THE UTTAR PRADESH REORGANISATION ACT, 2000

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THE UTTAR PRADESH REORGANISATION ACT, 2000
ACT NO. 29 OF 2000

[25*th August*, 2000.]

An Act to provide for the reorganisation of the existing State of Uttar Pradesh and for matters connected therewith.

BE it enacted by Parliament in the Fifty-first Year of the Republic of India as follows:—

PART 1
PRELIMINARY

1. Short title.—This Act may be called the Uttar Pradesh Reorganisation Act, 2000.

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

(*a*) "appointed day"[1] means the day which the Central Government may, by notification in the Official Gazette, appoint;

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

(*e*) "existing State of Uttar Pradesh" means the State of Uttar Pradesh as existing immediately before the appointed day;

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

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

(*h*) "population ratio", in relation to the States of Uttar Pradesh and Uttaranchal, means the ratio of 1321:70;

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

(*j*) "successor State", in relation to the existing State of Uttar Pradesh, means the State of Uttar Pradesh or Uttaranchal;

(*k*) "transferred territory" means the territory which on the appointed day is transferred from the existing State of Uttar Pradesh to the State of Uttaranchal;

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

(*m*) any reference to a district, tehsil or other territorial division of the existing State of Uttar Pradesh shall be construed as a reference to the area comprised within that territorial division on the appointed day.

1. 9th November, 2000, *vide* notification No. S.O. 950(E), dated 20th October, 2000, *see* Gazette of India, Extraordinary, Part II, sec. 3(ii).

PART II
REORGANISATION OF THE STATE OF UTTAR PRADESH

3. Formation of Uttaranchal State.—On and from the appointed day, there shall be formed a new State to be known as the State of Uttaranchal comprising the following territories of the existing State of Uttar Pradesh, namely:—

Pauri Garhwal, Tehri Garhwal, Uttar Kashi, Chamoli, Dehradun, Nainital, Almora, Pithoragarh, Udham Singh Nagar, Bageshwar, Champawat, Rudraprayag and Hardwar districts,

and thereupon the said territories shall cease to form part of the existing State of Uttar Pradesh.

4. State of Uttar Pradesh and territorial divisions thereof.—On and from the appointed day, the State of Uttar Pradesh shall comprise the territories of the existing State of Uttar Pradesh other than those specified in section 3.

5. Amendment of the First Schedule to the Constitution.—On and from the appointed day, in the First Schedule to the Constitution, under ES",—

(*a*) in the paragraph relating to the territories of the State of Uttar Pradesh, after the words, brackets and figures "clause (*a*) of sub-section (*1*) of section 3 of the Bihar and Uttar Pradesh (Alteration of Boundaries) Act, 1968 (24 of 1968), the following shall be inserted, namely:—

"and the territories specified in section 3 of the Uttar Pradesh Reorganisation Act, 2000";

(*b*) after entry 26, the following entry shall be inserted, namely:—

"27. Uttaranchal: The territories specified in section 3 of the Uttar Pradesh Reorganisation Act, 2000.".

6. Saving powers of State Governments.—Nothing in the foregoing provisions of this Part shall be deemed to affect the power of the Government of Uttar Pradesh or Uttaranchal to alter, after the appointed day, the name, area or boundaries of any district or other territorial division in the State.

PART III

REPRESENTATION IN THE LEGISLATURES

The Council of States

7. Amendment of the Fourth Schedule to the Constitution.—On and from the appointed day, in the Fourth Schedule to the Constitution, in the Table,—

(*a*) entries 17 to 28 shall be renumbered as entries 18 to 29 respectively;

(*b*) in entry 16, for the figures "34", the figures "31" shall be substituted;

(*c*) after entry 16, the following entry shall be inserted, namely:—

"17.Uttaranchal .....3".

8. Allocation of sitting members.—(*1*) On and from the appointed day, thirty-four sitting members of the Council of States representing the existing State of Uttar Pradesh shall be deemed to have been elected to fill the seats allotted to the States of Uttar Pradesh and Uttaranchal, as specified in the First Schedule to this Act.

(*2*) The term of office of such sitting members shall remain unaltered.

The House of the People

9. Representation in the House of the People.—On and from the appointed day, there shall be allocated 80 seats to the successor State of Uttar Pradesh, and 5 to the successor State of Uttaranchal, in the House of the People, and the First Schedule to the Representation of the People Act, 1950 (43 of 1950) shall be deemed to be amended accordingly.

10. Delimitation of Parliamentary and Assembly Constituencies.—On and from the appointed day, the Delimitation of Parliamentary and Assembly Constituencies Order, 1976, shall stand amended as directed in the Second Schedule to this Act.

11. Provision as to sitting members.—(*1*) Every sitting member of the House of the People representing a constituency which, on the appointed day by virtue of the provisions of section 10, stands allotted, with or without alteration of boundaries, to the successor State of Uttar Pradesh or Uttaranchal, shall be deemed to have been elected to the House of the People by that constituency as so allotted.

(*2*) The term of office of such sitting members shall remain unaltered.

The Legislative Assembly

12. Provisions as to Legislative Assemblies.—(*1*) The number of seats as on the appointed day in the Legislative Assemblies of the States of Uttar Pradesh and Uttaranchal shall be four hundred and three and seventy respectively.

(*2*) In the Second Schedule to the Representation of the People Act, 1950 (43 of 1950), under heading "I. States"—

(*a*) entries 25 and 26 shall be renumbered as entries 26 and 27 respectively;

(*b*) after entry 24, the following entry shall be inserted, namely:—

1	5
"25. Uttaranchal.....….....	70";

(*c*) in entry 26 as so renumbered, for the figures "425", the figures "403" shall be substituted.

13. Allocation of sitting members.—(*1*) Every sitting member of the Legislative Assembly of the existing State of Uttar Pradesh elected to fill a seat in that Assembly from a constituency which on the appointed day by virtue of the provisions of section 10 stands allotted, with or without alteration of boundaries, to the State of Uttaranchal shall, on and from that day, cease to be a member of the Legislative Assembly of Uttar Pradesh and shall be deemed to have been elected to fill a seat in the provisional Legislative Assembly of Uttaranchal from that constituency as so allotted.

(*2*) All other sitting members of the Legislative Assembly of the existing State of Uttar Pradesh shall continue to be members of the Legislative Assembly of that State and any such sitting member representing a constituency the extent or the name and extent of which are altered by virtue of the provisions of section 10 shall be deemed to have been elected to the Legislative Assembly of Uttar Pradesh by that constituency as so altered.

(*3*) Notwithstanding anything contained in any other law for the time being in force, the Legislative Assemblies of Uttar Pradesh and Uttaranchal shall be deemed to be duly constituted on the appointed day.

(*4*) The sitting member of the Legislative Assembly of the existing State of Uttar Pradesh nominated to that Assembly under article 333 to represent the Anglo-Indian community shall be deemed to have been nominated to represent the said community in the Legislative Assembly of Uttar Pradesh under that article.

14. Composition of provisional Legislative Assembly of Uttaranchal.—(*1*) On and from the appointed day and until the Legislative Assembly of the successor State of Uttaranchal has been duly constituted and summoned to meet for the first session under the provisions of the Constitution, a provisional Legislative Assembly of the State of Uttaranchal, consisting of the twenty-two sitting members of the Legislative Assembly and nine members of the Legislative Council of the existing State of Uttar Pradesh representing the Assembly constituencies or Council constituencies of the territories transferred by virtue of the provisions of section 3 shall be constituted.

(*2*) The provisional Legislative Assembly of the State of Uttaranchal shall exercise all the powers and perform all the duties conferred by the provisions of the Constitution on the Legislative Assembly of that State.

(*3*) The term of office of the members of the provisional Legislative Assembly of the State of Uttaranchal shall, unless the said Legislative Assembly is sooner dissolved, expire immediately before the first meeting of the Legislative Assembly of the State of Uttaranchal.

15. 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 the State of Uttar Pradesh, be deemed to have commenced on the date on which it actually commenced in the case of the Legislative Assembly of the existing State of Uttar Pradesh.

16. Speaker and Deputy Speaker.—(*1*) The persons who immediately before the appointed day are the Speaker and Deputy Speaker of the Legislative Assembly of the existing State of Uttar Pradesh shall continue to be the Speaker and Deputy Speaker respectively of that Assembly on and from that day.

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

17. Rules of procedure.—The rules of procedure and conduct of business of the Legislative Assembly of Uttar Pradesh as in force immediately before the appointed day shall, until rules are made under clause (1) of article 208, be the rules of procedure and conduct of business of the Legislative Assembly of Uttaranchal, subject to such modifications and adaptations as may be made therein by the Speaker thereof.

The Legislative Council of Uttar Pradesh

[1][**18. Legislative Council of Uttar Pradesh.**—On and from the appointed day, there shall be one hundred seats in the Legislative Council of Uttar Pradesh, and in the Third Schedule to the Representation of the People Act, 1950 (43 of 1950), for the existing entry 8, the following entry shall be substituted, namely:—

"8. Uttar Pradesh.....100 36 8 8 38 10".]

19. Amendment of the Delimitation of Council Constituencies.—On and from the appointed day, the Delimitation of the Council Constituencies (Uttar Pradesh) Order, 1951 shall stand amended as directed in the Third Schedule.

20. Provision as to certain sitting members.—(*1*) On and from the appointed day, the sitting members of the Legislative Council of the existing State of Uttar Pradesh specified in the Fourth Schedule to this Act shall cease to be members of that Council and shall be deemed to be the members of the provisional Legislative Assembly.

(*2*) On and from the appointed day, all sitting members of the Legislative Council of the existing State of Uttar Pradesh other than those referred to in sub-section (*1*) shall continue to be members of that Council.

