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The North-Eastern Areas (Reorganisation) Act, 1971

(ACT NO. 81 OF 1971)

(*As on* 30*th May* , 2025)

LIST OF AMENDING ACTS

1. The North-Eastern Areas (Reorganisation) and Other Related Laws (Amendment) Act, 1974 (8 of 1974).
2. The North-Eastern Areas (Reorganisation) and Other Related Laws (Amendment) Act, 1975 (3 of 1975).
3. The North-Eastern Areas (Reorganisation) and Other Related Laws (Amendment) Act, 2012 (26 of 2012).
4. The North-Eastern Areas (Reorganisation) and Other Related Laws (Amendment) Act, 2012 (39 of 2012).

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LIST OF ABBREVIATIONS USED

Cl., cls.	. . . . .	*for*	Clause, clauses.
Ins.	. . . . .	,,	Inserted.
Notifn.	. . . . .	,,	Notification.
S., ss.	. . . . .	,,	Section, sections.
Sch.	. . . . .	,,	Schedule.
Subs.	. . . . .	,,	Substituted.
w.e.f.	. . . . .	,,	with effect from.

THE NORTH-EASTERN AREAS (REORGANISATION) ACT, 1971

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THE NORTH-EASTERN AREAS (REORGANISATION) ACT, 1971

ACT NO. 81 OF 1971

[30*th December*, 1971.]

An Act to provide for the establishment of the States of Manipur and Tripura and to provide for the formation of the State of Meghalaya and of the Union territories of Mizoram and Arunachal Pradesh by reorganisation of the existing State of Assam and for matters connected therewith.

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

PART I

PRELIMINARY

1. Short title.—This Act may be called the North-Eastern Areas (Reorganisation) Act, 1971.

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

(*a*) "Administrator" means the administrator of a Union territory appointed by the President under article 239 of the Constitution;

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

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

(*d*) "common High Court" means the Gauhati High Court (the High Court of Assam, Nagaland, Meghalaya, Manipur and Tripura) referred to in clause (*b*) of sub-section (*1*) of section 28:

[2][Provided that on and from the commencement of the North-Eastern Areas (Reorganisation) and Other Related Laws (Amendment) Act, 2012, the provisions of this clause shall have effect as if for the brackets and words "(Assam, Nagaland, Meghalaya, Manipur and Tripura)", the brackets and words "(Assam, Arunachal Pradesh, Mizoram and Nagaland)" had been substituted;]

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

(*f*) "existing State of Assam" means the State of Assam as existing immediately before the appointed day;

(*g*) "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 any part of the existing State of Assam or the autonomous State of Meghalaya or the Union territory of Manipur or the Union territory of Tripura, as the case may be;

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

(*i*) "successor State", in relation to the existing State of Assam, means the State of Assam or Meghalaya, and includes also the Union in relation to the Union territory of Mizoram;

(*j*) "treasury" includes a sub-treasury.

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1. 21st January, 1972, *vide* notification No. G.S.R. 18(E), dated 6th January, 1972, *see* Gazette of India, Extraordinary, Part II, s. 3(*i*).
2. The proviso ins. by Act 26 of 2012, s. 2 (w.e.f. 23-3-2013).

PART II

ESTABLISHMENT OF THE STATES OF MANIPUR AND TRIPURA AND FORMATION OF THE STATE OF MEGHALAYA AND OF THE UNION TERRITORIES OF MIZORAM AND ARUNACHAL PRADESH

3. Establishment of the State of Manipur.—On and from the appointed day there shall be established a new State, to be known as the State of Manipur, comprising the territories which immediately before that day were comprised in the Union territory of Manipur.

4. Establishment of the State of Tripura.—On and from the appointed day there shall be established a new State, to be known as the State of Tripura, comprising the territories which immediately before that day were comprised in the Union territory of Tripura.

5. Formation of the State of Meghalaya.—On and from the appointed day there shall be formed a new State, to be known as the State of Meghalaya, comprising—

(*a*) the territories which immediately before that day were comprised in the autonomous State of Meghalaya formed under section 3 of the Assam Reorganisation (Meghalaya) Act, 1969 (55 of 1969); and

(*b*) so much of the territories comprised within the cantonment and municipality of Shillong as did not form part of that autonomous State,

and thereupon the said territotries shall cease to form part of the existing State of Assam.

6. Formation of the Union territory of Mizoram.—On and from the appointed day there shall be formed a new Union territory, to be known as the Union territory of Mizoram, comprising the territories which immediately before that day were comprised in the Mizo District in the existing State of Assam and thereupon the said territories shall cease to form part of the existing State of Assam.

7**. Formation of the Union territory of Arunachal Pradesh.**—On and from the appointed day there shall be formed a new Union territory, to be known as the Union territory of Arunachal Pradesh, comprising the territories which immediately before that day were comprised in the tribal areas specified in Part B of the table appended to paragraph 20 of the Sixth Schedule to the Constitution (but excluding the areas covered by notification No. TAD/R/35/50/109, dated the 23rd February, 1951 issued by the Governor of Assam under the proviso to sub-paragraph (*3*) of the said paragraph 20) and known as the North-East Frontier Agency and thereupon the said territories shall cease to form part of the existing State of Assam.

8. Territories of State of the Assam.—On and from the appointed day the State of Assam shall comprise the territories of the existing State of Assam other than those specified in sections 5, 6 and 7.

9. Amendment of first Schedule to the Constitution.—On and from the appointed day, in the First Schedule to the Constitution,—

(*a*) under the heading "I. THE STATES",—

(*i*) in the paragraph relating to the territories of the State of Assam, the following shall be added at the end, namely:—

"and the territories specified in sections 5, 6 and 7 of the North-Eastern Areas (Reorganisation) Act, 1971";

(*ii*) after entry 18 the following entries shall be inserted, namely:—

"19. Manipur	The territory which immediately before the commencement of this Constitution was being administered as if it were a Chief Commissioner's Province under the name of Manipur.
20. Tripura	The territory which immediately before the commencement of this Constitution was being administered as if it were a Chief Commissioner's Province under the name of Tripura.

21. Meghalaya	The territories specified in section 5 of the North-Eastern Areas (Reorganisation) Act, 1971.”;	

(*b*) under the heading “II. THE UNION TERRITORIES”.—

(*i*) entries 2 and 3 shall be omitted and entries 4 to 9 shall be re-numbered as entries 2 to 7 respectively;

(*ii*) after entry 7 as so re-numbered, the following entries shall be inserted, namely:—

“8. Mizoram	The territories specified in section 6 of the North-Eastern Areas (Reorganisation) Act, 1971.	
9. Arunachal	The territories specified in section 7 of the North-Eastern Areas (Reorganisation) Act, 1971.”.	

PART III

REPRESENTATION IN THE LEGISLATURES

The Council of States

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

(*a*) for entries 19 to 22, the following shall be substituted, namely:—

“19. Manipur	..	1
20. Tripura	..	1
21. Meghalaya	..	1
22. Delhi	..	3
23. Pondicherry	..	1
24. Mizoram	..	1
25. Arunachal Pradesh	..	1”;

(*b*) for the figures “228”, the figures “231” shall be substituted.

11. Allocation of sitting members representing the existing Union territories of Manipur and Tripura.—On and from the appointed day the sitting members of the Council of States representing the existing Union territories of Manipur and Tripura shall be deemed to have been duly elected under clause (4) of article 80 to fill the seat allotted to each of the States of Manipur and Tripura respectively in that Council and the term of office of such sitting members shall remain unaltered.

12. Election to fill the seats allotted to the State of Meghalaya and the Union territories of Mizoram and Arunachal Pradesh.—As soon as may be after the appointed day steps shall be taken to fill the seats in the Council of States allotted to the State of Meghalaya and the Union territories of Mizoram and Arunachal Pradesh.

13. Amendment of section 27A of Act 43 of 1950. —On and from the appointed day, in section 27A of the Representation of the People Act, 1950,—

(*a*) in sub-section (*1*), for the words “For the purpose of filling any seat”, the words, brackets and figure “Subject to the provisions of sub-section (*5*), for the purpose of filling any seat” shall be substituted;

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(*b*) in sub-section (*4*), for the words "The electoral college for each of the Union territories of Manipur, Tripura and Pondicherry", the words "The electoral college for the Union territory of Pondicherry" shall be substituted;

(*c*) after sub-section (*4*), the following sub-section shall be inserted, namely:—

"(*5*) The seat allotted in the Council of State to each of the Union territories of Mizoram and Arunachal Pradesh shall be filled by a person nominated by the President in this behalf."

The House of the People

14. Allocation of seats in the existing House of the People.— (*1*) On and from the appointed day and until the dissolution of the existing House of the People, the allocation of seats to the States of Assam, Manipur, Tripura and Meghalaya and the Union territories of Mizoram and Arunachal Pradesh in the House of the People and the number of seats, if any, to be reserved for the Scheduled Castes and for the Scheduled Tribes of each State and Union territory shall be as specified in the Table below and the First Schedule to the Representation of the People Act, 1950 (43 of 1950), shall be deemed to have been amended accordingly.

