 5 or sub-section (*1*) of section 6, as the case may be, of the Representation of the People Act, 1951 (43 of 1951), be deemed to be an elector for a parliamentary constituency or assembly constituency, as the case may be, of that new or reorganised State.

Explanation.—In this section "new or reorganised State" means any of the States specified in the first column of the following Table, and "connected States", in relation to a new or reorganised State, means the States specified against that new or reorganised State in the second column:

New or reorganised State Connected States

1. Andhra Pradesh . . 2. Bombay . . . . Bombay and Mysore

Andhra Pradesh, Madhya Pradesh, and Mysore

3. Kerala . . . . Madras

4. Madhya Pradesh . . Bombay

5. Madras . . . . 6. Mysore . . . .

PART V

HIGH COURTS

49. High Courts for the new States.—(*1*) The High Courts exercising immediately before the appointed day jurisdiction in relation to the existing States of Bombay, Madhya Pradesh, and Punjab shall, as from the appointed day, be deemed to be the High Courts for the new States of Bombay, Madhya Pradesh and Punjab, respectively.

(*2*) As from the appointed day, there shall be established a High Court for each of the new States of Kerala, Mysore and Rajasthan.

50. Abolition of certain Courts.—(*1*) As from the appointed day, the High Courts of all the existing Part B States, except Jammu and Kashmir, and the Courts of the Judicial Commissioners for Ajmer, Bhopal, Kutch and Vindhya Pradesh shall cease to function and are hereby abolished.

(*2*) Nothing in sub-section (*1*) shall prejudice or affect the continued operation of any notice served, injunction issued, direction given or proceedings taken before the appointed day by any of the Courts abolished by that sub-section under the powers then conferred upon that Court.

(*3*) Every such Judge of a High Court abolished by sub-section (*1*) as the President after consultation with the Chief Justice of India may, by order made before the appointed day, specify shall, as from that day, become a Judge, or if so specified the Chief Justice, of such High Court as the President may in that order specify.

51. Principal seat and other places of sitting of High Courts for new States.—(*1*) The principal seat of the High Court for a new State shall be at such place as the President may, by notified order, appoint.

(*2*) The President may, after consultation with the Governor of a new State and the Chief Justice of the High Court for that State, by notified order, provide for the establishment of a permanent bench or benches of that High Court at one or more places within the State other than the principal seat of the High Court and for any matters connected therewith.

(*3*) Notwithstanding anything contained in sub-section (*1*) or sub-section (*2*), the Judges and division courts of the High Court for a new State may also sit at such other place or places in that State as the Chief Justice may, with the approval of the Governor, appoint.

52. Jurisdiction of High Courts for new States.—The High Court for a new State shall have, in respect of any part of the territories included in that new State, all such original, appellate and other jurisdiction as, under the law in force immediately before the appointed day, is exercisable in respect of that part of the said territories by any High Court or Judicial Commissioner's Court for an existing State.

53. Power to enrol advocates, etc.—(*1*) The High Court for a new State shall have the like powers to approve, admit, enrol, remove and suspend advocates and attorneys, and to make rules with respect to advocates and attorneys as are, under the law in force immediately before the appointed day, exercisable by the High Court for the corresponding State.

(*2*) The right of audience in the High Court for a new State shall be regulated in accordance with the like principles as, immediately before the appointed day, are in force with respect to the right of audience in the High Court for the corresponding State:

Provided that, subject to any rule made or direction given by the High Court for a new State in exercise of the power conferred by this section, any person who, immediately before the appointed day, is an advocate entitled to practise, or an attorney entitled to act in any such High Court or Judicial Commissioner's Court as may be specified in this behalf by the Chief Justice of the High Court for the new State, shall be recognised as an advocate or an attorney entitled to practise or to act, as the case may be, in the High Court for the new State.

54. Practice and procedure.—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 for the corresponding State shall, with the necessary modifications, apply in relation to the High Court for a new State, and accordingly, the High Court for the new State 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 for the corresponding State:

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 for the corresponding State shall, until varied or revoked by rules or orders made by the High Court for a new State, apply with the necessary modifications in relation to practice and procedure in the High Court for the new State as if made by that Court.

55. Custody of seal of the High Court.—The law in force immediately before the appointed day with respect to the custody of the seal of the High Court for the corresponding State shall, with the necessary modifications, apply with respect to the custody of the seal of the High Court for a new State.

56. 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 for the corresponding State shall, with the necessary modifications, apply with respect to the form of writs and other processes used, issued or awarded by the High Court for a new State.

57. 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 for the corresponding State and with respect to matters ancillary to the exercise of those powers shall, with the necessary modifications, apply in relation to the High Court for a new State.

58. Procedure as to appeals to the Supreme Court.—The law in force immediately before the appointed day relating to appeals to the Supreme Court from the High Court for the corresponding State and the Judges and division courts thereof shall, with the necessary modifications, apply in relation to the High Court for a new State.

59. Transfer of proceedings to Bombay High Court.—(*1*) Except as hereinafter provided, the High Court at Nagpur (which on the appointed day becomes the High Court for the new State of Madhya Pradesh and is referred to in this Act as the High Court of Madhya Pradesh) shall, as from that day, have no

jurisdiction in respect of the territory transferred from the existing State of Madhya Pradesh to the new State of Bombay.

(*2*) Such proceedings pending in the High Court at Nagpur or the High Court of Hyderabad immediately before the appointed day as are certified 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 for the new State of Bombay (referred to in this Act as
the High Court of Bombay) shall, as soon as may be after such certification, be transferred to the High Court of Bombay.

(*3*) All proceedings pending in the High Court of Saurashtra or in the Court of the Judicial Commissioner for Kutch immediately before the appointed day shall stand transferred to the High Court of Bombay.

(*4*) Notwithstanding anything contained in sub-sections (*1*) and (*2*), but save as hereinafter provided, the High Court of Madhya Pradesh shall have, and the High Court of Bombay 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 orders passed by the High Court at Nagpur before the appointed day:

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

(*5*) Any order made before the appointed day by any Court referred to in sub-section (*2*) or sub-section (*3*) in any proceedings transferred to the High Court of Bombay by virtue of sub-section (*2*) or sub-section (*3*) shall for all purposes have effect, not only as an order of that Court, but also as an order of the High Court of Bombay; and any order made by the High Court of Madhya Pradesh in any proceedings with respect to which that Court retains jurisdiction by virtue of sub-section to (*4*) shall for all purposes have effect, not only as an order of that High Court, but also as an order of the High Court of Bombay.

60. Extension of jurisdiction of, and transfer of proceedings to, Kerala High Court.—(*1*) As from the appointed day the jurisdiction of the High Court for the State of Kerala (referred to in this Act as the High Court of Kerala) shall extend to the [1][Union territory] of the Laccadive, Minicoy and Amindivi Islands.

(*2*) Except as hereinafter provided, the High Court at Madras shall, as from the appointed day, have no jurisdiction in respect of the said [1][Union territory] or in respect of any territory transferred from the State of Madras to the State of Kerala.

(*3*) Such proceedings pending in the High Court at Madras immediately before the appointed day as are certified 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 Kerala shall, as soon as may be after such certification, be transferred to the High Court of Kerala.

(*4*) Notwithstanding anything contained in sub-sections (*1*) and (*2*), but save as hereinafter provided, the High Court at Madras shall have, and the High Court of Kerala 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 at Madras before the appointed day:

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

1. Subs. by the Adaptation of Laws (No. 1) Order, 1956, for "Part C State".

(*5*) Any order made by the High Court at Madras—

(*a*) before the appointed day in any proceedings transferred to the High Court of Kerala by virtue of sub-section (*3*); or

(*b*) in any proceedings with respect to which the High Court at Madras retains jurisdiction by virtue of sub-section (*4*),

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

(*6*) All proceedings pending in the High Court of Travancore-Cochin immediately before the appointed day other than those certified by the Chief Justice of that High Court under sub-section (*2*) of section 66 shall stand transferred to the High Court of Kerala, and any order made before the appointed day by the first mentioned High Court in any such proceedings shall for all purposes have effect, not only as an order of that High Court, but also as an order of the High Court of Kerala.