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

1. Subs. by Act 7 of 2004, s. 2, for section 18 (w.e.f. 9-11-2000).

21. Deputy Chairman.—The person who immediately before the appointed day is the Deputy Chairman of the Legislative Council of the existing State of Uttar Pradesh shall continue to be the Deputy Chairman, on and from that day of that Council.

Delimitation of constituencies

22. Delimitation of constituencies.—(*1*) For the purpose of giving effect to the provisions of section 12, the Election Commission shall determine in the manner hereinafter provided—

(*a*) the number of seats to be reserved for the Scheduled Castes and the Scheduled Tribes in the Legislative Assemblies of the States of Uttar Pradesh and Uttaranchal, respectively, having regard to the relevant provisions of the Constitution;

(*b*) the assembly constituencies into which each State referred to in clause (*a*) shall be divided, the extent of each of such constituencies and in which of them seats shall be reserved for the Scheduled Castes or for the Scheduled Tribes; and

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

(*2*) In determining the matters referred to in clauses (*b*) and (*c*) of sub-section (*1*), the Election Commission shall have regard to the following provisions, namely:—

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

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

(*c*) constituencies in which seats are reserved for the Scheduled Castes and the Scheduled Tribes shall, as far as practicable, be located in areas where the proportion of their population to the total population is the largest.

(*3*) The Election Commission shall, for the purpose of assisting it in the performance of its functions under sub-section (*1*), associate with itself as associate members, five persons as the Central Government may by order specify, being persons who are the members of the Legislative Assembly of the State or of the House of the People representing the State:

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

(*4*) If, owing to death or resignation, the office of an associate member falls vacant, it shall be filled as far as practicable, in accordance with the provisions of sub-section (*3*).

(*5*) The Election Commission shall—

(*a*) publish its proposals for the delimitation of constituencies together with the dissenting proposals, if any, of any associate member who desires publication thereof in the Official Gazette and in such other manner as the Commission may consider fit, together with a notice inviting objections and suggestions in relation to the proposals and specifying a date on or after which the proposals will be further considered by it;

(*b*) consider all objections and suggestions which may have been received by it before the date so specified; and

(*c*) after considering all objections and suggestions which may have been received by it before the date so specified, determine by one or more orders the delimitation of constituencies and cause such order or orders to be published in the Official Gazette; and upon such publication, the order or orders shall have the full force of law and shall not be called in question in any court.

(*6*) As soon as may be after such publication, every such order relating to assembly constituencies shall be laid before the Legislative Assembly of the concerned State.

23. Power of Election Commission to maintain Delimitation Orders up-to-date.—(*1*) The Election Commission may, from time to time by notification in the Official Gazette,—

(*a*) correct any printing mistakes in any order made under section 22 or any error arising therein from inadvertent slip or omission; and

(*b*) where the boundaries or name of any territorial division mentioned in any such order or orders is or are altered, make such amendments as appear to it to be necessary or expedient for bringing such order up-to-date.

(*2*) Every notification under this section relating to an assembly constituency shall be laid, as soon as may be after it is issued, before the concerned Legislative Assembly.

Scheduled castes and Scheduled Tribes

24. Amendment of the Scheduled Castes Order.—On and from the appointed day, the Constitution (Scheduled Castes) Order, 1950, shall stand amended as directed in the Fifth Schedule to this Act.

25. Amendment of the Scheduled Tribes Order.—On and from the appointed day, the Constitution (Scheduled Tribes) Order, 1950, shall stand amended as directed in the Sixth Schedule to this Act.

PART IV

HIGH COURT

26. High Court of Uttaranchal.—(*1*) As from the appointed day, there shall be a separate High Court for the State of Uttaranchal (hereinafter referred to as "the High Court of Uttaranchal") and the High Court of Judicature at Allahabad shall become the High Court for the State of Uttar Pradesh (hereinafter referred to as the High Court at Allahabad).

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

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

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

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

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

29. Special provision relating to Bar Council and advocates.—(*1*) On and from the appointed day, in the Advocates Act, 1961 (25 of 1961), in section 3, in sub-section (*1*), in clause (*a*), for the words "and Uttar Pradesh", the words "Uttar Pradesh and Uttaranchal" shall be substituted.

(*2*) Any person who immediately before the appointed day is an advocate on the roll of the Bar Council of the existing State of Uttar Pradesh may give his option in writing, within one year from the appointed day to the Bar Council of such existing State, to transfer his name on the roll of the Bar Council of Uttaranchal and notwithstanding anything contained in the Advocates Act, 1961 (25 of 1961) and the rules made thereunder, on such option so given his name shall be deemed to have been transferred on the roll of the Bar Council of Uttaranchal with effect from the date of the option so given for the purposes of the said Act, and the rules made thereunder.

(*3*) The persons other than the advocates who are entitled immediately before the appointed day, to practise in the High Court at Allahabad or any subordinate court thereof shall, on and after the appointed day, be recognised as such persons entitled also to practise in the High Court of Uttaranchal or any subordinate court thereof, as the case may be.

(*4*) The right of audience in the High Court of Uttaranchal 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 at Allahabad.

30. Practice and procedure in Uttaranchal High Court.—Subject to the provisions of this Part, the law in force immediately before the appointed day with respect to practice and procedure in the High

Court at Allahabad shall, with the necessary modifications, apply in relation to the High Court of Uttaranchal, and accordingly, the High Court of Uttaranchal 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 at Allahabad:

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 at Allahabad shall, until varied or revoked by rules or orders made by the High Court of Uttaranchal, apply with the necessary modifications in relation to practice and procedure in the High Court of Uttaranchal as if made by that Court.

31. Custody of seal of Uttaranchal High Court.—The law in force immediately before the appointed day with respect to the custody of the seal of the High Court at Allahabad shall, with the necessary modifications, apply with respect to the custody of the seal of the High Court of Uttaranchal.

32. 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 at Allahabad shall, with the necessary modifications, apply with respect to the form of writs and other processes used, issued or awarded by the High Court of Uttaranchal.

33. 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 at Allahabad and with respect to all matters ancillary to the exercise of those powers shall, with the necessary modifications, apply in relation to the High Court of Uttaranchal.

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

35. Transfer of proceedings from Allahabad High Court to Uttaranchal High Court.—(*1*) Except as hereinafter provided, the High Court at Allahabad shall, as from the appointed day, have no jurisdiction in respect of the transferred territory.

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

(*3*) Notwithstanding anything contained in sub-sections (*1*) and (*2*) of this section or in section 28, but save as hereinafter provided, the High Court at Allahabad shall have, and the High Court of Uttaranchal shall not have, jurisdiction to entertain, hear or dispose of appeals, applications for leave 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 Allahabad before the appointed day:

Provided that if after any such proceedings have been entertained by the High Court at Allahabad, it appears to the Chief Justice of that High Court that they ought to be transferred to the High Court of Uttaranchal, 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 at Allahabad—

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

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

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

36. Right to appear or to act in proceedings transferred to Uttaranchal High Court.—Any person who, immediately before the appointed day, is an advocate entitled to practise or any other persons entitled to practise in the High Court at Allahabad and was authorised to appear in any proceedings transferred from that High Court to the High Court of Uttaranchal under section 35, shall have the right to appear in the High Court of Uttaranchal in relation to those proceedings.

37. Interpretation.—For the purposes of section 35—

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

(*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.

38. Savings.—Nothing in this Part shall affect the application to the High Court of Uttaranchal 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 V

AUTHORISATION OF EXPENDITURE AND DISTRIBUTION OF REVENUES

39. Authorisation of expenditure of Uttaranchal State.—The Governor of Uttar Pradesh may, at any time before the appointed day, authorise such expenditure from the Consolidated Fund of the State of Uttaranchal as he deems necessary for any period not more than six months beginning with the appointed day pending the sanction of such expenditure by the Legislative Assembly of the State of Uttaranchal:

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

40. Reports relating to accounts of Uttar Pradesh State.—(*1*) The reports of the Comptroller and Auditor-General of India referred to in clause (2) of article 151 relating to the accounts of the existing State of Uttar Pradesh in respect of any period prior to the appointed day shall be submitted to the Governor of each of the successor States of Uttar Pradesh and Uttaranchal who shall 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 Uttar Pradesh on any service in respect of any period prior to the appointed day during the financial year or in respect of any earlier financial year in excess of the amount granted for that service and for that year as disclosed in the reports referred to in sub-section (*1*) to have been duly authorised; and

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

41. Distribution of revenue.—The President shall, by order, determine the share of the States of Uttar Pradesh and Uttaranchal in its total amount payable to the existing State of Uttar Pradesh on the recommendation of the Finance Commission constituted under article 280 in such manner as he thinks fit.

PART VI

APPORTIONMENT OF ASSETS AND LIABILITIES

42. Application of Part.—(*1*) The provisions of this Part shall apply in relation to the apportionment of the assets and liabilities of the existing State of Uttar Pradesh immediately before the appointed day.

(*2*) The successor States shall be entitled to receive benefits arising out of the decisions taken by the predecessor State and the successor States shall be liable to bear the financial liabilities arising out of the decisions taken by the existing State of Uttar Pradesh.

(*3*) The apportionment of assets and liabilities would be subject to such financial adjustment as may be necessary to secure just, reasonable and equitable apportionment of the assets and liabilities amongst the successor States.

(*4*) Any dispute regarding the amount of financial assets and liabilities shall be settled through mutual agreement, failing which by order by the Central Government on the advice of the Comptroller and Auditor-General of India.