THE TABLE

Name of the State/Union territory	Number of seats in the existing House of the People		
	Total	Reserved for the Scheduled Castes	Reserved for the Scheduled Tribes
1	2	3	4
I. STATES:			
1. Assam . . .	14	1	2
2. Manipur . . .	2	..	1
3. Tripura . . .	2	..	2
4. Meghalaya . . .	2	..	2
II. UNION TERRITORIES:			
1. Mizoram . . .	1	..	1
2. Arunachal Pradesh . . .	1	..	1

(*2*) On and from the appointed day and until the dissolution of the existing House of the People, Part A of Schedule II to the Delimitation of Parliamentary and Assembly Constituencies Order, 1966 shall stand amended as directed in the First Schedule.

15. Parliamentary constituencies of the States of Manipur and Tripura and provision as to sitting members.—(*1*) On and from the appointed day and until the dissolution of the existing House of the People,—

(*a*) the two parliamentary constituencies of the existing Union territory of Manipur shall be deemed to be the two parliamentary constituencies of the State of Manipur; and

(*b*) the two parliamentary constituencies of the existing Union territory of Tripura shall be deemed to be the two parliamentary constituencies of the State of Tripura,

and the Delimitation of Parliamentary and Assembly Constituencies Order, 1966 shall be construed accordingly.

(*2*) Every sitting member of the House of the People representing a parliamentary constituency which on the appointed day, by virtue of the provisions of sub-section (*1*), becomes a parliamentary constituency

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of the State of Manipur or Tripura, as the case may be, shall, as from that day, be deemed to have been elected under sub-clause (*a*) of clause (1) of article 81 to the House of the People from that constituency.

16. Provision as to sitting members representing Cachar and Dhubri parliamentary constituencies in the House of the People and the election of representative from Diphu parliamentary constituency.—(*1*) The sitting member of the House of the People representing the Cachar parliamentary constituency which on the appointed day, by virtue of the provisions of sub-section (*2*) of section 14, stands altered shall, as from that day, be deemed to have been elected under sub-clause (*a*) of clause (1) of article 81 to the House of the People from that constituency as so altered.

(*2*) The sitting member of the House of the People representing the Dhubri parliamentary constituency which on the appointed day, by virtue of the provisions of sub-section (*2*) of section 14, stands altered shall, as from that day, be deemed to have been elected under sub-clause (*a*) of clause (1) of article 81 to the House of the People from that constituency as so altered.

(*3*) As soon as may be after the appointed day election shall be held to the House of the People to elect a representative from the Diphu parliamentary constituency as if the seat of the member elected to the House of the People from that constituency has become vacant and the provisions of section 149 of the Representation of the People Act, 1951 (43 of 1951) shall, so far as may be, apply in relation to such election.

17. Parliamentary constituencies of the State of Meghalaya and provision as to sitting member representing the Autonomous Districts parliamentary constituency in the House of the People and the election of representative from Tura parliamentary constituency.—(*1*) There shall be two parliamentary constituencies in the State of Meghalaya to be called the Shillong parliamentary constituency and the Tura parliamentary constituency.

(*2*) The area falling within the Garo Hills district as it exists immediately before the appointed day shall form the Tura parliamentary constituency and the remaining area in the State of Meghalaya shall form the Shillong parliamentary constituency and the said two parliamentary constituencies shall be deemed to have been delimited accordingly.

(*3*) The sitting member of the House of the People representing immediately before the appointed day the Autonomous Districts parliamentary constituency shall, as from that day, be deemed to have been elected under sub-clause (*a*) of clause (1) of article 81 to the House of the People from the Shillong parliamentary constituency.

(*4*) As soon as may be after the appointed day election shall be held to the House of the People to elect a representative from the Tura parliamentary constituency as if the seat of the member elected to the House of the People from that constituency has become vacant and the provisions of section 149 of the Representation of the People Act, 1951 (43 of 1951) shall, so far as may be, apply in relation to such election.

18. Parliamentary constituency of the Union territory of Mizoram.—The whole of the Union territory of Mizoram shall form one parliamentary constituency to be called the Mizoram parliamentary constituency and as soon as may be after the appointed day election shall be held to the House of the People to elect a representative from that constituency, as if the seat of the member elected to the House of the People from that constituency has become vacant and the provisions of section 149 of the Representation of the People Act, 1951 (43 of 1951) shall, so far as may be, apply in relation to such election.

19. Provision as to the member to represent Arunachal Pradesh in the House of the People.—The sitting member nominated to fill the seat allotted in the House of the People to the Tribal Areas of Assam specified in Part B of the Table appended to paragraph 20 of the Sixth Schedule to the Constitution, known as the North-East Frontier Agency, shall, on and from the appointed day, be deemed to have been nominated to fill the seat allotted to the Union territory of Arunachal Pradesh in the House of the People.

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The Legislative Assemblies

20. Allocation of seats in the Legislative Assemblies.—(*1*) On and from the appointed day, the total number of seats in the Legislative Assembly of the State of Assam, to be filled by persons chosen by direct election from territorial constituencies, shall be reduced from one hundred and twenty-six to one hundred and fourteen; and every sitting member of that Legislative Assembly representing a constituency which ceases to be a constituency in the State of Assam by virtue of the provisions of sub-section (*5*) shall, as from the appointed day, cease to be a member of that Legislative Assembly.

(*2*) The total number of seats in the Legislative Assembly of the State of Manipur, to be constituted at any time after the appointed day, to be filled by persons chosen by direct election from territorial constituencies shall be sixty, out of which one seat shall be reserved for the Scheduled Castes and nineteen seats shall be reserved for the Scheduled Tribes.

(*3*) The total number of seats in the Legislative Assembly of the State of Tripura, to be constituted at any time after the appointed day, to be filled by persons chosen by direct election from territorial constituencies shall be sixty, out of which six seats shall be reserved for the Scheduled Castes and nineteen seats shall be reserved for the Scheduled Tribes.

(*4*) The total number of seats in the Legislative Assembly of the State of Meghalaya, to be constituted at any time after the appointed day, to be filled by persons chosen by direct election from territorial constituencies shall be sixty, out of which fifty seats shall be reserved for the Scheduled Tribes.

(*5*) On and from the appointed day, Part B of Schedule II to the Delimitation of Parliamentary and Assembly Constituencies Order, 1966 shall stand amended as directed in the First Schedule.

21. Amendment of Second Schedule to Act 43 of 1950.—(*1*) In the Second Schedule to the Representation of the People Act, 1950,—

(*i*) under the heading "*I. STATES*:",—

(*a*) in item 2 relating to Assam, for the figures "126", the figures "114" shall be substituted;

(*b*) after item 17 and the entries relating thereto, the following shall be inserted, namely:—

"18.	Manipur	..	60	1	19
19.	Tripura	..	60	6	19
20.	Meghalaya	..	60	..	50";

(*ii*) under the heading "*II. UNION TERRITORIES*:" items 3 and 5 and the entries relating thereto shall be omitted.

(*2*) The amendment made by clause (*i*)(*a*) of sub-section (*1*) shall have effect on and after the appointed day in relation to the Legislative Assembly of the State of Assam and the amendments made by clause (*i*)(*b*) and clause (*ii*) of sub-section (*1*) shall have effect in relation to the Legislative Assemblies of the States of Manipur, Tripura and Meghalaya to be constituted at any time after the appointed day.

22. Delimitation of constituencies.—(*1*) The Election Commission shall, in the manner herein provided, distribute, whether before or after the appointed day, the seats assigned to the Legislative Assemblies of the States of Manipur, Tripura and Meghalaya under section 20 to single member territorial constituencies and delimit them on the basis of the latest census figures having regard to the provisions of the Constitution and to the following provisions:—

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

(*b*) every assembly constituency shall be so delimited as to fall only within one parliamentary constituency;

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(*c*) constituencies in which seats are reserved for the Scheduled Castes shall be distributed in different parts of the States and located, as far as practicable, in those areas where the proportion of their population to the total population is comparatively large; and

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

Explanation.—In this section "latest census figures" means the census figures with respect to the State concerned ascertainable from the latest census of which the finally published figures are available.

(*2*) For the purpose of assisting in the performance of its functions under sub-section (*1*), the Election Commission shall associate with itself as associate members,—

(*a*) in respect of the State of Manipur, all the sitting members of the House of the People representing the Union territory of Manipur or, as the case may be, the State of Manipur under sub-section (*2*) of section 15, and such six persons who were members of the Legislative Assembly of the Union territory of Manipur immediately before its dissolution by order of the President published in the Gazette of India, dated 16th October, 1969 with notification No. S. O. 4223, dated 16th October, 1969 of the Government of India in the Ministry of Home Affairs, as the President may, by order, nominate;

(*b*) in respect of the State of Tripura, all the sitting members of the House of the People representing the Union territory of Tripura or, as the case may be, the State of Tripura under sub-section (*2*) of section 15, and such six persons, being members of the Legislative Assembly of the Union territory of Tripura as it functioned immediately before the 1st November, 1971, as the President may, by order, nominate;

(*c*) in respect of the State of Meghalaya, the member of the House of the People representing the Autonomous Districts parliamentary constituency or, as the case may be, the Meghalaya parliamentary constituency under section 17, and such of the six members of the Legislative Assembly of the autonomous State of Meghalaya constituted under section 62 of the Assam Reorganisation (Meghalaya) Act, 1969 (55 of 1969) or, as the case may be, of the Provisional Legislative Assembly of the State of Meghalaya referred to in section 27, as the President may, by order, nominate:

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

(*3*) If owing to death or resignation, the office of an associate member falls vacant, it shall be filled, if practicable, in accordance with the provisions of sub-section (*2*).