61. Transfer of proceedings to Madhya Pradesh High Court.—(*1*) Such proceedings pending in the High Court of the existing State of Rajasthan immediately before the appointed day as are certified 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 Madhya Pradesh shall, as soon as may be after such certification, be transferred to the High Court of Madhya Pradesh.

(*2*) All proceedings pending in the High Court of Madhya Bharat or in the Court of the Judicial Commissioner for Bhopal or in the Court of the Judicial Commissioner for Vindhya Pradesh, immediately before the appointed day, shall stand transferred to the High Court of Madhya Pradesh.

(*3*) Any order made before the appointed day by any Court referred to in sub-section (*1*) or sub-section (*2*) shall for all purposes have effect not only as an order of that Court but also as an order of the High Court of Madhya Pradesh.

62. Transfer of proceedings to Mysore High Court.—(*1*) Except as hereinafter provided, neither the High Court of Bombay nor the High Court at Madras shall, as from the appointed day, have jurisdiction in respect of any territory transferred from the existing State of Bombay or the State of Madras, as the case may be, to the new State of Mysore.

(*2*) Such proceedings pending in the High Court of Hyderabad or the High Court at Bombay or Madras, immediately before the appointed day, as are certified 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 for the new State of Mysore (referred to in this Act as the High Court of Mysore) shall, as soon as may be after such certification, be transferred to the High Court of Mysore.

(*3*) Notwithstanding anything contained in sub-sections (*1*) and (*2*) but save as hereinafter provided, the High Court of Bombay or, as the case may be, the High Court at Madras shall have, and the High Court of Mysore 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 at Bombay or Madras before the appointed day:

Provided that if after any such proceedings have been entertained by the High Court of Bombay or at Madras it appears to the Chief Justice of that High Court that they ought to be transferred to the High Court of Mysore, 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 Hyderabad before the appointed day in any proceedings transferred to the High Court of Mysore by virtue of sub-section (*2*) shall, for all purposes, have effect not only as an order of the High Court of Hyderabad, but also as an order made by the High Court of Mysore.

(*5*) Any order made by the High Court at Bombay or Madras—

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

(*b*) the said High Court shall be known as the High Court of Bombay or at Madras retains jurisdiction by virtue of sub-section (*3*),

shall, for all purposes, have effect not only as an order of the High Court of Bombay or at Madras, but also as an order of the High Court of Mysore.

(*6*) All proceedings pending in the High Court of the existing State of Mysore immediately before the appointed day, shall stand transferred to the High Court of Mysore; and any order made before the appointed day by the first mentioned High Court in any such proceedings shall for all purposes have effect, not only as an order of that High Court, but also as an order of the High Court of Mysore.

63. Transfer of proceedings to Punjab High Court.—(*1*) All proceedings pending in the High Court of Patiala and East Punjab States Union immediately before the appointed day shall stand transferred to the High Court for the new State of Punjab (referred to in this Act as the High Court of Punjab).

(*2*) Any order made before the appointed day by the High Court of Patiala and East Punjab States Union shall for all purposes have effect, not only as an order of that Court, but also as an order made by the High Court of Punjab.

64. Transfer of proceedings to Rajasthan High Court.—(*1*) As from the appointed day, the High Court of Bombay shall have no jurisdiction in respect of the territory transferred from the existing State of Bombay, to the new State of Rajasthan.

(*2*) Such proceedings pending in the High Court at Bombay or the High Court of Madhya Bharat immediately before the appointed day as are certified 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 for the new State of Rajasthan (referred to in this Act as the High Court of Rajasthan) shall, as soon as may be after such certification, be transferred to the High Court of Rajasthan.

(*3*) All proceedings pending in the High Court of the existing State of Rajasthan immediately before the appointed day other than those certified under sub-section (*1*) of section 61 and all proceedings pending in the Court of the Judicial Commissioner for Ajmer immediately before the appointed day shall stand transferred to the High Court of Rajasthan.

(*4*) Any order made before the appointed day by any Court referred to in sub-section (*2*) or sub-section (*3*) in any proceedings transferred to the High Court of Rajasthan by virtue of sub-section (*2*) or sub-section (*3*) shall, for all purposes, have effect not only as an order of that Court, but also as an order of the High Court of Rajasthan.

65. High Court of Andhra Pradesh.—(*1*) As from the appointed day,—

(*a*) the jurisdiction of the High Court of the existing State of Andhra shall extend to the whole of the territories transferred to that State from the existing State of Hyderabad;

(*b*) the said High Court shall be known as the High Court of Andhra Pradesh; and

(*c*) the principal seat of the said High Court shall be at Hyderabad.

(*2*) All proceedings pending in the High Court of Hyderabad immediately before the appointed day, other than those certified by the Chief Justice of that High Court under sub-section (*2*) of section 59 or under sub-section (*2*) of section 62, shall stand transferred to the High Court of Andhra Pradesh.

(*3*) Any order made by the High Court of Hyderabad before the appointed day in any proceedings transferred to the High Court of Andhra Pradesh by virtue of sub-section (*2*) shall, for all purposes, have effect not only as an order of the High Court of Hyderabad but also as an order made by the High Court of Andhra Pradesh.

(*4*) Any person who, immediately before the appointed day, is an advocate entitled to practise in the High Court of Hyderabad shall, as from the appointed day, be recognised as an advocate entitled to practise in the High Court of Andhra Pradesh:

Provided that if any such person makes, within one year from the appointed day, an application to the High Court of Bombay or to the High Court of Mysore for being recognised as an advocate entitled to practise in that High Court, he shall be so recognised, and on such recognition, he shall cease to be recognised as an advocate entitled to practise in the High Court of Andhra Pradesh.

66. High Court for the areas added to Madras.—(*1*) Except as hereinafter provided the jurisdiction of the High Court at Madras shall, as from the appointed day, extend to the whole of the territories transferred to the State of Madras from the State of Travancore-Cochin.

(*2*) Such proceedings pending in the High Court of Travancore-Cochin immediately before the appointed day as are certified before 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 at Madras shall, as soon as may be after such certification, be transferred to the High Court at Madras.

(*3*) Notwithstanding anything contained in sub-sections (*1*) and (*2*), but save as hereinafter provided, the High Court of Kerala shall have, and the High Court at Madras 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 Travancore-Cochin before the appointed day:

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

(*4*) Any order made—

(*a*) by the High Court of Travancore-Cochin before the appointed day in any proceedings transferred to the High Court at Madras by virtue of sub-section (*2*); or

(*b*) by the High Court of Kerala in any proceedings with respect to which that High Court retains jurisdiction by virtue of sub-section (*3*), shall, for all purposes, have effect, not only as an order of the High Court of Travancore-Cochin or the High Court of Kerala, as the case may be, but also as an order made by the High Court at Madras.

(*5*) Subject to any rule made or direction given by the High Court at Madras, any such person who immediately before the appointed day is an advocate entitled to practise in the High Court of Travancore-Cochin as may be specified in this behalf by the Chief Justice of the High Court at Madras having regard to the transfer of territories from Travancore-Cochin to Madras, shall be recognised as an advocate entitled to practise in the High Court at Madras.

67. Right to appear or act in proceedings transferred to other High Courts.—Any person who immediately before the appointed day is an advocate entitled to practise, or an attorney entitled to act, in the High Court for an existing State and was authorised to appear or to act in any proceedings transferred from that High Court to any other High Court under any of the foregoing provisions of this Part shall have the right to appear or to act, as the case may be, in the other High Court in relation to those proceedings

68. Interpretation.—For the purposes of sections 59 to 66—

(*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 f

(*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.

69. Savings.—Nothing in this Part shall affect the application to the High Court for a new State 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.

PART VI

AUTHORISATION OF EXPENDITURE

70. Authorisation of expenditure of new States.—In the case of every new State, the Governor or Rajpramukh of the corresponding State may at any time before the appointed day authorise such expenditure from the Consolidated Fund of the new State as he deems necessary for any period not extending beyond the 31st day of March, 1957:

Provided that the Governor of the new State may, after the appointed day, authorise such further expenditure from the Consolidated Fund of the State as he deems necessary for the said period.