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

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

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

Provided that where the Central Government is of opinion that any goods or class of goods should be distributed among the States of Uttar Pradesh and Uttaranchal, 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:

Provided further that in case of any dispute relating to the distribution of any goods or class of goods under this sub-section, the Central Government shall endeavour to settle such dispute through mutual agreement arrived at between the Governments of the successor States for that purpose, failing which the Central Government may, on request by any of the Governments of the successor States, after consulting both the Governments of the successor States, issue such direction as it may deem fit for the distribution of such goods or class of goods, as the case may be, under this sub-section.

(*2*) Stores held for specific purposes, such as use or utilisation in particular institutions, workshops or undertakings or on particular works under construction, shall pass to the successor States in whose territories such institutions, workshops, undertakings or works are located.

(*3*) Stores relating to the Secretariat and offices of Heads of Departments having jurisdiction over the whole of the existing State of Uttar Pradesh shall be divided between the successor States in accordance with such directions as the Central Government may, after consultation with the Government of each successor States, think fit to issue for a just and equitable distribution of such stores.

(*4*) Any other unissued stores of any class in the existing State of Uttar Pradesh shall be divided between the successor States in proportion to the total stores of that class purchased in the period of three years prior to the appointed day, for the territories of the existing State of Uttar Pradesh included respectively in each of the successor States:

Provided that where such proportion cannot be ascertained in respect of any class of stores or where the value of any class of such stores does not exceed rupees ten thousand, that class of stores shall be divided between the successor States according to the population ratio.

(*5*) 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.

44. Treasury and bank balances.—The total of the cash balances in all treasuries of the State of Uttar Pradesh and the credit balances of the State with the Reserve Bank of India, the State Bank of India or any other bank immediately before the appointed day shall be divided between the States of Uttar Pradesh and Uttaranchal according to the population ratio:

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

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

45. Arrears of taxes.—The right to recover arrears of the 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 on the appointed day.

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

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

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

47. Investments and credits in certain funds.—(*1*) The securities held in respect of the investments made from Cash Balances Investment Account or from any Fund in the Public Account of the existing State of Uttar Pradesh as specified in the Seventh Schedule shall be apportioned in the ratio of population of the successor States:

Provided that the securities held in investments made from the Calamity Relief Fund of the existing State of Uttar Pradesh shall be divided in the ratio of the area of the territories occupied by the successor States:

Provided further that the balance in the Reserve Funds in the Public Account of Uttar Pradesh created wholly out of appropriations from the Consolidated Fund of the existing State of Uttar Pradesh, to the extent the balances have not been invested outside Government account, shall not be carried forward to similar Reserve Funds in the Public Account of the successor States.

(*2*) The investments of the existing State of Uttar Pradesh immediately before the appointed day in any special fund, the objects of which are confined to a local area, shall belong to the State in which that area is included on the appointed day.

(*3*) The investments of the existing State of Uttar Pradesh immediately before the appointed day in any private, commercial or industrial undertaking, in so far as such investments have not been made or are deemed not to have been made from the Cash Balances Investment Account, shall pass to the State in which the principal seat of business of the undertaking is located.

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

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

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

49. Public Debt.—(*1*) All liabilities on account of Public Debt and Public Account of the existing State of Uttar Pradesh outstanding immediately before the appointed day shall be apportioned in the ratio

of population of the successor States unless a different mode of apportionment is provided under the provisions of this Act.

(*2*) The individual items of liabilities to be allocated to the successor States and the amount of contribution required to be made by one successor State to another shall be such as may be ordered by the Central Government in consultation with the Comptroller and Auditor-General of India:

Provided that till such orders are issued, the liabilities on account of Public Debt and Public Account of the existing State of Uttar Pradesh shall continue to be the liabilities of the successor State of Uttar Pradesh.

(*3*) The liability on account of loan raised from any source and re-lent by the existing State of Uttar Pradesh to such entities as may be specified by the Central Government and whose area of operation is confined to either of the successor States shall devolve on the respective States as specified in sub-section (*4*).

(*4*) The public debt of the existing State of Uttar Pradesh attributable to loan taken from any source for the express purpose of re-lending the same to a specific institution and outstanding immediately before the appointed day shall,—

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

(*b*) if re-lent to the Uttar Pradesh Power Corporation Limited, the Uttar Pradesh Jal Vidyut Nigam Limited, the Uttar Pradesh Rajya Vidyut Utpadan Nigam Limited, the Uttar Pradesh State Road Transport Corporation, or the Uttar Pradesh Housing Board or any other institution which becomes an inter-State institution on the appointed day, be divided between the States of Uttar Pradesh and Uttaranchal in the same proportion in which the assets of such body corporate or institution are divided under the provisions of Part VII.

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

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

50. Floating Debt.—The liability of the State of Uttar Pradesh in respect of any floating loan to provide short-term finance to any commercial undertaking shall be the liability of the State in whose territories the undertaking is located.

51. Refund of taxes collected in excess.—The liability of the existing State of Uttar Pradesh to refund any tax or duty on property, including land revenue, collected in excess shall be the liability of the successor State in whose territories the property is situated, and the liability of the existing State of Uttar Pradesh 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.

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

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

53. Provident fund.—The liability of the existing State of Uttar Pradesh in respect of the provident fund account of a Government servant in service on the appointed day shall, as from that day, be the liability of the State to which that Gover y allotted.

54. Pensions.—The liability of the existing State of Uttar Pradesh in respect of pensions shall pass to, or be apportioned between, the successor States of Uttar Pradesh and Uttaranchal in accordance with the provisions contained in the Eighth Schedule to this Act.

55. Contracts.—(*1*) Where, before the appointed day, the existing State of Uttar Pradesh 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 the purposes of the contract are, on and from the appointed day, exclusive purposes of either of the successor States of Uttar Pradesh and Uttaranchal; and

(*b*) in any other case, of the State of Uttar Pradesh,

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 of Uttar Pradesh, be rights or liabilities of the State of Uttaranchal or the State of Uttar Pradesh, as the case may be:

Provided that in any such case as is referred to in clause (*b*), the initial allocation of rights and liabilities made by this sub-section shall be subject to such financial adjustment as may be agreed upon between the successor States of Uttar Pradesh and Uttaranchal 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 obligation; and bank balances and securities shall, notwithstanding that they partake of the nature of contractual rights, be dealt with under those provisions.

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

(*a*) if the cause of action arose wholly within the territories which, as from that day, are the territories of either of the successor States of Uttar Pradesh or Uttaranchal, be a liability of that successor State; and

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

57. Liability as guarantor.—Where, immediately before the appointed day, the existing State of Uttar Pradesh is liable as guarantor in respect of any liability of a registered co-operative society or other person, that liability of the existing State of Uttar Pradesh shall,—

(*a*) if the area of operations of such society or persons is limited to the territories which, as from that day, are the territories of either of the States of Uttar Pradesh or Uttaranchal, be a liability of that successor State; and

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

58. 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.

59. Residuary provision.—The benefit or burden of any asset or liability of the existing State of Uttar Pradesh not dealt with in the foregoing provisions of this Part shall pass to the State of Uttar Pradesh in the first instance, subject to such financial adjustment as may be agreed upon between the States of Uttar Pradesh and Uttaranchal or, in default of such agreement, as the Central Government may, by order, direct.

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

61. Power of Central Government to order allocation or adjustment in certain cases.—Where, by virtue of any of the provisions of this Part, any of the successor States of Uttar Pradesh and Uttaranchal 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 either of the States, that it is just and equitable that property or those benefits should be transferred to, or shared with, the other successor State, or that a contribution towards that liability should be made by the other successor State, the said property or benefits shall be allocated in such manner between the two States, or the other State shall make to the State subject to the liability such contribution in respect thereof, as the Central Government may, after consultation with the two State Governments, by order, determine.

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

PART VII

PROVISIONS AS TO CERTAIN CORPORATIONS

63. Provisions for Power Corporation Limited, etc.—(*1*) The following bodies corporate constituted for the existing State of Uttar Pradesh, namely:—

(*a*) the Uttar Pradesh Power Corporation Limited, the Uttar Pradesh Jal Vidyut Nigam Limited and the Uttar Pradesh Rajya Vidyut Utpadan Nigam Limited;

(*b*) the Uttar Pradesh Electricity Regulatory Commission; and

(*c*) the State Warehousing Corporation established under the Warehousing Corporations Act, 1962 (58 of 1962),

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

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

(*3*) The Power Corporation, Commission or Warehousing Corporation referred to in sub-section (*1*) shall cease to function as from, and shall be deemed to be dissolved on such date as the Central Government may, by order, appoint; and upon such dissolution, its assets, rights and liabilities shall be apportioned between the successor States of Uttar Pradesh and Uttaranchal in such manner as may be agreed upon between them within one year of the dissolution of the Power Corporation, Commission or Warehousing Corporation, as the case may be, or if no agreement is reached, in such manner as the Central Government may, by order, determine:

Provided that any liabilities of any of the said Power Corporations referred to in clause (*a*) of sub-section (*1*) relating to the unpaid dues of the coal supplied to the Power Corporation by any public sector coal company shall be provisionally apportioned between the corresponding Power Corporations constituted respectively in the successor States of the existing State of Uttar Pradesh or after the date appointed for the dissolution of the Power Corporation under this sub-section in such manner as may be agreed upon between the Governments of the successor States within one month of such dissolution or if no agreement is reached, in such manner as the Central Government may by order determine subject to reconciliation and finalisation of the liabilities which shall be completed within three months from the date of such dissolution by the mutual agreement between the successor States or failing such agreement by the direction of the Central Government:

Provided further that an interest at the rate of two per cent. higher than the cash credit interest shall be paid on outstanding unpaid dues of the coal supplied to the Electricity Corporation by the public sector coal company till the liquidation of such dues by the concerned State Power Corporation constituted in the successor States on or after the date appointed for the dissolution of the Power Corporation under this sub-section.