(*4*) A member of any Legislative Assembly nominated under clause (*b*) or clause (*c*) of sub-section (*2*) shall continue to be an associate member notwithstanding that he ceases to be a member of such Legislative Assembly, otherwise than consequent on the incurring of any disqualification.

(*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;

(*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 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 mistake in any order made under section 22 or any error arising therein from inadvertent slip or omission;

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

(*2*) Every notification under this section shall be laid, as soon as may be after it is issued, before the Legislative Assembly of the concerned State.

24. Validation of acts done previous to the commencement of the Act.—All things done, and all steps taken, before the commencement of this Act with a view to delimiting the territorial constituencies of the States of Manipur, Tripura and Meghalaya for the purpose of elections to the Legislative Assemblies of those States shall, in so far as they are in conformity with the provisions of sections 22 and 23, be deemed to have been done or taken under those sections as if those sections were in force at the time such things were done or such steps were taken.

25. Amendment of Scheduled Castes Orders.—(*1*) On and from the appointed day, the Constitution (Scheduled Castes) Order, 1950 shall stand amended as directed in the Second Schedule.

(*2*) On and from the appointed day, the Constitution (Scheduled Castes) (Union Territories) Order, 1951 shall stand amended as directed in the Third Schedule.

26. Amendment of Scheduled Tribes Orders.—(*1*) On and from the appointed day the Constitution (Scheduled Tribes) Order, 1950 shall stand amended as directed in the Fourth Schedule.

(*2*) On and from the appointed day, the Constitution (Scheduled Tribes) (Union Territories) Order, 1951 shall stand amended as directed in the Fifth Schedule.

27. Provision as to Provisional Legislative Assembly of the State of Meghalaya and as to Rules of Procedure and Conduct of Business of the Legislative Assemblies of the States of Meghalaya, Manipur and Tripura.—(*1*) On and from the appointed day and until the Legislative Assembly of the State of Meghalaya has been duly constituted and summoned to meet for the first session under the provisions of the Constitution, the Provisional Legislative Assembly of the autonomous State of Meghalaya, excluding the members nominated thereto, constituted under section 62 of the Assam Reorganisation (Meghalaya) Act, 1969 (55 of 1969) and functioning immediately before the appointed day, shall be the Provisional Legislative Assembly of the State of Meghalaya and that Assembly shall exercise all the powers and perform all the duties conferred by the provisions of the Constitution on the Legislative Assembly of that State:

Provided that for the purposes of this sub-section, the member representing the autonomous District of United Khasi-Jaintia Hills in the said Provisional Legislative Assembly of the autonomous State of Meghalaya shall be deemed also to represent the territories specified in clause (*b*) of section 5.

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

(*3*) The persons who, immediately before the appointed day, are the Speaker and the Deputy Speaker of the Provisional Legislative Assembly of the autonomous State of Meghalaya shall be the Speaker and the Deputy Speaker respectively of the Provisional Legislative Assembly of the State of Meghalaya.

(*4*) The Rules of Procedure and Conduct of Business of the Provisional Legislative Assembly of the autonomous State of Meghalaya, 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 Provisional Legislative Assembly of the State of Meghalaya and of the Legislative Assembly of the State of Meghalaya duly constituted under the provisions of the Constitution, subject to such adaptations as may be made therein by the Speaker of the Legislative Assembly, concerned.

(*5*) The Rules of Procedure and Conduct of Business of the Legislative Assembly of the Union territory of Manipur, as in force immediately before its dissolution by order of the President published in the Gazette of India, dated the 16th October, 1969 with notification No. S.O. 4223, dated the 16th October, 1969 of the Government of India in the Ministry of Home Affairs, 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 the State of Manipur, subject to such modifications and adaptations as may be made therein by the Governor of that State.

(*6*) The Rules of Procedure and Conduct of Business of the Legislative Assembly of the Union territory of Tripura as in force immediately before the 1st November, 1971, 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 the State of Tripura, subject to such modifications and adaptations as may be made therein by the Governor of that State.

PART IV

HIGH COURT

28. Common High Court for Assam, Nagaland, Meghalaya, Manipur and Tripura.—(*1*) On and from the appointed day,—

(*a*) the High Court of Assam and Nagaland shall cease to function and is hereby abolished;

(*b*) there shall be a common High Court for the States of Assam, Nagaland, Meghalaya, Manipur and Tripura to be called the Gauhati High Court (the High Court of Assam, Nagaland, Meghalaya, Manipur and Tripura);

(*c*) the Judges of the High Court of Assam and Nagaland holding office immediately before that day shall, unless they have elected otherwise, become on that day the Judges of the common High Court:

[1][Provided that on and from the commencement of the North-Eastern Areas (Reorganisation) and Other Related Laws (Amendment) Act, 2012, the common High Court shall be the High Court for the States of Assam, Arunachal Pradesh, Mizoram and Nagaland and shall cease to have its jurisdiction, powers and authority for the States of Meghalaya, Manipur and Tripura.]

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

[2][**28A. Establishment of separate High Courts for the States of Meghalaya, Manipur and Tripura.**—(*1*) On and from the commencement of the North-Eastern Areas (Reorganisation) and Other Related Laws (Amendment) Act, 2012, there shall be a High Court—

(*a*) for the State of Meghalaya to be called the High Court of Meghalaya;

(*b*) for the State of Manipur to be called the High Court of Manipur;

(*c*) for the State of Tripura to be called the High Court of Tripura.

(*2*) The principal seat of the High Court of Meghalaya, the High Court of Manipur and the High Court of Tripura shall respectively 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 Meghalaya, the High Court of Manipur and the High Court of Tripura may sit at such other place or places in the States of Meghalaya, Manipur and Tripura respectively, other than their principal seat as the Chief Justice of the respective High Court may, with the approval of the Governor of the State concerned, appoint.

1. The proviso ins. by Act 26 of 2012, s. 3 (w.e.f. 23-3-2013).
2. Ins. by s. 4, *ibid*. (w.e.f. 23-3-2013).

28B. Judges of High Courts of Meghalaya, Manipur and Tripura.—(*1*) Such of the Judges of the common High Court holding office immediately before the commencement of the North-Eastern Areas (Reorganisation) and Other Related Laws (Amendment) Act, 2012 as may be determined by the President after ascertaining their option shall, on such commencement, cease to be the Judges of the common High Court and become a Judge of the High Court of Meghalaya or the High Court of Manipur or the High Court of Tripura, as the case may be.

(*2*) Every person who by virtue of sub-section (*1*) become a Judge of the High Court of Meghalaya or the High Court of Manipur or the High Court of Tripura shall, except in the case where any such person is appointed to be the Chief Justice of any of those High Courts, rank in the respective High Court according to the priority of their respective appointments as Judges of the common High Court.

28C. Jurisdiction of High Courts of Meghalaya, Manipur and Tripura.—The High Court of Meghalaya, the High Court of Manipur and the High Court of Tripura shall have, in respect of any part of the territories included in the State of Meghalaya, the State of Manipur and the State of Tripura respectively, all such jurisdiction, powers and authority as, under the law in force immediately before the commencement of the North-Eastern Areas (Reorganisation) and Other Related Laws (Amendment) Act, 2012, are exercisable in respect of that part of the said territories by the common High Court.

28D. Custody of seal of High Courts of Meghalaya, Manipur and Tripura.—The law in force immediately before the commencement of the North-Eastern Areas (Reorganisation) and Other Related Laws (Amendment) Act, 2012 with respect to the custody of the seal of the common High Court shall, with the necessary modifications, apply with respect to the custody of the seal of the High Court of Meghalaya, the High Court of Manipur and the High Court of Tripura, as the case may be.