71. Appropriation of moneys for expenditure in transferred territories under existing Appropriation Acts.—(*1*) As from the appointed day, any Act passed by the Legislature of the State of Andhra or Madras before that day for the appropriation of any money out of the Consolidated Fund of the State to meet any expenditure in respect of any part of the financial year 1956-57 shall have effect also in relation to the transferred territory in that State, and it shall be lawful for the State Government to spend any amount in such transferred territory out of the amount authorised by such Act to be expended for any service in that State.

(*2*) The Governor of Andhra Pradesh or of Madras may, after the appointed day, authorise such expenditure from the Consolidated Fund of the State as he deems necessary for any purpose or service in the transferred territory of the State for any period not extending beyond the 31st day of March, 1957.

72. Reports relating to the accounts of certain States.—(*1*) Where the whole or any part of the territory of an existing State has been transferred to another existing State or to a new State by the provisions of Part II, the reports of the Comptroller and Auditor-General of India referred to in clause (*2*) of article 151 relating to the accounts of that existing State in respect of any period prior to the appointed day, shall be submitted to the Governor of such State or of each of such States as the President may be order specify and the Governor shall thereupon cause them to be laid before the Legislature of that State.

(*2*) The President may by order—

(*a*) declare any expenditure incurred out of the Consolidated Fund of Bombay, Madhya Pradesh or Punjab or of any Part B or Part C State on any service during the financial year 1955-56 or 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.

73. Allowances and privileges of Governors of certain States.—The allowances and privileges of the Governor of Andhra Pradesh or of Madras or of each new State 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.

74. Distribution of revenues.—(*1*) Section 3 of the Union Duties of Excise (Distribution) Act, 1953 (3 of 1953) and paragraphs 3 and 5 of the Constitution (Distribution of Revenues) Order, 1953, shall, in respect of the financial year 1956-57, have effect in the modified form set out in the Fourth Schedule.

(*2*) There shall be charged on the Consolidated Fund of India in respect of each of the three financial years 1957-58, 1958-59 and 1959-60 as grants-in-aid of—

(*a*) the State of Bombay, the sum, if any, by which 8.58 per cent. of the total of the amounts payable to that State under articles 270 and 272 falls short of 248.04 lakhs of rupees;

(*b*) the State of Kerala, the sum, if any, by which 61.91 per cent. of the total of the amounts payable to that State under the said articles falls short of 232.38 lakhs of rupees;

(*c*) the State of Madras, the sum, if any, by which 2.97 per cent. of the total of the amounts payable to that State under the said articles falls short of 24.65 lakhs of rupees;

(*d*) the State of Mysore, the sum, if any, by which 46.75 per cent. of the total of the amounts payable to that State under the said articles falls short of 289.80 lakhs of rupees.

PART VII

APPORTIONMENT OF ASSETS AND LIABILITIES OF CERTAIN PART A AND PART B STATES

75. Application of Part.—The provisions of this Part shall apply in relation to the apportionment of the assets and liabilities immediately before the appointed day of every Part A or Part B State the whole or any part of whose territories is transferred to another State or becomes 1[Union territory] by virtue of the provisions of Part II; and the expression "existing State" shall accordingly be construed to mean any such Part A State or Part B State.

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

(*a*) if within the existing State, pass to the successor State in which they are situated; or

(*b*) if outside the existing State, pass to the successor State or if there be two or more successor States, to the principal successor State:

Provided that where there are two or more successor States and the Central Government is of opinion that any goods or class of goods should be distributed among them 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 pass to the successor States accordingly.

(*2*) Any unissued stores of any class in an existing State shall pass to the successor State, or if there be two or more successor States, shall be divided between them in proportion to the total indents for stores of that class made in the period of three years ending with the 31st day of March, 1956, for the territories of the existing State included respectively in each of those successor States excluding the indents relating to the Secretariat and offices of Heads of Departments having jurisdiction over the whole of the existing State:

1. Subs. by the Adaptation of Laws (No. 1) Order, 1956, for "Part C State".

Provided that nothing in this sub-section shall apply to stores held for specific purposes, such as use or utilisation in particular institutions, workshops or undertakings or on particular works under construction.

(*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.

77. Treasury and bank balances.—The total of the cash balances in all treasuries of an existing State and the credit balances of that State with the Reserve Bank of India immediately before the appointed day shall pass to the successor State, or, if there be two or more successor States, be divided between them according to the population ratio:

Provided that for the purpose 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 successor States in the books of the Reserve Bank of India on the appointed day:

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

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

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

(*2*) The right to recover any loans or advances made before the appointed day by an existing State to any person or institution outside that State shall belong to the successor State or, if there be two or more successor States, to the principal successor State:

Provided that where there are two or more successor States, any sum recovered in respect of any such loan or advance shall be divided between all the successor States according to the population ratio.

80. Credits in certain funds.—The investments in the cash balance investments account, the famine relief fund and the general fund of an existing State and the sums at the credit of an existing State in the central road fund shall pass to the successor State or, if there be two or more successor States, be divided between them according to the population ratio; and the investments in any special fund the objects of which are confined to a local area in an existing State shall pass to the successor State in which that area is included.

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

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

82. Public debt.—(*1*) The public debt of the existing State of Hyderabad attributable to loans raised by the issue of Government securities and outstanding with the public immediately before the 31st day of October, 1956, shall as from that day be the debt of the Union, and immediately on such transfer of the debt, the Central Government shall be deemed to have made a loan to that State of an amount equal to the debt so transferred on the same terms in regard to interest and repayment as are applicable to the loans so raised by that State.

(*2*) The public debt of any other existing State 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 successor State or, if there be two or more successor States, be the debt of such one of them as the Central Government may, by order, specify; and in the latter case,—

(*a*) the other successor States shall be liable to pay to the successor State so specified their shares 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 shares, the debt shall be deemed to be divided between the successor States as if it were a debt referred to in sub-section (*3*).

(*3*) The public debt of an existing State attributable to loans taken from the Central Government, the Reserve Bank of India or any other bank before the appointed day, including in the case of Hyderabad the loan deemed to have been made by the Central Government under sub-section (*1*), shall pass to the successor State, or if there be two or more successor States, be divided between them in proportion to the total expenditure on all capital works and other capital outlays incurred up to the appointed day in the territories of the existing State included respectively in each of those successor States:

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

Provided further that any loan taken from the Central Government by the Government of an existing State before the appointed day in connection with the construction of buildings, roads or other works for the capital of a new State or any State affected by the provisions of Part II or for purposes incidental thereto shall, to the extent of the expenditure so incurred until that day, be wholly the liability of the successor State in which the capital is included.

(*4*) Where a sinking fund or depreciation fund is maintained by an existing State for the repayment of any loan raised by it, the securities held in respect of investments made from that fund shall pass to the successor State or, if there be two or more successor States, be divided between them in the same proportion as the public debt referred to in sub-section (*3*).

(*5*) 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).

83. Refund of taxes collected in excess.—The liability of an existing State to refund any tax or duty on property, including land revenue, collected in excess shall be the liability of the successor State in which the property is situated, and the liability of an existing State to refund any other tax or duty collected in excess shall be the liability of the successor State in whose territories the place of assessment of that tax or duty is included.

84. Deposits.—The liability of an existing State in respect of any civil deposit or local fund deposit shall, as from the appointed day, be the liability of the successor State in whose area the deposit has been made.

85. Provident funds.—The liability of an existing State 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 successor State to which that Government servant is permanently allotted.

86. Pensions.—The liability of the existing States in respect of pensions shall pass to, or be apportioned between, the successor States in accordance with the provisions contained in the Fifth Schedule.

87. Contracts.—(*1*) Where before the appointed day an existing State 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 there be only one successor State,—of that State;

(*b*) if there be two or more successor States and the purposes of the contract are, as from the appointed day, exclusively purposes of any one of them,—of that State; and

(*c*) if there be two or more successor States and the purposes of the contract are, as from that day, not exclusively purposes of any one of them,—of the principal successor State;

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 existing State, be rights or liabilities of the successor State or the principal successor State specified above:

Provided that in any such case as is referred to in clause (*c*), 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 all the successor States concerned, 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.