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

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

(*b*) upon the dissolution of the existing Power Corporation, Commission or Warehousing Corporation,—

(*i*) any assets, rights and liabilities which would otherwise have passed to that State by or under the provisions of sub-section (*3*) shall pass to the new Board, new Commission or the new Warehousing Corporation instead of to that State;

(*ii*) any employee who would otherwise have been transferred to or re-employed by that State under sub-section (*3*), read with clause (*i*) of sub-section (*5*), shall be transferred to or re-employed by the new Power Corporation, new Commission or the new Warehousing Corporation instead of to or by that State.

(*5*) An agreement entered into between the successor States under sub-section (*3*) and an order made by the Central Government under that sub-section or under clause (*a*) of sub-section (*4*) may provide for the transfer or re-employment of any employee of the Power Corporation, Commission or Warehousing Corporation referred to in sub-section (*1*),—

(*i*) to or by the successor States, in the case of an agreement under sub-section (*2*) or an order made under that sub-section;

(*ii*) to or by the new Power Corporation, new Commission or the new Warehousing Corporation constituted under sub-section (*4*), in the case of an order made under clause (*a*) of that sub-section,

and, subject to the provisions of section 68, also for the terms and conditions of service applicable to such employees after such transfer or re-employment.

64. 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 o y area or in regard to the execution of

any project for such generation or supply has been or is likely to be modified to the disadvantage of that area by reason of the fact that it is, by virtue of the provisions of Part II, outside the State in which the power stations and other installations for the generation and supply of such power, or the catchment area, reservoirs and other works for the supply of water, as the case may be, are located, the Central Government may, after consultation with the Government of each successor States wherever necessary, 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.

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

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

(*3*) Notwithstanding anything contained in sub-section (*1*) or sub-section (*2*), the Board of Directors of the Corporation may, with the previous approval of the Central Government and shall, if so required by the Central Government, convene at any time after the appointed day a meeting for the consideration of a scheme for the reconstitution or reorganisation or dissolution, as the case may be, of the Corporation, including proposals regarding the formation of new Corporations, and the transfer thereto of the assets, rights and liabilities of the existing Corporation, and if such a scheme is approved at the general meeting by a resolution passed by a majority of the shareholders present and voting, the scheme shall be submitted to the Central Government for its sanction.

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

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

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

66. Provisions as to certain companies.—(*1*) Notwithstanding anything contained in the foregoing provisions of this Part, each of the companies specified in the Ninth Schedule to this Act shall, on and from the appointed day and until otherwise provided for in any law, or in any agreement among the successor States, or in any direction issued by the Central Government, continue to function in the areas in which it was functioning immediately before that day; and the Central Government may from time to time issue such directions in relation to such functioning as it may deem fit, notwithstanding anything to the contrary contained in the Companies Act, 1956 (1 of 1956), or in any other law.

(*2*) Any directions issued under sub-section (*1*) in respect of a company referred to in that sub-section, may include directions—

(*a*) regarding the division of the interests and shares of existing State of Uttar Pradesh in the Company among the successor States;

(*b*) requiring the reconstitution of the Board of Directors of the Company so as to give adequate representation to all the successor States.

67. General provision as to statutory Corporations.—(*1*) Save as otherwise expressly provided by the foregoing provisions of this Part, where any body corporate constituted under a Central Act, State Act or Provincial Act for the existing State of Uttar Pradesh or any part thereof has, by virtue of the provisions of Part II, become an inter-State body corporate, then, the body corporate shall, on and 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.

68. Temporary provisions as to continuance of certain existing road transport permits.—(*1*) Notwithstanding anything contained in section 89 of the Motor Vehicles Act, 1988 (59 of 1988), a permit granted by the State Transport Authority of the existing State of Uttar Pradesh or any Regional Transport Authority in that State shall, if such permit was, immediately before the appointed day, valid and effective in any area in the transferred territory, be deemed to continue to be valid and effective in that area after that day subject to the provisions of that Act as for the time being in force in that area; and it shall not be necessary for any such permit to be countersigned by the State Transport Authority of Uttaranchal or any Regional Transport Authority therein for the purpose of validating it for use in such area:

Provided that the Central Government may, after consultation with the successor 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 of the successor States under any such permit, if such vehicle was, immediately before that day, exempt from the payment of any such toll, entrance fees or other charges for its operations in the transferred territory:

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

Provided further that the provisions of this sub-section shall not be applicable where any such tolls, entrance fees or other charges of a like nature is leviable for the use of any road or bridge which is constructed or developed for commercial purpose by the State Government, an undertaking of the State Government, a joint undertaking in which the State Government is a shareholder or a private sector.

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

Provided that—

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

(*b*) the employer in relation to the body corporate, the co-operative society or the undertaking where the workman 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 or section 25FF or section 25FFF 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.

70. Special provision as to income-tax.—Where the assets, rights and liabilities of any body corporate carrying on business are, under the provisions of this Part, transferred to any other bodies corporate which after the transfer carry on the same business, the losses or profits or gains sustained by the body corporate first-mentioned which, but for such transfer, would have been allowed to be carried forward and set off in accordance with the provisions of Chapter VI of the Income-tax Act, 1961 (43 of 1961), shall be apportioned amongst the transferee bodies corporate in accordance with the rules to be made by the Central Government in this behalf and, upon such apportionment, the share of loss allotted to each transferee body corporate shall be dealt with in accordance with the provisions of Chapter VI of the said Act, as if the transferee body corporate had itself sustained such loss in a business carried on by it in the years in which these losses were sustained.

71. Continuance of facilities in certain State institutions.—(*1*) The Government of State of Uttar Pradesh or Uttaranchal, as the case may be, shall, in respect of the institutions specified in the Tenth Schedule to this Act, located in that State, continue to provide facilities to the people of the other State which shall not, in any respect, be less favourable to such people than what were being provided to them before the appointed day, for such period and upon such terms and conditions as may be agreed upon between the two State Governments before the 1st day of December, 2001 or if no agreement is reached by the said date as may be fixed by order of the Central Government,

(*2*) The Central Government may, at any time before the 1st day of December, 2001, by notification in the Official Gazette, specify in the Tenth Schedule referred to in sub-section (*1*) any other institution existing on the appointed day in the States of Uttar Pradesh and Uttaranchal and on the issue of such notification, such Schedule shall be deemed to be amended by the inclusion of the said institution therein.

PART VIII

PROVISIONS AS TO SERVICES

72. 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;

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

(*c*) in relation to the Indian Forest Service, has the meaning assigned to it in the Indian Forest Service (Cadre) Rules, 1966.

(*2*) In place of the cadres of the Indian Administrative Service, Indian Police Service and Indian Forest Service for the existing State of Uttar Pradesh, there shall, on and from the appointed day, be two separate cadres, one for the State of Uttar Pradesh and the other for the State of Uttaranchal in respect of each of these services.

(*3*) The initial strength and composition of the State cadres referred to in sub-section (*2*) shall be such as the Central Government may, by order, determine before the appointed day.

(*4*) The members of each of the said services borne on the Uttar Pradesh cadre thereof immediately before the appointed day shall be allocated to the State cadres of the same service constituted under sub-section (*2*) 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, on or after the appointed day, of the All-India Services Act, 1951 (61 of 1951), or the rules made thereunder.

73. Provisions relating to other services.—(*1*) Every person who immediately before the appointed day is serving in connection with the affairs of the existing State of Uttar Pradesh shall, on and from that day provisionally continue to serve in connection with the affairs of the State of Uttar Pradesh unless he is required, by general or special order of the Central Government to serve provisionally in connection with the affairs of the State of Uttaranchal :

Provided that every direction under this sub-section issued after the expiry of a period of one year from the appointed day shall be issued with the consultation of the Governments of the successor States.

(*2*) 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 (*1*) shall be finally allotted for service and the date with effect from which such allotment shall take effect or be deemed to have taken effect.

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

74. Other provisions relating to services.—(*1*) Nothing in this section or in section 73 shall be deemed to affect on or after the appointed day, the operation of the provisions of Chapter I of Part XIV of the Constitution in relation to 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 in the case of any person deemed to have been allocated to the State of Uttar Pradesh or to the State of Uttaranchal under section 73 shall not be varied to his disadvantage except with the previous approval of the Central Government.

(*2*) All services prior to the appointed day rendered by a person,—

(*a*) if he is deemed to have been allocated to any State under section 73, shall be deemed to have been rendered in connection with the affairs of that State;

(*b*) if he is deemed to have been allocated to the Union in connection with the administration of the Uttaranchal, shall be deemed to have been rendered in connection with the affairs of the Union,

for the purposes of the rules regulating his conditions of service.

(*3*) The provisions of section 73, shall not apply in relation to members of any All-India Service.

75. Provisions as to continuance of officers in same post.—(*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 existing State of Uttar Pradesh in any area which on that day falls within any of the successor States shall continue to hold the same post or office in that successor State, and shall be deemed, on and from that day, to have been duly appointed to the post or office by the Government of, or any other appropriate authority in that successor State:

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

76. Advisory Committees.—The Central Government may, by order, establish one or more Advisory Committees for the purpose of assisting it in regard to—

(*a*) the discharge of any of its functions under this Part; and

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

77. Power of Central Government to give directions.—The Central Government may give such directions to the State Government of Uttar Pradesh and the State Government of Uttaranchal 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.

78. Provisions as to State Public Service Commission.—(*1*) The Public Service Commission for the existing State of Uttar Pradesh shall, on and from the appointed day, be the Public Service Commission for the State of Uttar Pradesh.