28E. Practice and procedure in the High Courts of Meghalaya, Manipur and Tripura.—The law in force immediately before the commencement of the North-Eastern Areas (Reorganisation) and Other Related Laws (Amendment) Act, 2012 with respect to practice and procedure in the common High Court shall, with necessary modifications, apply in relation to the High Court of Meghalaya, the High Court of Manipur and the High Court of Tripura, and accordingly, the High Court of Meghalaya, the High Court of Manipur and the High Court of Tripura shall, respectively, have all such powers to make rules and orders with respect to practice and procedure as are immediately before the commencement of the North-Eastern Areas (Reorganisation) and Other Related Laws (Amendment) Act, 2012 exercisable by the common High Court:

Provided that any rules or orders which are in force immediately before the commencement of the North-Eastern Areas (Reorganisation) and Other Related Laws (Amendment) Act, 2012 with respect to the practice and procedure in the common High Court shall, until varied or revoked by rules or orders made by the High Court of Meghalaya or the High Court of Manipur or the High Court of Tripura, as the case may be, apply with the necessary modifications in relation to the practice and procedure in the High Court of Meghalaya, the High Court of Manipur and the High Court of Tripura respectively, as if such rules or orders were made by the respective High Court.

28F. Forms of writs and other processes.—The law in force immediately before the commencement of the North-Eastern Areas (Reorganisation) and Other Related Laws (Amendment) Act, 2012 with respect to the form of writs and other processes used, issued or awarded by the common High Court 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 Meghalaya, the High Court of Manipur and the High Court of Tripura.

28G. Powers of Judges.—The law in force immediately before the commencement of the North-Eastern Areas (Reorganisation) and Other Related Laws (Amendment) Act, 2012 relating to the powers of the Chief Justice, Single Judges and division courts of the common High Court 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 Meghalaya, the High Court of Manipur and the High Court of Tripura.

28H. Procedure as to appeals to Supreme Court.—The law in force immediately before the commencement of the North-Eastern Areas (Reorganisation) and Other Related Laws (Amendment) Act, 2012 relating to appeals to the Supreme Court from the common High Court and the Judges and division

courts thereof shall, with the necessary modifications, apply in relation to the High Courts of Meghalaya, Manipur and Tripura.

28-I. Transfer of proceedings from common High Court to the High Courts of Meghalaya, Manipur and Tripura.—(*1*) Except as hereinafter provided, the common High Court shall, as from the commencement of the North-Eastern Areas (Reorganisation) and Other Related Laws (Amendment) Act, 2012, have no jurisdiction in respect of the States of Meghalaya, Manipur and Tripura.

(*2*) Such proceedings pending in the common High Court immediately before the commencement of the North-Eastern Areas (Reorganisation) and Other Related Laws (Amendment) Act, 2012 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 Meghalaya or the High Court of Manipur or the High Court of Tripura, as the case may be, shall, as soon as may be after such certification, be transferred to the High Court of Meghalaya or the High Court of Manipur or the High Court of Tripura, as the case may be.

(*3*) Notwithstanding anything contained in sub-sections (*1*) and (*2*) or in section 28A, but save as hereinafter provided, the common High Court shall have, and the High Court of Meghalaya, the High Court of Manipur and the High Court of Tripura shall not have, jurisdication 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 common High Court before the commencement of the North-Eastern Areas (Reorganisation) and Other Related Laws (Amendment) Act, 2012:

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

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

(*a*) before the commencement of the North-Eastern Areas (Reorganisation) and Other Related Laws (Amendment) Act, 2012, in any proceedings transferred to the High Court of Meghalaya, or the High Court of Manipur or the High Court of Tripura by virtue of sub-section (*2*); or

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

shall, for all purposes, have effect, not only as an order of the common High Court but also as an order made by the High Court of Meghalaya, or the High Court of Manipur or the High Court of Tripura, as the case may be.

28J. Interpretation.—For the purposes of section 28H,—

(*a*) proceedings shall be deemed to be pending in a Court until that Court has disposed of all issues between the parties, including any issue 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.

28K. Saving.—Nothing in sections 28A to 28J (both inclusive) shall affect the application to the High Court of Meghalaya, the High Court of Manipur and the High Court of Tripura of any provisions of the Constitution, and the provisions of these sections shall have effect subject to any provision that may be made on or after the commencement of the North-Eastern Areas (Reorganisation) and Other Related Laws (Amendment) Act, 2012 with respect to the respective High Court by any Legislature or other authority having power to make such provisions.]

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29. Jurisdiction of the common High Court.—On and from the appointed day, the common High Court shall have, in respect of the territories comprised in the States of Assam, Manipur, Meghalaya, Nagaland and Tripura, all such jurisdiction, powers and authority as under the law in force immediately before the appointed day, are exercisable in respect of those territories by the High Court of Assam and Nagaland or the Court of the Judicial Commissioner for Manipur, or the Court of the Judicial Commissioner for Tripura, as the case may be.

30. Abolition of certain Courts.—(*1*) On and from the appointed day, the Courts of the Judicial Commissioners for Manipur and Tripura shall cease to function and are hereby abolished.

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

31. Principal seat and other places of sitting of the common High Court.—(*1*) The principal seat of the common High Court shall be at the same place at which the principal seat of the High Court of Assam and Nagaland is located immediately before the appointed day.

(*2*) The President may by notified order provide for the establishment of a permanent bench or benches of the common High Court at one or more places within the territories to which the jurisdiction of the High Court extends, other than the principal seat of the High Court, and for any matters connected therewith:

Provided that before issuing any order under this sub-section, the President shall consult the Chief Justice of the common High Court and the Governor of the State in which the bench or benches is or are proposed to be established.

(*3*) Notwithstanding anything contained in sub-section (*1*) or sub-section (*2*), the Judges and division courts of the common High Court may also sit at such other place or places in the State of [1][Assam, Arunachal Pradesh, Mizoram or Nagaland] as the Chief Justice may, with the approval of the Governor of the State concerned, appoint.

32. Extension of jurisdiction of the common High Court to the Union territories of Mizoram and Arunachal Pradesh.—On and from the appointed day, the jurisdiction of the common High Court shall extend to the Union territories of Mizoram and Arunachal Pradesh:

[2][Provided that on and from the commencement of the North-Eastern Areas (Reorganisation) and Other Related Laws (Amendment) Act, 2012, the provisions of this section shall cease to have effect.]

33. Allocation of expenditure of the common High Court.—The expenditure in respect of salaries and allowances of the Judges of the common High Court shall be allocated amongst the States of [3][Arunachal Pradesh, Mizoram and Nagaland] and the Union in such proportion as the President may, by order, determine.

34. Special provisions relating to advocates and Bar Council.—(*1*) Subject to any rule made or direction given by the common High Court in this behalf, any person, who immediately before the appointed day, is an advocate entitled to practise in the High Court of Assam and Nagaland or in the Court of the Judicial Commissioner for Manipur or in the Court of the Judicial Commissioner for Tripura, shall be entitled to practise as an advocate in the common High Court.

(*2*) The right of audience in the common High Court 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 of Assam and Nagaland:

Provided that as among the Advocates-General of the States of Assam, Manipur, Meghalaya, Nagaland and Tripura, the right of audience shall be determined with reference to their dates of enrolment as advocates.

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1. Subs. by Act 26 of 2012, s. 5, for "Assam, Manipur, Meghalaya, Nagaland or Tripura" (w.e.f. 23-3-2013).
2. The proviso ins. by s. 6, *ibid*. (w.e.f. 23-3-2013).
3. Subs. by s. 7, *ibid*., for "Manipur, Meghalaya, Nagaland and Tripura" (w.e.f. 23-3-2013).

(*3*) On and from the appointed day, in the Advocates Act, 1961 (25 of 1961) (hereafter in this Part referred to as the Advocates Act), in section 3,—

(*a*) in sub-section (*1*),—

(*i*) for clause (*b*), the following clause shall be substituted, namely:—

"(*b*) for the States of Assam, Manipur, Meghalaya, Nagaland and Tripura and the Union territories of Mizoram and Arunachal Pradesh, to be known as the Bar Council of Assam, Nagaland, Meghalaya, Manipur and Tripura.";

(*ii*) in clause (*e*), for the words "Union territories of Tripura and the Andaman and Nicobar Islands", the words "Union territory of the Andaman and Nicobar Islands" shall be substituted;

(*b*) in sub-section (*2*), in clause (*b*), for the words "Bar Council of Assam", the words "Bar Council of Assam, Nagaland, Meghalaya, Manipur and Tripura" shall be substituted.

(*4*) The provisions of section 17 of the Advocates Act shall have effect in respect of the roll of the Bar Council of Assam, Nagaland, Meghalaya, Manipur and Tripura subject to the modifications that,—

(*a*) for clause (*a*) of sub-section (*1*) of the said section 17, the following clause shall be substituted, namely:—

"(*a*) all persons who were entered as advocates,—

(*i*) on the roll of the Bar Council of Assam and Nagaland immediately before the day appointed under clause (*b*) of section 2 of the North-Eastern Areas (Reorganisation) Act, 1971;

(*ii*) on the roll of the Bar Council of West Bengal immediately before that day and who, within three months from that day, express in such manner as the Bar Council of India may, by rules, prescribe their intention in writing to practise within the jurisdiction of the Bar Council of Assam, Nagaland, Meghalaya, Manipur and Tripura;";

(*b*) in clause (*a*) of sub-section (*3*) of the said section 17, for the words and figures "with his date of enrolment under the Indian Bar Councils Act, 1926," (38 of 1926) the words "with his seniority on the roll of the Bar Council of Assam and Nagaland or, as the case may be, the Bar Council of West Bengal" shall be substituted.