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

(*a*) if there be only one successor State, be a liability of that State;

(*b*) if there be two or more successor States and the cause of action arose wholly within the territories which as from that day are the territories of one of them, be a liability of that successor State; and

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

89. Liability as guarantor of co-operative society.—Where, immediately before the appointed day, an existing State is liable as guarantor in respect of any liability of a registered co-operative society, that lability of the existing State shall—

(*a*) if there be only one successor State, be a liability of that State;

(*b*) if there be two or more successor States and the area of the society's operations is limited to the territories which as from that day are the territories of one of them, be a liability of that successor State; and

(*c*) in any other case, be a liability of the principal successor State:

Provided that in any such case as is referred to in clause (*c*), the initial allocation of liabilities under this section shall be subject to such financial adjustment as may be agreed upon between all the successor States, or in default of such agreement, as the Central Government may by order direct.

90. 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.

91. Residuary provision.—The benefit or burden of any assets or liabilities of an existing State not dealt with in the foregoing provisions of this Part shall—

(*a*) if there be only one successor State, pass to that State, and

(*b*) if there be two or more successor States, pass to the principal successor State in the first instance, subject to such financial adjustment as may be agreed upon between all the successor States, before the 1st day of October, 1957, or in default of such agreement, as the Central Government may be order direct.

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

93. Certain expenditure to be charged on the Consolidated Fund.—All sums payable by the Union to any State or by any State to any other tue of the provisions of this Part shall be

charged on the Consolidated Fund of India or, as the case may be, the Consolidated Fund of the State by which such sums are payable.

PART VIII

APPORTIONMENT OF CERTAIN ASSETS AND LIABILITIES OF THE UNION

94. Definitions.—In this Part,—

(*a*) "existing State" means any of the existing Part C States of Ajmer, Bhopal, Coorg, Kutch and Vindhya Pradesh;

(*b*) "Union purposes" mean the purposes of Government relatable to any of the matters mentioned in the Union List.

95. Passing of certain assets and liabilities of the Union to successor States.—Subject to the other provisions of this Part—

(*a*) such of the assets of the Union within an existing State as are immediately before the appointed day held by the Union for purposes of the governance of that State shall, as from that day, pass to the successor State, unless the purposes for which the assets are so held are Union purposes; and

(*b*) all liabilities of the Union arising out of, or in relation to, the governance of an existing State shall, as from the appointed day, be liabilities of the successor State, unless the liabilities are relatable to a Union purpose.

96. Arrears of taxes.—The right to recover arrears of any tax (including land revenue) due in an existing State, being a tax enumerated in the State List, shall pass to the successor State.

97. Loans and advances.—The right to recover any loans or advances made before the appointed day to any local body, society, agriculturist or other person in an existing State shall belong to the successor State unless the loan or advance was made in connection with a Union purpose.

98. Debts due to Central Government.—Any debt of an existing State attributable to any loan given by the Central Government on or after the 1st day of April, 1954, and outstanding immediately before the appointed day shall be a debt due by the successor State to the Central Government.

99. Provident fund.—The liability of the Union in respect of the provident fund account of a Government servant serving immediately before the appointed day in an existing State under the administrative control of the Lieutenant-Governor or Chief Commissioner thereof shall, as from that day, be the liability of the successor State:

Provided that the Central Government shall transfer to the successor State funds equal to the liability of the Union as on the appointed day.

100. Pensions.—Where a Government servant under the administrative control of the Lieutenant-Governor or Chief Commissioner of an existing State has, before the appointed day, retired or proceeded on leave preparatory to retirement, any outstanding claim in respect of his pension shall be settled by the successor State; but the liability in respect of the pension sanctioned to any such Government servant, whether before or after the appointed day, shall be the liability of the Union.

101. Contracts.—(*1*) Any contract made before the appointed day by the Union in the exercise of its executive power for purposes of the governance of an existing State shall, as from that day, be deemed to have been made in the exercise of the executive power of the successor State, unless the purposes of the contract are Union purposes; 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 and liabilities of the Union if this Act had not been passed, be rights and liabilities of the successor State.

(*2*) The provisions of sub-sections (*2*) and (*3*) of section 87 shall apply in relation to any such contract as they apply in relation to a contract to wh ction applies.

PART IX

PROVISIONS AS TO CERTAIN CORPORATIONS AND INTER-STATE AGREEMENTSAND ARRANGEMENTS

102. Provision as to certain State Financial Corporations.—(*1*) As from the appointed day, the Financial Corporations established under the State Financial Corporations Act, 1951 (63 of 1951), for the existing States of Madhya Bharat, Punjab, Rajasthan and Travancore-Cochin shall be deemed to be the Financial Corporations established under the said Act for the new States of Madhya Pradesh, Punjab, Rajasthan and Kerala, respectively.

(*2*) The States of Kerala, Madhya Pradesh and Rajasthan shall be liable to pay to the States of Madras, Rajasthan and Madhya Pradesh, respectively, on account of the share of each of the last-named States in the paid-up capital of the Financial Corporations for the existing States of Travancore-Cochin, Madhya Bharat and Rajasthan, respectively, such amount as the Central Government may by order determine.

(*3*) As from the appointed day, the Financial Corporations established under the State Financial Corporations Act, 1951 (63 of 1951), for the existing States of Andhra and Hyderabad shall stand amalgamated and shall be deemed to be the Financial Corporation established under the said Act for the State of Andhra Pradesh.

(*4*) After consulting the Governments of the existing States of Andhra and Hyderabad, the Central Government may, before the appointed day, by notified order, provide for the constitution of the Board of Directors of the Financial Corporation for the State of Andhra Pradesh and for such consequential, incidental and supplemental matters as may, in the opinion of the Central Government, be necessary to give effect to the provisions of sub-section (*3*).

(*5*) The State of Andhra Pradesh shall be liable to pay to each of the new States of Mysore and Bombay on account of its share of the paid-up capital of the Financial Corporation for the existing State of Hyderabad such amount as the Central Government may, by order, determine.

(*6*) As from the appointed day, the Financial Corporations established under the State Financial Corporations Act, 1951 (63 of 1951), for the existing States of Bombay and Saurashtra shall stand amalgamated and shall be deemed to be the Financial Corporation established under the said Act for the new State of Bombay.

(*7*) After consulting the Governments of the existing States of Bombay and Saurashtra, the Central Government may, before the appointed day, by notified order, provide for the constitution of the Board of Directors of the Financial Corporation for the new State of Bombay and for such consequential, incidental and supplemental matters as may, in the opinion of the Central Government, be necessary to give effect to the provisions of sub-section (*6*).

(*8*) The new State of Bombay shall be liable to pay to each of the new States of Mysore and Rajasthan on account of its share of the paid-up capital of the Financial Corporation for the existing State of Bombay such amount as the Central Government may, by order, determine.

103. Provisions as to the Madras Industrial Investment Corporation.—(*1*) As from the appointed day, the Madras Industrial Investment Corporation constituted for the existing State of Madras shall be deemed to have been constituted for that State with its area as altered by the provisions of Part II.

(*2*) The State of Madras shall be liable to pay to each of the new States of Kerala and Mysore on account of its share of the paid-up capital of the said Corporation such amount as the Central Government may by order determine.

104. Amendment of Act 2 of 1934.—With effect from the appointed day, the following amendments shall be made in the Reserve Bank of India Act, 1934 (2 of 1934), namely:—

(*1*) in section 2, in the proviso to clause (*f*), for the words "any Central co-operative society in that State to be a State co-operative bank", the words "any one or more co-operative societies carrying on business in that State to be a State co-operative bank or banks" shall be substituted.