(*2*) The persons holding office immediately before the appointed day as the Chairman or other member of the Public Service Commission for the existing State of Uttar Pradesh shall, as from the appointed day, be the Chairman or, as the case may be, the other member of the Public Service Commission for the State of Uttar Pradesh.

(*3*) Every person who becomes the Chairman or other member of the Public Service Commission for the State of Uttar Pradesh on the appointed day under sub-section (*2*), shall—

(*a*) be entitled to receive from the Government of the State of Uttar Pradesh conditions of service not less favourable than those to which he was entitled under the provisions applicable to him;

(*b*) 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.

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

PART IX

MANAGEMENT AND DEVELOPMENT OF WATER RESOURCES

79. Water Resources Development and its Management.—(*1*) Notwithstanding anything contained in this Act but subject to the provisions of section 80, all rights and liabilities of the existing State of Uttar Pradesh in respect of water resource projects in relation to—

(*i*) Ganga and its tributaries traversing the successor States excluding the Upper Yamuna River up to Okhla; and

(*ii*) Upper Yumuna River and its tributaries up to Okhla,

shall, on the appointed day, be the rights and liabilities of the successor States in such proportion as may be fixed, and subject to such adjustments as may be made, by agreement entered into by the said States after consultation with the Central Government, or, if no such agreement is entered into within two years of the appointed day, then, the Central Government may, by order, determine within one year having regard to the purposes of the project:

Provided that the order so made by the Central Government may be varied by any subsequent agreement entered into by the successor States after consultation with the Central Government.

(*2*) An agreement or order referred to in sub-section (*1*) shall, where an extension or further development of any of the projects referred to in that sub-section after the appointed day is undertaken, be the rights and liabilities of the successor States in relation to such extension or further development.

(*3*) The rights and liabilities referred to in sub-sections (*1*) and (*2*) shall include—

(*a*) the right to receive and utilise the water available for distribution as a result of the projects; and

(*b*) the right to receive and utilise the power generated as a result of the projects,

but shall not include the rights and liabilities under any contract entered into before the appointed day by the Government of the existing State of Uttar Pradesh with any person or authority other than Government.

80. Constitution and functions of the Ganga Management Board.—(*1*) The Central Government shall constitute a Board to be called the Ganga Management Board (hereinafter referred to as the Board) for administration, construction, maintenance and operation of projects referred to in sub-section (*1*) of section 79 for any or for a combination of the following purposes, namely:—

(*i*) irrigation;

(*ii*) rural and urban water supply;

(*iii*) hydro power generation;

(*iv*) navigation;

(*v*) industries; and

(*vi*) for any other purpose which the Central Government may, by notification in the Official Gazette, specify.

(*2*) The Board shall consist of—

(*a*) a whole-time Chairman to be appointed by the Central Government in consultation with the successor States;

(*b*) two full time members, one from each of the successor States, to be nominated by the respective State Government;

(*c*) four part-time members, two from each of the successor States, to be nominated by the respective State Government;

(*d*) two representatives of the Central Government to be nominated by that Government.

(*3*) The functions of the Board shall include—

(*a*) the regulation of supply of water from the projects referred to in clause (*i*) of sub-section (*1*) of section 79 to the successor States having regard to—

(*i*) any agreement entered into or arrangement made covering the Government of existing State of Uttar Pradesh and any other State or Union territory, and

(*ii*) the agreement or the order referred to in sub-section (*2*) of section 79;

(*b*) the regulation of supply of power generated at the projects referred to in clause (*i*) of sub-section (*1*) of section 79, to any Electricity Board or other authority in-charge of the distribution of power having regard to—

(*i*) any agreement entered into, or arrangement made covering the Government of the existing State of Uttar Pradesh and any other State or Union territory, and

(*ii*) the agreement or the order referred to in sub-section (*2*) of section 79;

(*c*) the construction of such of the remaining on-going or new works connected with the development of the water resources projects relating to the rivers or their tributaries as the Central Government may specify by notification in the Official Gazette;

(*d*) such other functions as the Central Government may, after consultation with the successor States entrust to it.

81. Staff of the Management Board.—(*1*) The Board may employ such staff, as it may consider necessary for the efficient discharge of its functions under this Act. Such staff shall at the first instance, be appointed on deputation from the successor State failing which through any other method:

Provided that every person who, immediately before the constitution of the said Board, was engaged in the construction, maintenance or operation of the works relating to the projects referred to in clause (*i*) of sub-section (*1*) of section 79 shall continue to be so employed under the Board in connection with the said works on the same terms and conditions of service as were applicable to him before such constitution until the Central Government, by order, directs otherwise:

Provided further that the said Board may, in consultation with the Government of the successor State or the Electricity Board concerned and with the prior approval of the Central Government, retain any such person for service under that State Government or Board.

(*2*) The Government of the successor States shall at all times provide the necessary funds to the Board to meet all expenses (including the sala staff) required for the discharge of its

functions and such amounts shall be apportioned between the States concerned in such proportion as the Central Government may, having regard to the benefits to each of the said States specify.

(*3*) The Board shall be under the control of the Central Government and shall comply with such directions, as may, from time to time, be given to it by that Government.

(*4*) The Board may delegate such of its powers, functions and duties as it may deem fit to the Chairman of the said Board or to any officer subordinate to the Board.

(*5*) The Central Government may, for the purpose of enabling the Board to function efficiently, issue such directions to the State Governments concerned, or any other authority, and the State Governments, or the other authority shall comply with such directions.

82. Jurisdiction of the Board.—(*1*) The Board shall, ordinarily exercise jurisdiction in regard to any of the projects referred to in clause (*i*) of sub-section (*1*) of section 79 over headworks (barrages, dams, reservoirs, regulating structures), part of canal network and transmission lines necessary to deliver water or power to the States concerned.

(*2*) If any question arises as to whether the Board has jurisdiction under sub-section (*1*) over any project referred thereto, the same shall be referred to the Central Government for decision thereon.

83. Power of Board to make regulations.—The Board may make regulations consistent with the Act and the rules made thereunder, to provide for—

(*a*) regulating the time and place of meetings of the Board and the procedure to be followed for the transaction of business at such meetings;

(*b*) delegation of powers and duties of the Chairman or any officer of the Board;

(*c*) the appointment and regulation of the conditions of service of the officers and other staff of the Board;

(*d*) any other matter for which regulations are considered necessary by the Board.

84. Allocation of the water resources of the River Yamuna.—(*1*) The utilisable water resources of the Yamuna River up to Okhla, as allocated, before the appointed day, to the existing State of Uttar Pradesh under the Memorandum of Undertakings, dated the 12th May, 1994 shall be further allocated between the successor States by mutual agreement within a period of two years, failing which, the Central Government shall, by order, determine the allocation of such water resource between the successor States within a further period of one year.

(*2*) The State of Uttaranchal shall, on the appointed day, be inducted as a member of the Upper Yamuna Board constituted for the implementation of the Memorandum of Undertaking referred to in sub-section (*1*).

PART X

LEGAL AND MISCELLANEOUS PROVISIONS

85. Amendment of section 15 of Act 37 of 1956.—On and from the appointed day, in section 15 of the States Reorganisation Act, 1956, in clause (*b*), for the words "Uttar Pradesh and Madhya Pradesh", the words "Uttar Pradesh, Uttaranchal and Madhya Pradesh" shall be substituted.

86. Territorial extent of laws.—The provisions of Part II shall not be deemed to have affected any change in the territories to which the Uttar Pradesh Imposition of Ceiling of Land Holding Act, 1961 (U.P. Act 1 of 1961) and any other law in force immediately before the appointed day, extends or applies, and territorial references in any such law to the State of Uttar Pradesh shall, until otherwise provided by a competent Legislature or other competent authority be construed as meaning the territories within the existing State of Uttar Pradesh before the appointed day.

87. Power to adapt laws.—For the purpose of facilitating the application in relation to the State of Uttar Pradesh or Uttaranchal of any law made before the appointed day, the appropriate Government may, before the expiration of two years from that day, by order, make such adaptations and modifications of the

law, whether by way of repeal or amendment, as may be necessary or expedient, and thereupon every such law shall have effect subject to the adaptations and modifications so made until altered, repealed or amended by a competent Legislature or other competent authority.

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

88. Power to construe laws.—Notwithstanding that no provision or insufficient provision has been made under section 87 for the adaptation of a law made before the appointed day, any court, tribunal or authority, required or empowered to enforce such law may, for the purpose of facilitating its application in relation to the State of Uttar Pradesh or Uttaranchal, 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.

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

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

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

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

(*3*) In this section—

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

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

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

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

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

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

94. Power to remove difficulties.—(*1*) 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:

Provided that no such order shall be made after the expiry of a period of three years from the appointed day.

(*2*) Every order made under this section shall be laid before each House of Parliament.

THE FIRST SCHEDULE

(*See* section 8)

(*i*) Of the eleven sitting members whose term of office will expire in [1][25th November, 2002], namely, Shri Narendra Mohan, Shri Raj Nath Singh, Shri Chaudhary Chunni Lal, Shri Devi Prasad Singh, Shri Manohar Kant Dhyani, Shri Amar Singh, Shri Mohammad Azam Khan, Shri R.N. Arya, Shri Gandhi Azad, Shri [1][Akhilesh Das] and Shri [1][Balwant Singh Ramuwalia], Shri Manohar Kant Dhyani shall be deemed to have been elected to fill one seat out of the three seats allocated in the Council of States to the State of Uttaranchal and the other ten sitting members shall be deemed to have been elected to fill ten of the seats allotted to the State of Uttar Pradesh.