(*5*) Notwithstanding anything contained in the Advocates Act, as amended or modified by sub-sections (*3*) and (*4*),—

(*a*) in the case of the first Bar Council of Assam, Nagaland, Meghalaya, Manipur and Tripura under that Act, the fifteen members required to be elected under clause (*b*) of sub-section (*2*) of section 3 of that Act, shall be nominated by the Chief Justice of the common High Court from amongst the advocates who are entitled as of right of practise in that High Court and are ordinarily practising within the territories comprised in the States of Assam, Manipur, Meghalaya, Nagaland and Tripura and the Union territories of Mizoram and Arunachal Pradesh and the term of office of the members so nominated shall be one year from the date of the first meeting of the Council or until their successors are duly elected in accordance with the provisions of the said Act, whichever is earlier;

(*b*) the names of persons entered on the roll of the Bar Council of Assam, Nagaland, Meghalaya, Manipur and Tripura from the roll of the Bar Council of West Bengal in accordance with the provisions of clause (*a*) of sub-section (*1*) of section 17 of the Advocates Act, as modified by sub-section (*4*), shall, as from the date or dates on which the names are so entered, stand removed from the roll of the Bar Council of West Bengal;

(*c*) any proceedings which were pending or which may be instituted against any person before or by the Bar Council of Assam and Nagaland or by the Bar Council of West Bengal immediately before his name is entered in the roll of the Bar Council of Assam, Nagaland, Meghalaya, Manipur and

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Tripura in accordance with the provisions of clause (*a*) of sub-section (*1*) of section 17 of the Advocates Act, as modified by sub-section (*4*), may, after such entry, be continued or instituted before or by the Bar Council of Assam, Nagaland, Meghalaya, Manipur and Tripura;

(*d*) every person who, immediately before his name stands removed from the roll of the Bar Council of West Bengal in accordance with the provisions of clause (*b*), is a member of the Bar Council of West Bengal, shall cease to be a member of that Council as from the date on which his name stands so removed from the roll of that Bar Council;

(*e*) the rules made or deemed to have been made by the Bar Council of Assam and Nagaland and in force immediately before the date on which the first Bar Council of Assam, Nagaland, Meghalaya, Manipur and Tripura is duly constituted in accordance with the provisions of clause (*a*), shall, subject to such modifications and adaptations as may be made therein by the Chairman of the Bar Council of Assam, Nagaland, Meghalaya, Manipur and Tripura, be deemed to be rules made by that Bar Council and shall have effect accordingly.

(*6*)(*a*) As from the appointed day, the assets and liabilities of the Bar Council of Assam and Nagaland shall pass to the Bar Council of Assam Nagaland, Meghalaya, Manipur and Tripura.

(*b*) The assets and liabilities of the Bar Council of West Bengal shall be apportioned between that Bar Council and the Bar Council of Assam, Nagaland, Meghalaya, Manipur and Tripura in such manner and proportion as may be agreed upon by the Bar Councils and in default of agreement with reference to any matter, the matter shall be referred to the Chairman of the Bar Council of India and his decision thereon shall be final.

Explanation.—Expressions used in this section but not defined in this Act shall have the meanings assigned to them respectively in the Advocates Act.

35. Practice and procedure in the common High Court.—Subject to the provisions of this Part, the law in force immediately before the appointed day with respect to practice and procedure in the High Court of Assam and Nagaland shall, with the necessary modifications, apply in relation to the common High Court.

36. Custody of seal of the common High Court.—The law in force immediately before the appointed day with respect to the custody of the seal of the High Court of Assam and Nagaland shall, with the necessary modifications, apply with respect to the custody of the seal of the common High Court.

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

38. Powers of Judges.—The law in force immediately before the appointed day with respect to the powers of the Chief Justice, single Judges and division courts of the High Court of Assam and Nagaland and with respect to all matters ancillary to the exercise of those powers shall, with the necessary modifications, apply in relation to the common High Court.

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

40. Transfer of proceedings from the High Court of Assam and Nagaland and the Courts of the Judicial Commissioners to the common High Court.—(*1*) All proceedings pending in the High Court of Assam and Nagaland and in the Courts of the Judicial Commissioners for Manipur and Tripura immediately before the appointed day shall, from such day, stand transferred to the common High Court.

(*2*) Every proceeding transferred under sub-section (*1*) shall be disposed of by the common High Court as if such proceeding was entertained by that High Court.

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(*3*) Any order made before the appointed day by the High Court of Assam and Nagaland or by the Court of the Judicial Commissioner for Manipur or by the Court of the Judicial Commissioner for Tripura shall, for all purposes, have effect not only as an order of that High Court or, as the case may be, of that Court but also as an order of the common High Court.

41. Interpretation.—For the purposes of section 40,—

(*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.

42. Right to appear or act in proceedings transferred to the common High Court.—Any person who, immediately before the appointed day, is an advocate entitled to practise in the High Court of Assam and Nagaland or in the Court of the Judicial Commissioner for Manipur or in the Court of the Judicial Commissioner for Tripura and was authorised to appear or to act in any proceedings transferred from the said High Court or Courts of the Judicial Commissioners to the common High Court under section 40, shall have the right to appear or to act, as the case may be, in the common High Court in relation to those proceedings.

43. Savings.—Nothing in this Part shall affect the application to the common High Court 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 provisions.

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PART V

AUTHORISATION OF EXPENDITURE AND DISTRIBUTION OF REVENUES

44. Authorisation of expenditure pending sanction by Legislatures.—(*1*) The President may, at any time before the appointed day, authorise by order such expenditure from the Consolidated Fund of the State of Manipur or of the State of Tripura as he deems necessary for a period of not more than six months beginning with the appointed day pending the sanction of such expenditure by the Legislative Assembly of the State of Manipur or of the State of Tripura, as the case may be:

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

(*2*) The President or, as the case may be, the Governor of the concerned State shall make separate orders under sub-section (*1*) in respect of periods falling in different financial years.

(*3*) The Governor of Assam, exercising the functions as Governor in relation to the autonomous State of Meghalaya by virtue of the Assam Reorganisation (Meghalaya) Act, 1969 (55 of 1969), may at any time, before the appointed day, authorise by order such expenditure from the Consolidated Fund of the State of Meghalaya as he deems necessary for a period of not more than six months beginning with the appointed day pending the sanction of such expenditure by the Legislative Assembly of Meghalaya:

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

(*4*) The Governors referred to in sub-section (*3*) shall make separate orders under that sub-section in respect of periods falling in different financial years.

(*5*) The President may, at any time, before or after the appointed day authorise by order such expenditure from the Consolidated Fund of India as he deems necessary for a period of not more than six

months beginning with the appointed day for the administration of the affairs of the Union territory of Mizoram pending the sanction of such expenditure by Parliament.

(*6*) The President shall make separate orders under sub-section (*5*) in respect of periods falling in different financial years.

45. Appropriation of moneys for expenditure to the Union territory of Arunachal Pradesh.—Any Act passed by Parliament for the appropriation of any money out of the Consolidated Fund of India to meet the expenditure in respect of any part of the financial year 1971-72 in, or for the purposes of, the tribal areas of Assam specified in Part B of the Table appended to paragraph 20 of the Sixth Schedule to the Constitution shall, on and from the appointed day, have effect also in relation to the Union territory of Arunachal Pradesh and it shall be lawful for the President to spend any amount in, or for the purposes of, that Union territory out of the amounts authorised by such Act to be expended in, or for the purposes of, the said tribal areas.

46. Reports relating to the accounts of the Union territories of Manipur and Tripura.—(*1*) The reports of the Comptroller and Auditor-General of India referred to in section 49 of the Government of Union Territories Act, 1963 (20 of 1963) relating to the accounts of the Union territory of Manipur or of the Union territory of Tripura in respect of any period prior to the appointed day shall be submitted to the Governor of Manipur or of Tripura, as the case may be, who shall cause them to be laid before the Legislative Assembly of the State of Manipur or of the State of Tripura, as the case may be.

(*2*) The Governor of Manipur or of Tripura, as the case may be, may, by order,—

(*a*) declare any expenditure incurred out of the Consolidated Fund of the Union territory of Manipur or of Tripura on any service in respect of any period prior to the appointed day during the financial year 1971-72 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.

47. Reports relating to the accounts of the autonomous State of Meghalaya.—(*1*) The reports of the Comptroller and Auditor-General of India relating to the accounts of the autonomous State of Meghalaya in respect of any period prior to the appointed day shall be submitted to the Governor of Meghalaya who shall cause them to be laid before the Legislative Assembly of the State of Meghalaya.

(*2*) The Governor of Meghalya may, by order,—

(*a*) declare any expenditure incurred out of the Consolidated Fund of the autonomous State of Meghalaya on any service in respect of any period prior to the appointed day during the financial year 1971-72 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.