(*2*) in section 20,—

(*a*) the words and letter "and the Governments of Part A States" shall be omitted;

(*b*) for the words "their accounts respectively", the words "its account" shall be substituted;

(*c*) for the words "their exchange", the words "its exchange" shall be substituted;

(*d*) after the words "public debt", the words "of the Union" shall be inserted;

(*3*) in section 21,—

(*a*) in sub-section (*1*),—

(*i*) the words "and the State Governments" wherever they occur, shall be omitted;

(*ii*) for the word "their", at both places where it occurs, the word "its" shall be substituted;

(*iii*) in the proviso, the words "or any State Government" shall be omitted, and for the word "they" the word "it" shall be substituted;

(*b*) in sub-section (*2*), the words "and each State Government" shall be omitted;
(*c*) for sub-section (*4*), the following sub-section shall be substituted, namely:—

"(*4*) Any agreement made under this section shall be laid, as soon as may be after it is made, before Parliament"; and

(*d*) sub-section (*5*), shall be omitted;

(*4*) in sub-section (*1*) of section 21-A, the word and letter "Part B" shall be omitted;

(*5*) after section 21-A, the following section shall be inserted, namely:—

21-B. Effect of agreements made between the Bank and certain States before the Ist November, 1956.—"(*1*) Any agreement made under section 21 or section 21-A between the Bank and the Government of a State specified in the Explanation below and in force immediately before the Ist day of November, 1956, shall, as from that day have effect as if it were an agreement made on that day under section 21-A between the Bank and the Government of the corresponding State subject to such modifications, if any, being of a character not affecting the general operation of the agreement, as may be agreed upon between the Bank and the Government of the corresponding State, or in default of such agreement, as may be made therein by order of the Central Government.

Explanation.—In this sub-section "corresponding State" means,—

(*a*) in relation to the agreement between the Bank and the State of Andhra, the State of Andhra Pradesh;

(*b*) in relation to the agreement between the Bank and any other Part A State as it existed before the Ist day of November, 1956, the State with the same name; and

(*c*) in relation to the agreement between the Bank and the Part B State of Mysore or Travancore-Cochin as it existed before the Ist day of November, 1956, the State of Mysore or Kerala respectively.

(*2*) Any agreement made under section 21-A between the Bank and the Government of the Part B State of Hyderabad, Madhya Bharat or Saurashtra shall be deemed to have terminated on the 31st day of October, 1956.".

105. Amendment of Act 6 of 1942.—In the Multi-Unit Co-operative Societies Act, 1942 (6 of 1942), after section 5, the following sections sh

"**5A. Transitional provisions regarding certain co-operative societies affected by reorganisation of States**.—(*1*) Where by virtue of the provisions of Part II of the States Reorganisation Act, 1956, any co-operative society which, immediately before the Ist day of November, 1956, had its objects confined to one State becomes, as from that day, a multi-unit co-operative society, it shall be deemed to be a co-operative society to which this Act applies and shall be deemed to be actually registered in the State in which the principal place of business of the co-operative society is situated.

(*2*) If it appears to the Central Registrar of Co-operative Societies necessary or expedient that any such society should be reconstituted or reorganised in any manner or that it should be dissolved, the Central Registrar may, with the approval of the Central Government, place before a meeting of the general body of the society held in such manner as may be prescribed by rules made under this Act, a scheme for the reconstitution, reorganisation or dissolution of the society, including proposals regarding the formation of new co-operative societies and the transfer thereto of the assets and liabilities of that society.

(*3*) If the scheme is sanctioned by a resolution passed by a majority of the members present at the said meeting, either without modifications or with modifications to which the Central Registrar agrees, he shall certify the scheme and upon such certification, the scheme shall, notwithstanding anything to the contrary contained in any law, regulation or bye-law for the time being in force, be binding on all the societies affected by the scheme, as well as the shareholders and creditors of all such societies.

(*4*) If the scheme is not sanctioned under sub-section (*3*), the Central Registrar may refer the scheme to such Judge of the appropriate High Court as may be nominated in this behalf by the Chief Justice thereof, and the decision of that Judge in regard to the scheme shall be final and shall be binding on all the societies affected by the scheme as well as the shareholders and creditors of all such societies.

Explanation.—In this sub-section "appropriate High Court" means the High Court within whose jurisdiction the principal place of business of the multi-unit co-operative society is situated.

5B. Power to delegate.—The Central Government may, by notification in the Official Gazette, direct that any power or authority exercisable by the Central Registrar of Co-operative Societies under this Act shall, in relation to such matters and subject to such conditions as may be specified in the direction, be exercisable also by such Registrar of Co-operative Societies of a State or by such officer subordinate to the Central Government or to a State Government as may be specified in the notification.".

106. Provision as to certain State Electricity Boards and apportionment of their assets and liabilities.—(*1*) The State Electricity Board constituted under the Electricity (Supply) Act, 1948 (54 of 1948), for any of the existing States of Bombay, Madhya Pradesh and Saurashtra 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 any such Board shall include a direction that the said Act shall in its application to that Board have effect subject to such exceptions and modifications as the Central Government thinks fit.

(*3*) A State Electricity Board continued under sub-section (*1*) shall cease to function as from, and shall be deemed to be dissolved on, the Ist day of November, 1957, or such earlier date as the Central Government may by order appoint; and upon such dissolution, its assets and liabilities shall,—

(*a*) in the case of the Board for Saurashtra, pass to the State of Bombay, and

(*b*) in the case of the Board for the existing State of Bombay or Madhya Pradesh, be apportioned between the successor States in such manner as may be agreed upon between them within one year of the dissolution of the Board 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 any of the successor States to the existing States of Bombay, Madhya Pradesh and Saurashtra from constituting at any time after the appoi Board for that successor State under the

provisions of the said Act; and if such a Board is so constituted before the dissolution of a Board continued under sub-section (*1*) and functioning in any part of that successor State,—

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

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

107. 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 development 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 has been transferred by the provisions of Part II from the State in which the power stations and other installations for the generation and supply of such power, or the catchment are a 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.

108. Continuance of agreements and arrangements relating to certain irrigation, power or multi-purpose projects.—(*1*) Any agreement or arrangement entered into between the Central Government and one or more existing States or between two or more existing States relating to—

(*a*) the administration, maintenance and operation of any project executed before the appointed day, or

(*b*) the distribution of benefits, such as, the right to receive and utilise water or electric power, to be derived as a result of the execution of such project,

which was subsisting immediately before the appointed day shall continue in force, subject to such adaptations and modifications, if any (being of a character not affecting the general operation of the agreement or arrangement) as may be agreed upon between the Central Government and the successor State concerned or between the successor States concerned, as the case may be, by the Ist day of November, 1957, or, if no agreement is reached by the said date, as may be made therein by order of the Central Government.

(*2*) Where a project concerning one or more of the existing States affected by the provisions of Part II has been taken in hand, but not completed, or has been accepted by the Government of India for inclusion in the Second Five Year Plan before the appointed day, neither the scope of the project nor the provisions relating to its administration, maintenance or operation or to the distribution of benefits to be derived from it shall be varied,—

(*a*) in the case where a single successor State is concerned with the project after the appointed day, except with theprevious approval of the Central Government, and

(*b*) in the case where two or more successor States are concerned with the project after that day, except by agreement between those successor States, or if no agreement is reached, except in such manner as the Central Government may by order direct,

and the Central Government may from time to time give such directions as may appear to it to be necessary for the due completion of the project and for its administration, maintenance and operation thereafter.

(*3*) In this section, the expression "project" means a project for the promotion of irrigation, water supply or drainage or for the development of electric power or for the regulation or development of any inter-State river or river valley.

109. General provision as to statutory corporations.—(*1*) Save as otherwise expressly provided by the foregoing provisions of this Part, where any body corporate has been constituted under a Central Act, State Act or Provincial Act for an existing State the whole or any part of which is by virtue of the provisions of Part II transferred to any other existing Sta notwithstanding such transfer, 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.

110. Temporary provisions as to the 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 or a Regional Transport Authority in an existing State, the whole
or any part of the territories of which is transferred to another existing State or to a new State shall, if such permit was, immediately before the appointed day, valid and effective in any area in the territories so transferred, 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 any other State or Regional Transport Authority for the purpose of validating it for use in such transferred territories:

Provided that the Central Government may, after consultation with the State Government or Governments concerned, 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 any transferred territory 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 beyond the boundaries of the State in which such permit was granted:

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

111. Special provision relating to retrenchment compensation in certain cases.—Where on account of the reorganisation of the States 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 an existing State, is reconstituted or reorganised in any manner whatsoever or is amalgamated with any other body corporate 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 undertaking is transferred to, or re-employed by, any other body corporate 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 357 favourable to the workman than those applicable to him immediately before the transfer or re-employment; and

(*b*) the employer in relation to the body corporate 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.