(*ii*) Of the twelve sitting members whose term of office will expire in [1][4th July, 2004, namely, Shri Arun Shourie, Shri [1][Triloki Nath], Shri B.P. Singhal, Shri Dharam Pal Yadav, Shri Deena Nath Mishra, Shri Ram Gopal Yadav, Shri Kanshi Ram, Shri Sangh Priya Gautam, Shri Munavvar Hasan, Shri [1][Khan Gufaran Zahidi], Shri Syed Akhter Hasan Rizvi, Shri Rama Shanker Kaushik, such one as the Chairman of the Council of States may determine by drawing lot shall be deemed to have been elected to fill one of the seats allotted to the State of Uttaranchal and the other eleven sitting members shall be deemed to have been elected to fill eleven of the seats allotted to the State of Uttar Pradesh.

(*iii*) Of the eleven sitting Members representing the State of Uttar Pradesh whose term of office will expire on 2nd April, 2006, such one as the Chairman of the Council of States may determine by drawing lot shall be deemed to have been elected to fill one of the seats allotted to the State of Uttaranchal.

1. Subs. by notification No. G.S.R. 674(E) (w.e.f. 19-8-2003).

THE SECOND SCHEDULE

(*See* section 10)

AMENDMENTS TO THE DELIMITATION OF PARLIAMENTARY AND ASSEMBLY CONSTITUENCIES ORDER, 1976

In the Delimitation of Parliamentary and Assembly Constituency Order, 1976,—

1. In Schedule XXII,—

(*i*) in PART A—Parliamentary Constituencies,—

(*a*) serial numbers 1, 2, 3, 4 and 85 and entries relating thereto shall be omitted;

(*b*) in serial number 12 at the end, the following figures and word shall be inserted, namely:—

"56—Baheri";

(*c*) in serial number 82 at the end, the following figures and word shall be inserted, namely:—

"416—Deoband";

(*d*) in serial number 84 at the end, the following figures, brackets and letters shall be inserted, namely:—

"415—Nagal (SC)";

(*ii*) in PART B--Assembly Constituencies, serial numbers 1 to 16 (both inclusive) and 420 to 425 (both inclusive) and the entries relating thereto shall be omitted.

2. After Schedule XXII, the following shall be inserted, namely:—

"SCHEDULE XXIIA

UTTARANCHAL

PART A.—Parliamentary Constituencies

Serial No.,	Name and extent in terms of assembly Constituencies
1.	Tehri Garhwal.—1-Uttar Kashi (SC), 2-Tehri, 3-Deoprayag, 4-Mussoorie and 5-Chakrata (ST).
2.	Garhwal.—6-Lansdowne, 7-Pauri, 8-Karanprayag, 9-Badri-Kedar and 10-Dehra Dun.
3.	Almora.—11-Didihat, 12-Pithoragarh, 13-Almora, 14-Bageshwar (SC) and 15-Ranikhet.
4.	Naini Tal.—16-Naini Tal, 17-Khatima (SC), 18-Haldwani and 19-Kashipur.
5.	Hardwar (SC).—20-Roorkee, 21-Lhaksar and 22-Hardwar.".

PART B.—Assembly Constituency

Serial No.,	Name and extent of Constituency

The detailed particulars regarding the name and extent of the Constituencies in each of the districts in the State of Uttaranchal shall be as delimited by the Election Commission.".

THE THIRD SCHEDULE

(*See* section 19)

MODIFICATION IN THE DELIMITATION OF COUNCIL CONSTITUENCIES (UTTAR PRADESH) ORDER, 1951

For the table appended to the Delimitation of Council Constituencies (Uttar Pradesh) Order, 1951, the following table shall be substituted, namely:—

"TABLE

Name of Constituency	Extent of Constituency	Number of Seats
1	2	3
	Graduates Constituencies	
1. Bareilly-Moradabad Division Graduates	Bareilly, Pilibhit, Shahjahanpur, [1][Budaun], Rampur, Moradabad, Jyotibaphule Nagar and Bijnor districts.	1
2. Lucknow Division Graduates	Lucknow, Hardoi, Kheri, Sitapur, Barabanki, Rae Bareli and Pratapgarh districts.	1
3. Gorakhpur-Faizabad Division Graduates	Bahraich, Shravasti, Gonda, Balrampur, Basti, Siddharthnagar, Santkabir Nagar, Gorakhpur, Maharajganj, Deoria, Kushinagar, Azamgarh, Mau, Sultanpur, Faizabad and Ambedkarnagar districts.	1
4. Varanasi Division Graduates	Ballia, [1][Ghazipur], Jaunpur, Varanasi, Chandauli, Sant Ravidas Nagar, Mirzapur and Sonbhadra districts.	1
5. Allahabad-Jhansi Division Graduates	Allahabad, Kaushambi, Fatehpur, Banda, Chitrakot, Hamirpur, Mahoba, Jalaun, Jhansi and Lalitpur districts.	1
6. Kanpur Graduates	Kanpur Nagar and Kanpur Dehat and Unnao Districts.	1
7. Agra Division Graduates	Agra, Firozabad, Mathura, Aligarh, Hathras, Etah, Mainpuri, Etawah, Kannauj, Auraiya and Farrukhabad districts.	1
8. Meerut Division Graduates	Bulandshahar, Ghaziabad, Gautambuddhnagar, Meerut [1][Baghpat], Muzaffarnagar and Saharanpur districts.	1

1. Subs. by notification No. G.S.R. 674(E) (w.e.f. 19-8-2003).

1	2	3
	Teachers' Constituencies	
1. Bareilly-Mordabad Division Teachers	Bareilly, Pilibhit, Shahjahanpur, [1][Budaun], Rampur, Mordabad, Jyotibaphule Nagar, and Bijnor districts.	1
2. Lucknow Division Teachers	Lucknow, Hardoi, Kheri, Sitapur, Barabanki, Rae Bareli and Pratapgarh districts.	1
3. Gorakhpur-Faizabad Division Teachers	Bahraich, Shravasti, Gonda, Balrampur, Basti, ir Nagar, Gorakhpur,	1

	Maharajganj, Deoria, Kushinagar, Azamgarh, Mau, Sultanpur, Faizabad and Ambedkarnagar districts.	
4. Varanasi Division Teachers	Ballia, [1][Ghazipur], Jaunpur, Varanasi, Chandauli, Sant Ravidas Nagar, Mirzapur and Sonbhadra districts.	1
5. Allahabad-Jhansi Division Teachers	Allahabad, Kaushambi, Fathepur, Banda, Chitrakoot, Hamirpur, Mahoba, Jalaun, Jhansi and Lalitpur districts.	1
6. Kanpur Teachers	Kanpur Nagar and Kanpur Dehat and Unnao districts.	1
7. Agra Division Teachers	Agra, Firozabad, Mathura, Aligarh, Hathras, Etah, Mainpuri, Etawah, Kannauj, Auraiya and Farrukhabad districts.	1
8. Meerut Division Teachers	Bulandshahar, Ghaziabad, Gautambuddhnagar, [1][Baghpat], Meerut, Muzaffarnagar and Saharanpur districts.	1

Local Authorities' Constituencies

1. Mordabad-Bijnor Local Authorities	Mordabad, Jyotibaphule Nagar, and Bijnor districts.	1
2. Rampur-Bareilly Local Authorities	Rampur and Bareilly districts.	1
3. [1][Budaun] Local Authorities	[1][Budaun] district.	1
4. Pilibhit Shahjahanpur Local Authorities	Pilibhit and Shahjahanpur districts.	1
5. Hardoi Local Authorities	Hardoi district.	1
6. Kheri Local Authorities	Kheri district.	1
7. Sitapur Local Authorities	Sitapur district.	1

1. Subs. by notification No.G.S.R. 674(E) (w.e.f. 19-8-2003).

1	2	3
8. Lucknow-Unnao Local Authorities	Lucknow and Unnao districts.	1
9. Rae Bareli Local Authorities	Rae Bareli district.	1
10. Pratapgarh Local Authorities	Pratapgarh district.	1
11. Sultanpur Local Authorities	Sultanpur district	1
12. Barabanki Local Authorities	Barabanki district.	1
13. Bahraich Local Authorities	Bahraich and Shravasti districts.	1
14. Gonda Local Authorities	[1][Gonda and Balrampur districts].	1
15. Faizabad Local authorities	Faizabad and Ambedkarnagar districts.	1
16. Basti-Siddharth Nagar	Basti arthnagar	1

Local Authorities	districts.	
17. Gorakhpur-Mahrajganj Local Authorities	Gorakhpur and Mahrajganj districts.	1
18. Deoria Local Authorities	Deoria and Kushinagar districts.	1
19. Azamgarh-Mau Local Authorities	Azamgarh and Mau districts.	1
20. Ballia Local Authorities	Ballia district.	1
21. Ghazipur Local Authorities	Ghazipur district.	1
22. Jaunpur Local Authorities	Jaunpur district.	1
23. Varanasi Local Authorities	Varanasi, Chandauli and Sant Ravidasnagar districts.	1
24. Mirzapur-Sonbhadra Local Authorities	Mirzapur and Sonbhadra districts.	1
25. Allahabad Local Authorities	Allahabad and Kaushambi districts.	1
26. Banda-Hamirpur Local Authorities	Banda, Chitrakoot, Hamirpur and Mahoba districts.	1
27. Jhansi-Jalaun-Lulitpur Local Authorities	Jalaun, Jhansi and Lalitpur districts.	1

1. Subs. by notification No. G.S.R. 674(E) (w.e.f. 19-8-2003).

1	2	3
28. Kanpur-Fatehpur Local Authorities	Kanpur Nagar and Kanpur Dehat and Fatehpur districts.	1
29. Etawah-Farrukhabad Local Authorities	Etawah, Farrukhabad, Kannauj and Auraiya districts.	1
30. Agra-Firozabad Local Authorities	Agra and Firozabad districts.	1
31. Mathura-Etah-Mainpuri Local Authorities	Mathura, Etah and Mainpuri districts.	2
32. Aligarh Local Authorities	Aligarh and Hathras districts.	1
33. Bulandshahar Local Authorities	Bulandshahar and Gautambuddhnagar districts.	1
34. Meerut-Ghaziabad Local Authorities	Meerut, Bagpat and Ghaziabad districts.	1
35. Muzaffarnagar-Saharanpur Local Authorities	Muzaffarnagar and Saharanpur districts.	1".