48. Allowances and privileges of the Governors of Assam, Manipur, Meghalaya and Tripura.—The allowances and privileges of the Governors of Assam, Manipur, Meghalaya and Tripura shall, until provision in that behalf is made by Parliament by law under clause (3) of article 158, be such as the President may, by order, determine.

49. Distribution of revenues.—The President shall, by order, determine the grants-in-aid of the revenues of the States of Assam, Manipur, Meghalaya and Tripura and the share of each such State in the Union duties of excise, estate duty and taxes on income and for that purpose amend thereby the relevant provisions of the Union Duties of Excise (Distribution) Act, 1962 (3 of 1962), the Additional Duties of Excise (Goods of Special Importance) Act, 1957 (58 of 1957), the Estate Duty (Distribution) Act, 1962 (9 of 1962) and the Constitution (Distribution of Revenues) Order, 1969 in such manner as he thinks fit.

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PART VI

ASSETS AND LIABILITIES

50. Property, assets, rights, liabilities, obligations, etc., of the States of Manipur and Tripura.—(*1*) All such property and assets within the Union territory of Manipur or of Tripura as are held immediately before the appointed day by the Union for purposes of governance of that Union territory shall, on and from that day, pass to the State of Manipur or of Tripura, as the case may be, unless the purposes for which such property and assets are so held are Union purposes:

Provided that the cash balance in the treasuries in the Union territory of Manipur or of Tripura before the appointed day shall, as from that day, vest in the State of Manipur or of Tripura, as the case may be.

(*2*) All rights, liabilities and obligations (other than those relatable to, or in connection with, a Union purpose), whether arising out of any contract or otherwise, which are, immediately before the appointed day,—

(*a*) the rights liabilities and obligations of the Central Government arising out of, or in connection with, the governance of the Union territory of Manipur or of Tripura; or

(*b*) the rights, liabilities and obligations of the Administrator of the Union territory of Manipur or of Tripura in his capacity as such or of the Government of the Union territory of Manipur or of Tripura,

shall, on and from the appointed day, be the rights, liabilities and obligations of the Government of the State of Manipur or of Tripura, as the case may be.

(*3*) The right to recover arrears of—

(*a*) any tax or duty being a tax or duty enumerated in the state List in the Seventh Schedule to the Constitution, or

(*b*) any duty referred to in article 268, or

(*c*) any tax under the Central Sales Tax Act, 1956 (74 of 1956),

which having fallen due in the Union territory of Manipur or of Tripura immediately before the appointed day shall, on and from that day, pass to the State of Manipur or of Tripura, as the case may be.

(*4*) The provisions of this section shall not apply to or in relation to,—

(*a*) any institution, undertaking or project the expenditure in relation to which is, immediately before the appointed day, met from and out of the Consolidated Fund of India;

(*b*) any property which has been placed by the Union at the disposal of the administration of the Union territory of Manipur or of Tripura subject to the condition that the ownership thereof will continue to vest in the Union.

Explanation.—For the purposes of this section,—

(*a*) "liability" includes liability in respect of any civil deposit, local fund deposit, charitable or other endowment, provident fund account, pension or actionable wrong;

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

51. Assets and liabilities of the State of Meghalaya.—(*1*) All rights, liabilities and obligations whether arising out of any contract or otherwise, which are, immediately before the appointed day, the rights, liabilities and obligations of the autonomous State of Meghalya, including the rights, liabilities and obligations apportioned or to be apportioned to the share of the autonomous State of Meghalaya by virtue of section 58 of the Assam Reorganisation (Meghalaya) Act, 1969 (55 of 1969), shall, on and from the appointed day, be the rights, liabilities and obligations of the State of Meghalya.

(*2*) All property and assets held by the autonomous State of Meghalya immediately before the appointed day, including the property and assets apportioned or to be apportioned to the share of the

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autonomous State of Mehgalya by virtue of section 58 of the Assam Reorganisation (Meghalaya) Act, 1969 (55 of 1969) shall, on and from that day, pass to the State of Meghalya.

(*3*) Subject to the provisions of sub-sections (*1*) and (*2*) of this section and section 52, all rights, liabilities and obligations whether arising out of any contract or otherwise, which are, immediately before the appointed day, the rights, liabilities and obligations of the existing State of Assam and all property and assets held by the existing State of Assam immediately before the appointed day shall be apportioned between the State of Assam and the State of Meghalaya in accordance with the provisions contained in the Sixth Schedule.

52. Assets and liabilities (including public debt) relating to the Mizo District.—(*1*) All property and assets within the Mizo District which are, immediately before the appointed day, vested in the existing State of Assam shall, as from that day, vest in the Union.

(*2*) Unless the Central Government otherwise directs, any stores, articles and other goods belonging to the existing State of Assam and situated outside the Mizo District immediately before the appointed day shall, as from that day, pass to the Union if such stores, articles or other goods are held for, or are relatable to, the administration of that District.

(*3*) All rights, liabilities and obligations of the existing State of Assam in relation to the Mizo District shall, as from the appointed day, be the rights, liabilities and obligations of the Union.

(*4*) The liability of the existing State of Assam to the Union in respect of the loans taken by that State from the Central Government shall be reduced by an amount which bears such proportion to the total public debt of that State immediately before the appointed day as the total expenditure on all capital works and other capital outlays incurred or deemed to have been incurred up to that day by the existing State of Assam in the Mizo District bears to the total expenditure on all capital works and other capital outlays incurred or deemed to have been incurred by the existing State of Assam up to the appointed day:

Provided that for the purposes of this sub-section the total public debt of the existing State of Assam shall exclude the public debt apportioned or apportionable to the autonomous State of Meghalaya under section 58 of the Assam Reorganisation (Meghalaya) Act, 1969 (55 of 1969), and the total expenditure on all capital works and other capital outlays incurred or deemed to have been incurred by the existing State of Assam shall exclude such outlays incurred or deemed to have been incurred for the purposes of the autonomous State under the said section.

(*5*) Nothing in this section shall apply to any amount which may be payable by the Union to the existing State of Assam in respect of the expenditure incurred by that State in connection with internal disturbances in the Mizo District.

PART VII

PROVISIONS AS TO CERTAIN CORPORATIONS

53. Provisions as to certain Corporations.—(*1*) The following bodies corporate constituted for the existing State of Assam, namely:—

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

(*b*) the State Warehousing Corporation established under the 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 Board or the Corporation may include a direction that the Act under which the Board or the Corporation was constituted shall, in its application to that Board or Corporation, have effect subject to such exceptions and modifications as the Central Government thinks fit.

(*3*) The Board or the Corporation referred to in sub-section (*1*) shall cease to function as from, and shall be deemed to be dissolved on, the expiry of a period of [1][thirty-eight months] from the appointed day or such earlier date as the Central Government may, by order, appoint; and upon such dissolution, its assets, rights and liabilities shall be apportioned between the successor States in such manner as may be agreed upon among them within one year of the dissolution of the Board or the Corporation, as the case may be, or if no agreement is reached, in such manner as the Central Government may, by order, determine.

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

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

(*b*) upon the dissolution of the existing Board or Corporation,—

(*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 or the new Corporation instead of to that State;

(*ii*) any employees 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 Board or the new 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 employees of the Board or the Corporation referred to in sub-section (*1*),—

(*i*) to or by the successor States, in the case of an agreement under sub-section (*3*) or an order made under that sub-section;

(*ii*) to or by the new Board or the new 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 58, also for the terms and conditions of service applicable to such employees after such transfer or re-employment.

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

55. Provisions as to Assam State Financial Corporation.—(*1*) The Assam 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.

1. Subs. by Act 3 of 1975, s. 2, for "three years" (w.e.f. 20-1-1975).

(*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 a general meeting by a resolution passed by a majority of the shareholders present and voting, the scheme shall be submitted to the Central Government for its sanction.

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

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

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

56. General provisions 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 Assam 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 may 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.

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

Provided that the Central Government may, after consultation with the State Government or Governments concerned, add to, amend or vary the conditions attached to the permit by the authority by which the permit was granted.

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

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

58. Special provision relating to retrenchment compensation in certain cases.—Where, on account of the reorganisation of the existing State of Assam 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 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, 25FF or 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; and

(*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, 25FF or 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.

59. Special provisions as to income-tax.—Where the assets, rights and liabilities of anybody 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 appointnment, 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.

60. Continuance of facilities in certain State institutions.—(*1*) The Government of the State of Assam or Meghalaya or, as the case may be, the Central Government in relation to the Union territory of Mizoram shall, in respect of the institutions specified in the Seventh Schedule located in that State or Union territory, continue to provide facilities to any other Government aforesaid and the people of the States and Union territory aforesaid which shall not, in any respect, be less favourable to such Government and people than what were being provided to them before the appointed day, for such period and upon such terms and conditions (including those relating to any contributions to be made for the provision of such facilities) as may be agreed upon between the said Governments before the expiry of a period of one year from the appointed day or, if no agreement is reached before such expiry, as may be fixed by order of the Central Government.