112. Provision as to the Devaswom Surplus Fund of Travancore.—(*1*) As from the appointed day, there shall be established in the State of Madras a Devaswom Fund for the management of Hindu temples and shrines in the territories transferred to that State from the State of Travancore-Cochin.

(*2*) The assets as on the appointed day of the Devaswom Surplus Fund constituted by section 26 of the Travancore-Cochin Hindu Religious Institutions Act, 1950, shall be divided into two parts in the ratio of 37.5 to 13.5 in such manner as the Central Government may, by order, direct, and the smaller part shall, as from the appointed day, be transferred to the Fund mentioned in sub-section (*1*).

113. Continuance of facilities in certain State institutions.—The Central Government may, in respect of the institutions of the categories specified in the Sixth Schedule located in a new State or in the State of Andhra Pradesh or Madras, direct that such facilities as may be specified in the direction shall be provided to the Government and the people of one or more adjoining States for such period as may be so specified; and thereupon those facilities shall be provided for the said period upon such terms and conditions as may be agreed upon between the State Governments concerned before the 31st day of
March, 1957, or, if no agreement is reached by the said date, as may be fixed by order of the Central Government.

PART X

PROVISIONS AS TO SERVICES

114. 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*) As from the appointed day, there shall be constituted for each of the new States a State cadre of the Indian Administrative Service and a State cadre of the Indian Police Service.

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

(*4*) The cadres of each of the said services for the existing States of Bombay, Madhya Pradesh, Punjab and Vindhya Pradesh and for the existing Part B States shall, as from the appointed day, cease to exist, and the members of each of the said services borne on those cadres shall be allocated to the State cadres of the same service for the new States or for the other existing States 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.

115. Provisions relating to other services.—(*1*) Every person who immediately before the appointed day is serving in connection with the affairs of the Union under the administrative control of Lieutenant-Governor or Chief Commissioner in any of the existing States of Ajmer, Bhopal, Coorg, Kutch and Vindhya Pradesh, or is serving in connection with the affairs of any of the existing States of Mysore, Punjab, Patiala and East Punjab States Union and Saurashtra shall, as from that day, be deemed to have been allotted to serve in connection with the affairs of the successor State to that existing State.

(*2*) Every person who immediately before the appointed day is serving in connection with the affairs of an existing State part of whose territories is transferred to another State by the provisions of Part II shall, as from that day, provisionally continue to serve in connection with the affairs of the principal successor State to that existing State, unless he is required by general or special order of the Central Government to serve provisionally in connection with the affairs of any other successor State.

(*3*) As soon as may be after the appointed day, the Central Government shall, by general or special order, determine the successor State to which every person referred to in sub-section (*2*) 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.

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

(*5*) 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 new States and the States of Andhra Pradesh and Madras; and

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

(*6*) The foregoing provisions of this section shall not apply in relation to any person to whom the provisions of section 114 apply.

(*7*) 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 Union or any State:

Provided that the conditions of service applicable immediately before the appointed day to the case of any person referred to in sub-section (*1*) or sub-section (*2*) shall not be varied to his disadvantage except with the previous approval of the Central Government.

116. Provision as to continuance of officers in the same posts.—(*1*) 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 Union or of an existing State in any area which on that day falls within another existing State or a new [1]*** State or a [2][Union territory] shall, except where by virtue or in consequence of the provisions of this Act such post or office ceases to exist on that day, continue to hold the same post or office in the other existing State or new [1]*** State or [2][Union territory] in which such area is included on that day, and shall be deemed as from that day to have been duly appointed to such post or office by the Government of, or other appropriate authority in, such State, or by the Central Government or other appropriate authority in such [2][Union territory], as the case may be.

(*2*) Nothing in this section shall be deemed to prevent a competent authority, after the appointed day, from passing in relation to any such person any order affecting his continuance in such post or office.

117. Power of Central Government to give directions.—The Central Government may at any time before or after the appointed day give such directions to any State Government 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.

118. Provisions as to State Public Service Commissions.—(*1*) The Public Service Commissions for the existing States of Bombay, Mysore, Punjab, Rajasthan and Travancore-Cochin shall, as from the appointed day, be deemed to be the Public Service Commissions for the corresponding new States.

(*2*) As from the appointed day, the Public Service Commissions for the existing States of Hyderabad, Madhya Bharat, Madhya Pradesh, Patiala and East Punjab States Union and Saurashtra shall cease to exist.

(*3*) Every person holding office immediately before the appointed day as chairman or other member of any of the Commissions mentioned in sub-section (*2*)—

(*a*) shall become a member, and if so specified also the chairman, of such one of the Public Service Commissions for the States of Andhra Pradesh, Bombay, Madhya Pradesh, Punjab and Mysore as the President shall by order specify; and

(*b*) shall, as such member or chairman, be entitled to receive from the Government of the State conditions of service not less favourable than those to which he was entitled under the provisions applicable to him immediately before the appointed day.

1. The word and letter "Part A" omitted by the Adaptation of Laws (No. 1) order, 1956. 2. Subs., *ibid*., for "Part C State".

(*4*) Every person who becomes a member of a Public Service Commission on the appointed day under sub-section (*1*) or sub-section (*3*) shall, subject to the proviso to clause (*2*) of article 316, hold office or continue to hold office until the expiration of his term of office as determined under the provisions applicable to him immediately before the appointed day.

PART XI

LEGAL AND MISCELLANEOUS PROVISIONS

119. Territorial extent of laws.—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 an existing State 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.

120. Power to adapt laws.—For the purpose of facilitating the application of any law in relation to any of the States [1][or Union territories] formed or territorially altered by the provisions of Part II, the appropriate Government may, before the expiration of one year from the appointed 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—

(*a*) as respects any law relating to a matter enumerated in the Union List, the Central Government; and

(*b*) as respects any other law,—

(*i*) in its application to a [2]*** State, the State Government, and

(*ii*) in its application to a [3][Union territory], the Central Government.

121. Power to construe laws.—Notwithstanding that no provision or insufficient provision has been made under section 120 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 any State [4][or Union territory] formed or territorially altered by the provisions of Part II, 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.

122. Power to name authorities, etc., for exercising statutory functions.—The Central Government, as respects any [3][Union territory], and the State Government as respects any new State or any transferred territory, may, by notification in the Official Gazette, specify the authority, officer or person who, as from 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.

123. Legal proceedings.—Where immediately before the appointed day, the Union or an existing State is a party to any legal proceedings with respect to any property, rights or liabilities subject to apportionment under this Act, the successor State which succeeds to, or acquires a share in, that property or those rights or liabilities by virtue of any provision of t e substituted for the

1. Ins. by the Adaptation of Laws (No. 1) Order, 1956.
2. The word and letter "Part A" omitted., *ibid*.
3. Subs. *ibid*., for "Part C State".
4. Ins., *ibid*.

Union or the existing State as a party to those proceedings, or added as a party thereto, as the case may be, and the proceedings may continue accordingly.

124. Right of pleaders to practise in certain Courts.—Any person who immediately before the appointed day, is enrolled as a pleader entitled to practise in any subordinate Courts in an existing State which is affected by the provisions of Part II shall, for a period of six months 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 another State.

125. Provisions as to certain 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 a State shall, if it is a proceeding relating exclusively to any part of the territories which as from that day are the territories of another State [1][or form a Union territory], stand transferred to the corresponding Court, tribunal, authority or officer in the other State [1][or the Union territory, as the case may be].

(*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 having jurisdiction in respect of the area in which the Court, tribunal, authority or officer before which or whom such proceeding is pending on the appointed day, is functioning 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 a State [1][or Union territory] means—

(*i*) the Court, tribunal, authority or officer in that State [1][or Union territory] in which, or before whom, the proceeding would have lain if the proceeding had been instituted after the appointed day, or

(*ii*) in case of doubt, such Court, tribunal, authority or officer in that State [1][or Union territory] as may be determined after the appointed day by the Government of that State [1][or the Central Government, as the case may be], or before the appointed day by the Government of the corresponding State, to be the corresponding Court, tribunal, authority or officer.