THE FOURTH SCHEDULE

(*See* section 20)

List of members of the Legislative Council of Uttar Pradesh who shall cease to be such members on the appointed day and deemed to be the members of the Provisional Legislative Assembly:—

1. Shri Nitya Nand Swami.
2. Dr. (Smt.) Indira Hridayesh.
3. Shri Narayan Singh Rana.
4. Shri Tirath Singh Rawat.

[1][5. Shri Prakash Pant].

[2]* * * * *

7. Smt. Nirupama Gaur.

[1][8. Shri Bhagat Singh Koshyari].

[1][9. Shri Islam Singh].

1. Subs. by notification No.G.S.R. 674(E) (w.e.f. 19-8-2003).

2. Entry 6 omitted by notification No.G.S.R. 840(E) (w.e.f. 27-10- 2000).

THE FIFTH SCHEDULE

(*See* section 24)

AMENDMENT OF THE CONSTITUTION (SCHEDULED CASTES) ORDER, 1950 In the Constitution (Scheduled Castes) Order, 1950,—

(*a*) in paragraph 2, for the figures "XXIII" , the figures "XXIV" shall be substituted;

(*b*) in the Schedule, after Part XXIII, the following shall be inserted, namely:—

"PART XXIV—*Uttaranchal*

1. Agariya
2. Badhik
3. Badi
4. Baheliya
5. Baiga
6. Baiswar
7. Bajaniya
8. Bajgi

[1][9. Balahar]

10. Balai
11. Balmiki
12. Bangali
13. Banmanus
14. Bansphor
15. Barwar
16. Basor
17. Bawariya
18. Beldar
19. Beriya
20. Bhantu
21. Bhuiya
22. Bhuyiar
23. Boria
24. Chamar, Dhusia, Jhusia, Jatava
25. Chero
26. Dabgar

1. Subs. by notification No. G.S.R. 674(E) (w.e.f. 19-8-2003).

27. Dhangar
28. Dhanuk
29. Dharkar
30. Dhobi
31. Dom
32. Domar
33. Dusadh

[1][34. Gharami]

[1][35. Ghasiya]

36. Gond
[1][37. Gual]
38. Habura
39. Hari
40. Hela
41. Kalabaz
42. Kanjar
43. Kapariya
44. Karwal
[1][45. Khairaha]
[1][46. Kharwar (excluding Benbansi)]
47. Khatik
[1][48. Khorot]
49. Kol
50. Kori
51. Korwa
52. Lalbegi
53. Majhwar
54. Mazhabi
55. Musahar
56. Nat
57. Pankha
58. Parahiya
59. Pasi, Tarmali
60. Patari
[1][61. Saharya]

1. Subs. by notification No. G.S.R. 674(E) (w.e.f. 19-8-2003).

62. Sanaurhiya
63. Sansiya
64. Shilpkar
65. Turaiha.".

THE SIXTH SCHEDULE

(*See* section 25)

AMENDMENTS TO THE CONSTITUTION (SCHEDULED TRIBES) ORDER, 1950

In the Constitution (Scheduled Tribes) Order, 1950,—

(*1*) in paragraph 2, for the figures "XX", the figures "XXI" shall be substituted;

(*2*) in the Schedule, after Part XX, the following Part shall be inserted, namely:—

"PART XXI.—*Uttaranchal*

1. Bhotia.
2. Buksa.
3. Jannsari.
4. Raji.
5. Tharu.".

THE SEVENTH SCHEDULE

(*See* section 47)

LIST OF FUNDS

1. Depreciation Reserve Fund--Irrigation.
2. Depreciation Reserve Fund--Government Press.
3. Depreciation Reserve Fund--Precision Instrument Factory.
4. Rural Development Fund.
5. Famine Relief Fund.
6. Sugar Research and Labour Housing Management Fund.
7. Zamindari Abolition Fund.
8. U. P. Road Fund.
9. Hospital Fund.
10. Teachers Gratuity Fund.
11. State Bridge Fund.
12. General Insurance Fund.
13. Nazul Fund.
14. State Co-operative Development Fund.
15. Agriculture Credit Relief and Security Fund.
16. Farmer Relief Fund.
17. Depreciation Reserve Fund-Power.
18. Contingency Reserve Fund-Power.
19. Sugar Factory Rehabilitation, Modernisation and Establishment Fund.
20. Cane Research and Development Fund.
21. Consolidated Reduction on Debt Fund for State Development Loan and Zamindari Abolition and Compensation Bond.
22. Police House Building Fund.
23. Fourth Class House Building Fund.
24. Government Servant Housing Fund.
25. Balanced Area Development Fund.
26. U.P. Youth Welfare Fund.
27. U.P. Student Welfare Fund.
28. Language Fund.
29. Police Welfare Fund.
30. Acharya Narendra Deo Fund.
31. Calamity Relief Fund.
32. Purvanchal Development Fund.
33. Bundelkhand Development Fund.
34. Loan Assistance Fund for payment of Cane Prices.

35. Relief for Productivity Research and Modernisation of Sick Industrial Units.
36. Secretariat Fund.
37. Vidhayak Nidhi.

THE EIGHTH SCHEDULE

(*See* section 54)

APPORTIONMENT OF LIABILITY IN RESPECT OF PENSIONS

1. Subject to the adjustments mentioned in paragraph 3, each of the successor States shall, in respect of pensions granted before the appointed day by the existing State of Uttar Pradesh, pay the pensions drawn in its treasuries.

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

3. There shall be computed, in respect of the period commencing on the appointed day and ending on such date after the appointed day, as may be fixed by the Central Government and in respect of each subsequent financial year, the total payments made in all the successor States in respect of pensions referred to in paragraphs 1 and 2. The total representing the liability of the existing State of Uttar Pradesh in respect of pensions shall be apportioned between the successor States in the population ratio and any successor State paying the State paying more than its due share shall be reimbursed the excess amount by the successor State or State paying less.

4. The liability of the existing State of Uttar Pradesh in respect of pensions granted before the appointed day and drawn in any area outside the territories of the existing State shall be the liability of the State of Uttar Pradesh subject to adjustments to be made in accordance with paragraph 3 as if such pensions had been drawn in any treasury in the State of Uttar Pradesh under paragraph 1.

5. (*1*) The liability in respect of the pension of any officer serving immediately before the appointed day in connection with the affairs of the existing State of Uttar Pradesh and retiring on or after that day, shall be that of the successor State granting him the pension; but the portion of the pension attributable to the service of any such officer before the appointed day in connection with the affairs of the existing State of Uttar Pradesh shall be allocated between the successor States 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 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 the reimbursing State bears to the total qualifying service of such officer after the appointed day reckoned for the purposes of pension.

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

THE NINTH SCHEDULE

(*See* section 66)

LIST OF GOVERNMENT COMPANIES

S. No.	Name of Government Company	Address
1.	Uttar Pradesh Bhumi Sudhar Nigam Ltd.	Bhumitra Bhawan, 19-B,Vibhuti Khand, Gomati Nagar, Lucknow.
2.	Uttar Pradesh Agro Industrial Corporation Ltd.	22, Vidhan Sabha Marg, Lucknow.
3.	Uttar Pradesh Alpasankhyak Vittiya Nigam Ltd.	7th Floor, Jawahar Bhawan, Lucknow.
4.	Uttar Pradesh Electronic Corporation Ltd.	Nav Chetna Kendra, Ashok Marg, Lucknow.
5.	Uttar Pradesh Jal Vidyut Nigam Ltd.	12th Floor, Vikas Deep, Station Road, Lucknow.
6.	Uttar Pradesh Rajya Vidyut Utpadan Nigam Ltd.	4-B, Gokhle Marg, Lucknow.
7.	Uttar Pradesh Leather Development and Marketing Corporation Ltd.	16/58- A, Sadar Bhati Road, Agra.
8.	Uttar Pradesh Export Corporation Ltd.	2, Rana Pratap Marg, Lucknow.
9.	Uttar Pradesh State Food and Essential Commodities Corporation Ltd.	17, Gokhle Marg, Lucknow.
10.	Uttar Pradesh Small Industries Corporation Ltd.	110, Industrial Estate, Fazalganj, Kanpur.
11.	Uttar Pradesh State Handloom Corporation Ltd.	Hathkargha Bhawan, G.T. Road, Kanpur.
12.	Uttar Pradesh Police Awas Nigam Ltd.	A-81, Vijay Khand-II, Gomati Nagar, Lucknow.
13.	Provincial Industrial Investment Corporation of Uttar Pradesh (PICUP) Ltd.	PICUP Bhawan, Gomati Nagar, Lucknow.
14.	The Indian Turpentine and Rosin Company Ltd.	Culucttarbuckganj, Bareilly.
15.	Uttar Pradesh State Cement Corporation Ltd.	Churk, Sonbhadra.
16.	Uttar Pradesh State Mineral Development Corporation Ltd.	Kapurthal Complex, Aliganj, Lucknow.
17.	Uttar Pradesh State Taxtile Corporation Ltd.	Vastra Bhawan, Sharda Nagar, Kanpur.
18.	Uttar Pradesh State Industrial Development Corporation Ltd.	A- 1/4, Lakhanpur, P.O. Box No.1150, Kanpur.
19.	Uttar Pradesh Project and Tubewells Corporation Ltd.	Left Bank, Gomati Bairaj, Gomati Nagar, Lucknow.