(*2*) The Central Government may at any time before the expiry of a period of one year from the appointed day, by notification in the Official Gazette, specify in the Seventh Schedule any other institution existing on the appointed day in the said States and Union territory and on the issue of such notification, the said Schedule shall be deemed to be amended by the inclusion of the said institution therein.

PART VIII

PROVISIONS AS TO SERVICES

61. Provisions relating to All-India Services.—(*1*) In this section, the expression "joint 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*) On and from the appointed day, there shall be constituted for the States of Assam and Meghalaya a joint cadre of the Indian Administrative Service, a joint cadre of the Indian Police Service and a joint cadre of the Indian Forest Service.

[1][(*3*) On and from the appointed day, there shall be constituted for the States of Manipur and Tripura and joint cadre of the Indian Administrative Service, a joint cadre of the Indian Police Service and a joint cadre of the Indian Forest Services.]

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

(*5*) The members of each of the said Services borne on the Assam cadre thereof immediately before the appointed day shall be allocated to the joint cadre of the same Service constituted under sub-section (*2*) and to the Union territories cadre of that Service in such manner and with effect from such date or dates as the Central Government may, by order, specify.

(*6*) Such members of each of the said Services borne on the Union territories cadre thereof immediately before the appointed day, as the Central Government may, by order, specify, shall be allocated to the joint cadre of the same Service constituted under sub-section (*3*) with effect from such date or dates as may be specified in the order.

(*7*) Every person who, being a member of a State Civil Service of the existing State of Assam, is borne on a Select List for promotion to the Assam cadre of an All-India Service immediately before the appointed day shall, unless he is deemed to have been allocated to the Union under section 64, be deemed to have been included in the same order as in that List, in the Select List for promotion to the joint cadre of the same Service constituted under sub-section (*2*).

(*8*) Every person who, being a person deemed to have been allocated under section 62 for service in connection with the affairs of the State of Manipur or the State of Tripura, is borne on a Select List for promotion to the Union territories cadre of an All-India Service immediately before the appointed day,

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1. Sub-section (*3*) shall stand substituted (date to be notified) by Act 39 of 2012, s. 2 to read as under:

"(3) On and from the date of commencement of the North-Eastern Areas (Reorganisation) Amendment Act, 2012, there shall be constituted each for the State of Manipur and for the State of Tripura a separate cadre of the Indian Administrative Service, a separate cadre of the Indian Police Service and a separate cadre of the Indian Forest Service.

(*3A*) The initial strength and composition of the State cadres referred to in sub-section (*1*) shall be such as the Central Government may, by order, determine before the date of commencement of the North-Eastern Areas (Reorganisation) Amendment Act, 2012.

(*3B*) The members of each of the said services borne on the joint cadre for the States of Manipur and Tripura in each category of the All-India Services immediately before the commencement of the North-Eastern Areas (Reorganisation) Amendment Act, 2012 shall be allocated to the State cadres of the same service constituted under sub-section (*1*) in such manner and with effect from such date or dates as the Central Government may, by order, specify.

(*3C*) Nothing in this section shall be deemed to affect the operation, on or after the commencement of the North-Eastern Areas (Reorganisation) Amendment Act, 2012, of the All-India Services Act, 1951 (61 of 1951), or the rules and regulations made thereunder."

shall be deemed to have been included in the same order as in that List, in the Select List for promotion to the joint cadre of the same Service constituted under sub-section (*3*).

(*9*) Every person who, being a person deemed to have been allocated to the Union under section 64, is borne on a Select List for promotion to the Assam cadre of an All-India Service immediately before the appointed day, shall be deemed to have been included in the Select List for promotion to the Union territories cadre of the same Service and his position in the said Select List shall be determined by the Central Government in consultation with the Union Public Service Commission.

(*10*) Nothing in this section shall be deemed to affect the operation after the appointed day of the All-India Services Act, 1951 (61 of 1951), or the rules or regulations made thereunder.

62. Provision relating to Services in Manipur and Tripura.—Every person who immediately before the appointed day is serving in connection with the affairs of the Union under the administrative control of the Administrator of the Union territory of Manipur, or the Administrator of the Union territory of Tripura (including a person who has been placed on deputation by the Administrator concerned with any other authority), shall, unless otherwise directed by an order of the Central Government, be deemed to have been allocated for service as from that day in connection with the affairs of the State of Manipur or, as the case may be, of the State of Tripura:

Provided that no direction shall be issued under this section after the expiry of a period of one year from the appointed day.

63. Special provisions relating to members of Central Health Service.—Notwithstanding the provisions of section 62, every member of the Central Health Service who immediately before the appointed day is holding any post in the Union territory of Manipur or the Union territory of Tripura, being a post included in the authorised strength of that Service, shall, unless otherwise directed by the Central Government, be deemed to be on deputation on and from the appointed day, to the Government of the State of Manipur or, as the case may be, of the State of Tripura on the same terms and conditions of service as are applicable to him under the Central Health Service Rules, 1963, but without any deputation allowance:

Provided that the period of such deputation shall in no case extend beyond a period of three years from the appointed day.

Explanation.—In this section, "Central Health Service" means the Central Health Service constituted under the Central Health Service Rules, 1963.

64. Provisions relating to Services in the existing State of Assam.—(*1*) Such persons serving in connection with the affairs of the existing State of Assam (including persons borne on any cadre of that State and serving under the Government of the autonomous State of Meghalaya or on deputation to any other Government or authority) as may be determined at any time before or after the appointed day,—

(*a*) by agreement between the Government of the existing State of Assam and the Government of the autonomous State of Meghalaya or between the Government of the State of Assam and the Government of the State of Meghalaya, as the case may be, or

(*b*) in default of any such agreement, by the Central Government,

may, notwithstanding anything in their terms of appointment or their conditions of service,—

(*i*) in a case referred to in clause (*a*), by one or more orders made by the Government of the existing State of Assam or the Government of the State of Assam, as the case may be, or

(*ii*) in a case referred to in clause (*b*), by one or more orders made by the Central Government,

be required to serve in connection with the affairs of the State of Meghalaya and every such person shall accordingly be deemed to have been allocated to that State with effect from such date as may be specified in the order.

(*2*) Such persons serving in connection with the affairs of the existing State of Assam (including persons borne on any cadre of the existing State of Assam and serving under the Government of the

autonomous State of Meghalaya or on deputation to any other Government or authority), as the Central Government may, at any time before or after the appointed day, determine after consultation with the Government of the existing State of Assam or the Government of the State of Assam, as the case may be, may, notwithstanding anything in the terms of their appointment or their conditions of service, by one or more orders made by the Central Government, be required to serve in connection with the administration of the Union territory of Mizoram, and every such person shall, accordingly, be deemed to have been allocated to the Union with effect from such date as may be specified in the order:

Provided that every person borne on any cadre of the existing State of Assam and serving in the Mizo District immediately before the appointed day shall, unless otherwise directed by the Administrator of the Union territory of Mizoram, continue to serve on and from the appointed day, in connection with the administration of that Union territory until any order is made under this sub-section in respect of such person or the expiry of a period of three years from the appointed day, whichever is earlier.

65. Provisions relating to Services in the autonomous State of Meghalaya.—Every person who immediately before the appointed day is serving in connection with the affairs of the autonomous State of Meghalaya (including a person on deputation from the Government of that autonomous State to any other Government or authority), not being a person to whom section 64 applies, shall be deemed to have been allocated to serve as from that day in connection with the affairs of the State of Meghalaya.

66. Other provisions relating to Services.—(*1*) Nothing in this section or sections 62 to 65 (both inclusive) 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 conditions of service of persons serving in connection with the affairs of the State of Manipur, Meghalaya or Tripura or the Union territory of Mizoram:

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 Manipur or the State of Tripura under section 62 or to the State of Meghalaya under sub-section (*1*) of section 64 or section 65 or to the Union under sub-section (*2*) of section 64 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 62 or section 64 or section 65, 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 Union territory of Mizoram, 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 sections 62, 64 and 65 shall not apply in relation to members of any All-India Service.

67. Provisions as to continuance of officers in same posts.—(*1*) Every person who, immediately before the appointed day is holding or discharging the duties of any post or office in connection with the administration of the Union territory of Manipur or Union territory of Tripura, shall continue to hold the same post or office in the State of Manipur, or, as the case may be, in the State of Tripura and shall be deemed, on and from that day, to have been duly appointed to the post or office by the Government of, or other appropriate authority in the State concerned.

(*2*) Where a 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 Assam and, as from the appointed day, such duties become duties in connection with the affairs of the State of Meghalaya or administration of the Union territory of Mizoram, then, he shall continue to hold the same post or office in that State or Union territory and shall be deemed, on and from that day, to have been duly appointed to the post or office by the Government or Administrator of, or other appropriate authority in, that State or Union territory, as the case may be.

(*3*) Where a 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 autonomous State of Meghalaya and, as from the appointed day, such duties become duties in connection with the affairs of the State of Meghalaya, then, he shall continue to hold the same post or office in the State of Meghalaya and shall be deemed, on and from that day, to have been duly appointed to the post or office by the Government of, or other appropriate authority in, the State of Meghalaya.