126. [*Declaration of certain ancient monuments, etc., in Part C States to be of national importance.*]—*Rep. by the Ancient Monuments and Archaeological Sites and Remains Act,* 1958 *(*24 *of 1*958*), s.* 39 *(w.e.f.* 15-10-1959*).*

127. Effect of the 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.

128. 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 difficulty.

129. 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.

1. Ins. by the Adaptation of Laws (No. 1) Order, 1956.

[1][(*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 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 modification or annulment shall be without prejudice to the validity of anything previously done under that rule.]

130. Repeal of Act 49 of 1951.—(*1*) The Government of Part C States Act, 1951, is repealed with effect from the appointed day.

(*2*) The said repeal shall not affect any laws made by the Legislature of a Part C State by virtue of any power conferred on that Legislature by the Act so repealed, and all such laws in force immediately before the appointed day shall continue in force, subject to such adaptations and modifications as may be made therein under section 120, until altered, repealed or amended by a competent Legislature or other competent authority.

THE FIRST SCHEDULE

[*See* section 28 (*3*)]

Every sitting member representing a constituency specified in the first column of the Table below in the Legislative Assembly of the existing State specified against it in the second column shall, as from the appointed day, be deemed to have been elected to the Legislative Assembly of the State specified against that constituency in the third column and cease to be a member of the Legislative Assembly of which he was a member immediately before that day:

TABLE

Name of Constituency	Existing State	State to which transferred
(1)	(2)	(3)
1. Palanpur-Abu-Vadagam-Danta.	Bombay . .	Bombay.
2. Chandgad . .	Bombay . .	Bombay.
3. Halsur . .	Hyderabad . .	Bombay.
4. Udgir . .	Hyderabad . .	Bombay.
5. Kodangal . .	Hyderabad . .	Andhra Pradesh.
6. Tandur-Seram . .	Hyderabad . .	Mysore.
7. Bidar . .	Hyderabad . .	Mysore.
8. Zahirabad . .	Hyderabad . .	Andhra Pradesh.
9. Mudhol . .	Hyderabad . .	Andhra Pradesh.
10. Deglur . .	Hyderabad . .	Bombay.
11. Kinwat . .	Hyderabad . .	Bombay.
12. Asifabad . .	Hyderabad . .	Andhra Pradesh.
13. Bhanpura . .	Madhya Bharat .	Madhya Pradesh.
14. Panemangalore . .	Madras . .	Mysore.

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

THE SECOND SCHEDULE

[*See* section 35 (*2*)]

MODIFICATIONS IN THE DELIMITATION OF COUNCIL CONSTITUENCIES (MADRAS) ORDER, 1951 In the Table—

(*a*) for the entry relating to the Madras (Graduates) Constituency, substitute:—

"Madras (Graduates) Entire State [1][6]";

(*b*) for the entry in the second column relating to the Madras (Teachers) Constituency, substitute "Entire State";

(*c*) in the third column, for the figure "3" wherever it occurs, substitute "4"; and

(*d*) omit the entry relating to the West Coast (Local Authorities) Constituency.

THE THIRD SCHEDULE

[*See* section 40]

ALLOCATION OF SEATS IN THE HOUSE OF THE PEOPLE AND ASSIGNMENT OF SEATS TO STATE LEGISLATIVE ASSEMBLIES

The number of seats in the House of the People to be allotted to each of the States [2][and Union territories] and the number of seats to be assigned to the Legislative Assembly of each [3][State other than Jammu and Kashmir*] shall be as shown in the following Table:—

TABLE

[4]* * *	Number of seats in the House	Number of seats in the Legislative Assembly

1. Andhra Pradesh . . .	43	301
2. Assam	12	108
3. Bihar	55	330
4. Bombay	66	5. 396
Kerala	18	126
6. Madhya Pradesh . . .	36	288
7. Madras	41	205
8. Mysore	26	208
9. Orissa	20	140
10. Punjab	22	154
11. Rajasthan	22	176
12. Uttar Pradesh	86	430
13. West Bengal	34	238
14. Jammu and Kashmir . .	6	
15. Delhi	5	
16. Himachal Pradesh . .	4	
17. Manipur	2	
18. Tripura	2	

1. Subs. by Act 67 of 1956, s. 3, for "4" (w.e.f. 1-11-1956).

2. Ins. by the Adaptation of Laws (No. 1) Order, 1956.

3. Subs., *ibid*., for "Part A State".

4. The word "States" omitted., *ibid*.

*. *Vide* notification No. S.O. 3912(E), dated 30th October, 2019, this Act is made applicable to the Union territory of Jammu and Kashmir and the Union territory of Ladakh.

THE FOURTH SCHEDULE

[*See* section 74 (*1*)]

I. MODIFIED FORM OF SECTION 3 OF THE UNION DUTIESOF EXCISE (DISTRIBUTION) ACT, 1953

3. Distribution of a part of the Union duties of excise among the States.—(*1*) During the first half of the financial year commencing on the Ist day of April, 1956, there shall be paid out of the Consolidated Fund of India to each of the State specified in column 1 of the Table below such percentage of the distributable Union duties of excise for the half year as is set out against it in column 2:

TABLE

State	Percentage
Andhra	5.92
Assam	2.61
Bihar	11.60
Bombay	10.37
Hyderabad	5.39
Madhya Bharat	2.29
Madhya Pradesh	6.13
Madras	10.30
Mysore	2.84
Orissa	4.22
Patiala and East Punjab States Union	1.00
Punjab	3.66
Rajasthan	4.41
Saurashtra	1.19
Travancore-Cochin	2.68
Uttar Pradesh	18.23
West Bengal	7.16

(*2*) During the second half of the said financial year, there shall be paid out of the Consolidated Fund of India to each of the States specified in column 1 of the Table below such percentage of the distributable Union duties of excise for the half year as is set out against it in column 2 and such additional percentage, if any, of the said duties as is set out against it in column 3:

TABLE

State	Percentage	Additional percentage
Andhra Pradesh	9.03	..
Assam	2.61	..
Bihar	11.60	..
Bombay	12.57	1.19
Kerala	1.49	2.42
Madhya Pradesh	6.25	..
Madras	8.39	0.26
Mysore	2.90	2.62
State	Percentage	Additional percentage
Orissa	4.22	..
Punjab	4.66	..
Rajasthan		..

Uttar Pradesh . . .	18.23	..
West Bengal . . .	7.16	..

(*3*) For the purposes of this section—

(*a*) the first half and the second half of the financial year commencing on the Ist day of April, 1956, shall be deemed to be the first seven months and the remaining five months, respectively, of that financial year;

(*b*) the distributable Union duties of excise for the first half and for the second half of the said financial year shall be deemed to be seven-twelfths and five-twelfths, respectively, of the distributable Union duties of excise for that financial year.

II. MODIFIED FORM OF PARAGRAPHS 3 AND 5 OF THE CONSTITUTION (DISTRIBUTION OF REVENUES) ORDER, 1953

3. (*1*) For the purposes of clause (*2*) of article 270, the proceeds attributable to Part C States for the first half and [1][to Union territories] for the second half, of the financial year commencing on the Ist day of April, 1956, shall be taken to be 2 4 per cent. and 1 per cent. respectively, of so much of the net proceeds of taxes on income for the half year as does not represent the net proceeds of taxes payable in respect of Union emoluments.

(*2*) The percentage of the net proceeds of taxes on income, except in so far as those proceeds represent proceeds attributable to Part C States or to taxes payable in respect of Union emoluments, which is to be assigned to Part A States and Part B States (other than the State of Jammu and Kashmir*) under clause (*2*) of article 270 in the first half of the said financial year shall be 55 per cent.; and the total amount to be so assigned shall be distributed among the said States as follows:—

State	Percentage
Andhra Pradesh	5.49
Assam	2.25
Bihar	9.75
Bombay	17.50
Hyderabad	4.50
Madhya Bharat	1.75
Madhya Pradesh	5.25
Madras	9.56
Mysore	2.45
Orissa	3.50
Patiala and East Punjab States Union . . .	0.75
Punjab	3.25

1. Ins. by the Adaptation of Laws (No. 1) Order, 1956.

*. *Vide* notification No. S.O. 3912(E), dated 30th October, 2019, this Act is made applicable to the Union territory of Jammu and Kashmir and the Union territory of Ladakh.