20. Uttar Pradesh Mahila Kalyan Nigam Ltd. 21. Uttar Pradesh Matsya Vikas Nigam Ltd.

22. Uttar Pradesh Panchayati Raj Vitta Nigam Ltd.

23. Uttar Pradesh Pashudhan Udyog Nigam Ltd.

24. Uttar Pradesh Pichhara Varg Vitta
B-2/5, Vikas Khand, Gomati Nagar, Lucknow. 4/13-14, Vivek Khand, Gomati Nagar, Lucknow.

C-232, Niralanagar, Lucknow.

Central Dairy Farm, Aligarh.

PCF Building, 4th Floor, Station Road,
Evam Vikas Nigam Ltd. Lucknow.

25. Uttar Pradesh Poultry and Livestock Specialities Ltd. Campus Animal Husbandry, Badshahbagh, Lucknow.

26. Uttar Pradesh Development Systems Corporation Ltd.

27. Uttar Pradesh State Bridge Corporation Ltd.

28. Uttar Pradesh Rajkiya Nirman Nigam Ltd.

29. Uttar Pradesh Anusuchit Jati/Janjati Vikas Nigam Ltd.

30. Uttar Pradesh Samaj Kalyan Nirman Nigam Ltd.

31. Uttar Pradesh Bhootpurva Sainik Kalyan Nigam Ltd.

32. Uttar Pradesh (Madhya) Ganna Beej Vikas
9, Sarojini Naidu Marg, Lucknow.

16, Madan Mohan Malviya Marg, Lucknow.

Vishveshwaraiya Bhawan, Gomati Nagar,
Lucknow.

B-912, Sector C. Mahanagar, Lucknow.

Lekhraj Market, Indira Nagar, Lucknow.

54-X, Jopling Road, Lucknow.

New Berry Road, Near Deputy Cane
Nigam Ltd. Commissioner's Office, Lucknow.

33. Uttar Pradesh (Paschim) Ganna Beej Vikas Nigam Ltd. Circular Road, Near Ganna Kisan Sansthan, Muzaffarnagar.

34. Uttar Pradesh (Poorva) Ganna Beej Vikas Nigam Ltd. HIG-VI, Acharya Ram Chandra Shukla Nagar, Deoria.

35. Uttar Pradesh (Rohilkhand Terai) Ganna Beej Vikas Nigam Ltd.

36. Uttar Pradesh State Sugar Corporation Ltd.

37. Uttar Pradesh Tourism Corporation Ltd.

26-27, B.D.A. Colony, Shahamatganj, Barielly.

Vipin Khand, Near Taj Hotel, Gomati Nagar,
Lucknow.

Chitrahar-3, Nawal Kishore Road, Lucknow.

S. No	Name of Government Company	Address

38. Garhwal Mandal Vikas Nigam Ltd. 39. Kumaon Mandal Vikas Nigam Ltd.

40. Uttar Pradesh Hill Electronics
    74, Rajpur Road, Dehradun.

    Oak Park House, Malli Tal, Nainital.

    B-2/140, Vishal Khand Gomati
    Corporation Ltd. Nagar, Lucknow.

41. Uttar Pradesh Waqf Vikas Nigam Ltd.

42. Uttar Pradesh Seed and Tarai Development Corporation Ltd.

43. Kumaon Anusuchit Janjati Vikas Nigam Ltd.

44. Garhwal Anusuchit Janjati Vikas Nigam Ltd.

First Floor, 118, Jawahar Bhawan, Lucknow. Haldi, Pantnagar, Udhamsinghnagar.

Raj Mahal Hotel Campus, Malli Tal, Nainital.

74, Rajpur Road, Dehradun.

THE TENTH SCHEDULE

(*See* section 71)

CONTINUANCE OF FACILITIES IN CERTAIN STATE INSTITUTIONS

List of Training Institutions/Centres

1. Uttar Pradesh Academy of Administration, Nainital
2. Uttar Pradesh State Observatory, Nainital
3. Institute of Management Development Uttar Pradesh, Lucknow
4. Judicial Training and Research Institute, Lucknow
5. Dr. B. R. Ambedkar Police Academy, Moradabad
6. Police Training College-II, Moradabad
7. Police Training College-Ill, Gorakhpur
8. Armed Training Centre, Sitapur
9. Police Training College, Moradabad
10. Police Training College, Gorakhpur
11. Recruit Training Centre, Chunar, Mirzapur
12. Police Training College, Unnao
13. Sampurnanand Prison Training Institute, Lucknow
14. Secretariat Training and Management Institute, Lucknow
15. Raja Todarmal Survey and Land Records Institute, Hardoi
16. Land Consolidation Training College, Ayodhya, Faizabad
17. State Engineers' Training Institute, Kalagarh
18. U. P. Water and Land Management Institute, Lucknow
19. Institute of Financial Management Training and Research, Lucknow
20. Cooperative and Panchayat Audit Training Centre, Ayodhya, Faizabad
21. Local Funds Accounts and Audit Training Institute, Allahabad
22. Trade Tax Officers' Training Institute, Lucknow
23. State Electricity Board Training Institute, Dehradun
24. U.P. State Electricity Board Staff College, Dehradun
25. Thermal Power Training Institute, UPSEB, Obra, Sonbhadra
26. Central Civil Defence Training Institute, Lucknow
27. Deen Dayal Upadhyay State Institute of Rural Development, Bakshi Ka Talab, Lucknow 28. Minor Irrigation Management and Water Management Training Institute, Bakshi Ka Talab, Lucknow
29. Smt, Indira Gandhi Cooperative Institute, Lucknow
30. Cooperative Training College, Dehradun
31. Agriculture Cooperative Staff Training Institute, Lucknow
32. Institute of Cooperative, Corporate Management Research and Training, Indira Nagar, Lucknow
33. U. P. Cane Development Institute, Lucknow
34. Uttar Pradesh State Transport Corporation Training Institute, Kanpur
35. Uttar Pradesh State Education Research and Training Board, Allahabad
36. Scheduled Castes and Scheduled Tribes Research and Training Institute, Lucknow
37. Hotel Management and Catering Institute, Dehradun
38. Research, Development and Training Institute, Kanpur
39. Uttar Pradesh Excise Training Institute, Rae Bareili
40. Central Workers Education Board, Kanpur
41. State Institute of Health and Family Welfare, Indira Nagar, Lucknow
42. Office of the Inspector of Officers, U.P. Allahabad
43. State Planning Institute, Training Division, Kalakankar House, Old Hyderabad, Lucknow 44. Institute of Entrepreneurship Development, Lucknow
45. Hotel Management and Catering

46. Moti Lal Nehru Regional Engineering College, Allahabad
47. State Architecture College, Lucknow
48. Central Textile Institute, Kanpur
49. Institute of Engineering and Rural Technology, Allahabad
50. Northern Regional Institute of Printing Technology, Allahabad
51. Khadi and Gramodyog Board, 8, Tilak Marg, Lucknow
52. Dr. Ambedkar Institute of Technology for Handicapped, Kanpur
53. Government Leather Institute, Agra
54. Government Leather Institute, Kanpur
55. Joint Entrance Examination Council, Lucknow
[1][56. King George Medical Colleges, Lucknow.
57. Ganesh Shankar Vidyarthi Medical College, Kanpur.
58. Motilal Nehru Medical College, Allahabad.
59. Rani Laxmibai Medical College, Jhansi.
60. Baba Raghav Das Medical College, Gorakpur.
61. Sarojini Naidu Medical College, Agra.
62. Lala Lajpat Rai Memorial Medical College, Meerut.
63. Ayurvedic College, Lucknow.

1. Added by notification No. S.o. 153(E) dated 20-2-2001 (w.e.f. 20-2-2001).

64. Rishikul Ayurvedic College, Haridwar.
65. Lalithari Ayurvedic College, Pilibhit.
66. Gurukul Kangadi Ayurvedic College, Haridwar.
67. Bundelkhand Ayurvedic College, Jhansi.
68. Ayurvedic College, Atarra, Banda.
69. Sahu Ramnarayan Murti Manohar Ayurvedic College, Bareilly.
70. Swami Kalyandev Ayurvedic College, Rampur, Muzaffarnagar.
71. Lal Bahadur Shastri Ayurvedic College, Handia, Allahabad.
72. Rajkiya Ayurvedic College, Varanasi.
73. Unani Medical College, Allahabad.
74. Takmil Uttib College, Lucknow.
75. National Homeopathic College, Lucknow.
76. Lal Bahadur Shastri Homeopathic College, Allahabad.
77. Kanpur Homeopathic College, Kanpur.
78. Dr. V. K. Homeopathic College, Faizabad.
79. Mohan Homeopathic College, Lucknow.
80. Shri Durgaji Homeopathic College, Chandeshwar, Azamgarh.
81. T.D. Homeopathic College, Jaunpur.
82. Ghazipur Homeopathic College, Ghazipur.
83. Rajkiya Homeopathic Medical College, Nagina, Bijnor.
84. Rajkiya K.G.K Homeopathic Medical College, Moradabad.
85. Uttar Pradesh State Seed Certifi

86. State Institute of management of Agriculture, Rehmankhera, Lucknow.]

[1][87. Lekhpal Prashikshan Sansthan, Sheesh Mahal, Lucknow.]

1. Added by notification No. S.O. 1186(E), dated 29-11-2001 (w.e.f. 29-11-2001).