State	Percentage
Rajasthan	3.50
Saurashtra	1.00
Travancore-Cochin	2.50
Uttar Pradesh	15.75
West Bengal	11.25

(*3*) The percentage of the net proceeds of the taxes on income, except in so far as those proceeds represent proceeds attributable to [1][Union territories] or the taxes payable in respect of Union emoluments, which is to be assigned to [2][States (other than the State of Jammu and Kashmir*)] under clause (*2*) of article 270 in the second half of the said financial year shall be 55 per cent.; and the total amount to be so assigned shall be distributed among the said States as follows:—

State	Percentage	Additional percentage
Andhra Pradesh	8.09	..
Assam	2.25	..
Bihar	9.75	..
Bombay	18.10	1.00
Kerala	1.38	2.26
Madhya Pradesh	5.14	..
Madras	7.79	0.24
Mysore	3.74	2.25
Orissa	3.50	..
Punjab	4.00	..
Rajasthan	3.51	..
Uttar Pradesh	15.75	..
West Bengal	11.25	..

(*4*) For the purposes of this paragraph—

(*a*) the first half and the second half of the financial year commencing on the 1st day of April, 1956, shall be deemed to be the first seven months and the remaining five months, respectively, of that financial year;

(*b*) the net proceeds of taxes on income for the first half and for the second half of the said financial year shall be deemed to be seven-twelfths and five-twelfths, respectively, of the net proceeds of such taxes for that financial year.

5. (*1*) In accordance with the provisions of clause (*1*) of article 275, there shall be charged on the Consolidated Fund of India—

(*a*) in the first seven months of the said financial year, as grants-in-aid of the revenues of each of the States specified below, the sum specified against it:

1. Subs. by the Adaptation of Laws (No. 1) Order, 1956, for "Part C States".

2. Subs., *ibid*., for "Part A States".

*. *Vide* notification No. S.O. 3912(E), dated 30th October, 2019, this Act is made applicable to the Union territory of Jammu and Kashmir and the Union territory of Ladakh.

(*i*) For general purposes—

Assam	58.33 lakhs of rupees.
Mysore	23.33 lakhs of rupees.
Orissa	43.75 lakhs of rupees.
Punjab	72.92 lakhs of rupees.
Saurashtra	23.33 lakhs of rupees.
Travancore-Cochin . . .	26.25 lakhs of rupees.
West Bengal	46.67 lakhs of rupees.

(*ii*) For the expansion of primary education—

Bihar	48.42 lakhs of rupees.
Hyderabad	23.33 lakhs of rupees.
Madhya Bharat . . .	10.50 lakhs of rupees.
Madhya Pradesh . . .	29.17 lakhs of rupees.
Orissa	18.67 lakhs of rupees.
Patiala and East Punjab States Union	5.25 lakhs of rupees.
Punjab	16.33 lakhs of rupees.
Rajasthan	23.33 lakhs of rupees.

(*b*) in the remaining five months of the said financial year, as grants-in-aid of the revenues of each of the States specified below, the sum specified against it:

(*i*) For general purposes—

Assam	41.67 lakhs of rupees.
Mysore	16.67 lakhs of rupees.
Orissa	31.25 lakhs of rupees.
Punjab	52.08 lakhs of rupees.
Bombay	16.67 lakhs of rupees.
Kerala	16.93 lakhs of rupees.
Madras	1.82 lakhs of rupees.
West Bengal	33.33 lakhs of rupees.

(*ii*) For the expansion of primary education—

Bihar	34.58 lakhs of rupees.
Andhra Pradesh . . .	9.62 lakhs of rupees.
Mysore	2.41 lakhs of rupees.
Bombay	12.10 lakhs of rupees.
Madhya Pradesh . . .	20.98 lakhs of rupees.
Orissa	13.33 lakhs of rupees.
Punjab	15.42 lakhs of rupees.
Rajasthan	16.56 lakhs of rupees.

(*2*) There shall also be charged on the Consolidated Fund of India—

(*a*) in the first seven months of the said financial year, as grants-in-aid of each of the States of Mysore, Saurashtra and Travancore-Cochin, the sum by which the total of the amounts payable to that State under sub-paragraph (*2*) of paragraph 3 of this Order and under sub-section (*1*) of section 3 of the Union Duties of Excise (Distribution) Act, 1953, falls short of 201.25 lakhs of rupees, 160.42 lakhs of rupees and 163.33 lakhs of rupees, respectively; and

(*b*) in the remaining five months of the said financial year, as grants-in-aid of each of the States of Mysore, Bombay, Kerala and Madras, the sum by which the total of the amounts payable to that State as additional percentages under sub-paragraph (*3*) of paragraph 3 of this Order and under sub-section (*2*) of section 3 of the said Act falls short of 143.75 lakhs of rupees, 114.58 lakhs of rupees, 105.38 lakhs of rupees and 11.29 lakhs of rupees, respectively.

(*3*) Any sum or sums payable under this paragraph shall be in addition to any sum or sums payable to the States under each of the provisos to clause (1) of article 275.

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THE FIFTH SCHEDULE

[*See* section 86]

APPORTIONMENT OF LIABILITY IN RESPECT OF PENSIONS

1. Subject to the adjustments mentioned in paragraph 3, the successor State or each of the successor States shall, in respect of pensions granted before the appointed day by an existing State, 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 an existing State 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 successor State, or, if there be two or more successor States, of such one of them as the Central Government may by order specify.

3. In any case where there are two or more successor States, there shall be computed, in respect of the period commencing on the appointed day and ending on the 31st day of March, 1957 and in respect of each subsequent financial year, the total payments made in all the successor States in respect of the pensions referred to in paragraphs 1 and 2. That total representing the liability of the existing State in respect of pensions shall be apportioned between the successor States in the population ratio and any successor State paying more than its due share shall be reimbursed the excess amount by the successor State or States paying less.

4. (*1*) The liability in respect of the pension of any officer serving immediately before the appointed day in connection with the affairs of an existing State and retiring on or after that day, shall be that of the successor State granting 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 that existing State shall, if there be two or more successor States, be allocated between them in the population ratio, and the Government granting the pension shall be entitled to receive from each of the other successor States its share of this liability.

(*2*) If any such officer was serving after the appointed day in connection with the affairs of more than one successor State, the successor State or States other than the one granting the pension shall reimburse to the Government by which the pension is granted an 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 that successor State bears to the total qualifying service of such officer after the appointed day reckoned for the purposes of pension.

(*3*) In reckoning the said total qualifying service, any service of such officer before the appointed day in connection with the affairs of the Union under the administrative control of the Lieutenant-Governor or Chief Commissioner in any of the existing States of Ajmer, Bhopal, Coorg, Kutch and Vindhya Pradesh shall be added as if the said service had been service after the appointed day in connection with the affairs of the successor State to that existing State.

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

THE SIXTH SCHEDULE

(*See* section 113) (1) Engineering Colleges and Schools of Technology.

(2) Medical Colleges.

(3) Agricultural Colleges.

(4) Veterinary Colleges.

(5) Government hospitals providing for special treatment, such as, (i) tuberculosis hospitals and sanatoria,

(ii) cancer hospitals,
(iii) radium institutes,
(iv) mental hospitals,
(v) leprosy hospitals and sanatoria, and
(vi) hospitals providing for Unani or Ayurvedic treatment.

(6) Research Institutes, such as,—
(i) irrigation research institutes,
(ii) Government analysts' departments, and
(iii) serum institutes.

(7) Central Jails.

(8) Borstal Schools, Reformatory Schools and Certified Schools.

(9) Police Training Colleges and Institutes.

(10) Fire Services Training Schools.

(11) Hostels for Scheduled Castes, Scheduled Tribes and Backward Classes.

(12) Photo Registry Offices.

(13) Central Records Offices.

(14) Forest Schools.

(15) Finger Print Bureaux.