(*4*) Nothing in sub-section (*1*) or sub-section (*2*) or sub-section (*3*) shall be deemed to prevent a competent authority, on and from the appointed day, from passing in relation to any person referred to in that sub-section any order affecting his continuance in such post or office.

68. 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.

69. Power of Central Government to give directions.—The Central Government may give such directions to the State Governments of Assam, Manipur, Meghalaya and Tripura and to the Administrator of the Union territory of Mizoram as may appear to it to be necessary for the purpose of giving effect to the foregoing provisions of this Part and the State Governments and the Administrator shall comply with such directions.

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

(*2*) Every person holding office immediately before the appointed day as Chairman or other member of the Public Service Commission for the existing State of Assam 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 Assam.

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

(*a*) be entitled to receive from the Government of the State of Assam conditions of service not less favourable than those to which he was entitled under the provisions applicable to him immediately before the appointed day; and

(*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.

PART IX

LEGAL AND MISCELLANEOUS PROVISIONS

71. Amendment of articles 210, 239A, 244, 244A, 275, 332, 371B and Fifth and Sixth Schedules to the Constitution.—On and from the appointed day—

(*a*) in article 210, in the proviso to clause (*2*), for the words "Legislature of the State of Himachal Pradesh", the words "Legislatures of the States of Himachal Pradesh, Manipur, Meghalaya and Tripura" shall be substituted;

(*b*) in article 239A, in clause (*1*), the words "Manipur, Tripura," shall be omitted;

(*c*) in article 244,—

(*i*) in clause (*1*), for the words "the State of Assam", the words "the States of Assam and Meghalaya" shall be substituted;

(*ii*) in clause (*2*), for the words "the State of Assam", the words "the States of Assam and Meghalaya and the Union territory of Mizoram" shall be substituted;

(*d*) in article 244A, in clause (*1*), for the word and letter "Part A", the word and figure "Part I" shall be substituted;

(*e*) in article 275, in clause (*a*) of the second proviso to clause (*1*), for the word and letter "Part A", the word and figure "Part I" shall be substituted;

(*f*) in article 332,—

(*i*) in clause (*5*), the words "except in the case of the constituency comprising the cantonment and municipality of shillong" shall be omitted;

(*ii*) in clause (*6*), the words "except from the constituency comprising the cantonment and municipality of Shillong" shall be omitted;

(*g*) in article 371B, for the word and letter "Part A", the word and figure "Part I" shall be substituted;

(*h*) in the Fifth Schedule to the Constitution, in paragraph 1, for the words "State of Assam", the words "States of Assam and Meghalaya" shall be substituted;

(*i*) the Sixth Schedule to the Constitution shall stand amended as directed in the Eighth Schedule.

72. Amendment of Act 2 of 1934.—On and from the appointed day, in section 21A of the Reserve Bank of India Act, 1934, in sub-section (*1*), the brackets and words "(including the autonomous State of Meghalaya)" shall be omitted.

73. Amendment of Act 64 of 1950.—On and from the appointed day, in section 47A of the Road Transport Corporations Act, 1950, in the *Explanation* to sub-section (*1*), after clause (*ii*), the following clause shall be inserted, namely:—

"(*iii*) in relation to the Assam State Road Transport Corporation, shall mean the Government of the State of Assam or of Meghalaya as formed under the North-Eastern Areas (Reorganisation) Act, 1971.".

74. Amendment of Act 37 of 1956. —On and from the appointed day, in the States Reorganisation Act, 1956,—

(*a*) for clause (*c*) of section 15, the following clause shall be substituted, namely:—

"(*c*) the Eastern Zone, comprising the States of Bihar, West Bengal and Orissa;";

(*b*) in sub-section (*1*) of section 16, clause (*d*) shall be omitted.

75. Amendment of Act 20 of 1963.—On and from the appointed day, in the Government of Union Territories Act, 1963,—

(*a*) in clause (*h*) of sub-section (*1*) of section 2, the words "Manipur, Tripura," shall be omitted;

(*b*) in section 44, sub-section (*2*) shall be omitted;

(*c*) section 52 shall be omitted.

76. Amendment of Act 56 of 1955 and the Tripura (Courts) Order, 1950.—On and from the appointed day,—

(*a*) the Manipur (Courts) Act, 1955 shall stand amended as directed in the Ninth Schedule;

(*b*) the Tripura (Courts) Order, 1950 shall stand amended as directed in the Tenth Schedule.

77. Territorial extent of laws.—The provisions of Part II shall not be deemed to have effected any change in the territories to which any law in force immediately before the appointed day extends or applies, and the territorial references in any such law to the existing State of Assam or the autonomous State of Meghalaya or the Union territory of Manipur or the Union territory of Tripura or the North-East

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Frontier Agency shall, until otherwise provided by a competent Legislature or other competent authority, be construed as meaning the territories within that State or autonomous State or Union territory or Agency immediately before the appointed day.

78. Continuance of existing District Councils and Regional Council and members thereof.—For the removal of doubt, it is hereby declared that all District Councils and the Regional Council constituted under the provisions of the Sixth Schedule to the Constitution and functioning immediately before the appointed day in the respective autonomous districts and in the autonomous region shall, as from that day, be deemed to have been constituted under the said Schedule as amended by clause (*i*) of section 71, read with the Eighth Schedule and accordingly,—

(*a*) every such District Council and the Regional Council shall, unless sooner dissolved, continue to function in the respective autonomous districts and in the autonomous region, notwithstanding that any such district or region ceases to be comprised in the territories of the State of Assam, by virtue of the provisions of Part II; and

(*b*) every member of such District Council or Regional Council shall continue to be a member thereof for the unexpired term of his office as such.

79. Power to adapt laws.—For the purpose of facilitating the application of any law in relation to any of the States of Union territories formed or established by the provisions of Part II, the appropriate Government may, before the expiration of two years from the appointed day, by order, make such adaptations and modifications of the law, whether by way of repeal or amendment, as may be necessary or expedient, and thereupon every such law shall have effect subject to the adaptations and modifications so made until altered, repealed or amended by a competent Legislature or other competent authority.

Explanation.—In this section, the expression "the appropriate Government" means—

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

(*b*) as respects any other law,—

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

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

80. Power to construe laws.—(*1*) Notwithstanding that no provision or insufficient provision has been made under section 79 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 Assam, Manipur, Meghalaya or Tripura or to the Union territory of Mizoram or Arunachal Pradesh 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.

(*2*) Any reference to the High Court of Assam or the High Court of Assam and Nagaland or to the Court of the Judicial Commissioner for Manipur or the Court of the Judicial Commissioner for Tripura in any law shall, unless the context otherwise requires, be construed, on and from the appointed day, as a reference to the common High Court.

81. Power to name authorities, etc., for exercising statutory functions.—The Central Government, as respects the Union territory of Mizoram or Arunachal Pradesh and the State Government as respects any new State established or formed by the provisions of Part II may, by notification in the Official Gazette, specify the authority, officer or person who, as from the appointed day, shall be competent to exercise such functions exercisable under any law in force on that day as may be mentioned in that notification and such law shall have effect accordingly.

82. Legal proceedings.—(*1*) Where immediately before the appointed day the Union is a party to any legal proceedings with respect to any property, right or liability and such property, right or liability devolves on the State of Manipur or the State of tripura under this Act, then, the State of Manipur or, as the case may be, the State of Tripura shall be deemed to be substituted for the Union as a party to those proceedings and the proceedings may continue accordingly.

(*2*) Where immediately before the appointed day the autonomous State of Meghalaya is a party to any legal proceedings with respect to any property, right or liability of that State, and such property, right or liability devolves on the State of Meghalaya under this Act, then, the State of Meghalaya shall be deemed to be substituted for the autonomous State of Meghalaya as a party to those proceedings and the proceedings may continue accordingly.

(*3*) Where immediately before the appointed day the existing State of Assam is a party to any legal proceedings with respect to any property, rights or liabilities subject to apportionment under this Act, the successor State, which succeeds to, or acquires a share in, that property or those rights or liabilities by virtue of any provision of this Act, shall be deemed to be substituted for the existing State of Assam as a party to those proceedings or added as a party thereto, as the case may be, and the proceedings may continue accordingly.

83. Rights 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 Assam 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 Meghalaya or to a Union territory.

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

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

(*3*) In this section,—

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

(*b*) "corresponding court, tribunal, authority or officer" in a State or a Union territory means—

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

(*ii*) in case of doubt, such court, tribunal, authority or officer in that State or Union territory 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 Assam or the Government of the autonomous State of Meghalaya or the Central Government, as the case may be, to be the corresponding court, tribunal, authority or officer.

85. Provisions as to continuance of courts, etc.—All courts and tribunals and all authorities discharging lawful functions throughout the existing State of Assam or the Union territory of Manipur or the Union territory of Tripura or any part of such State or Union territory immediately before the appointed day shall, unless their continuance is inconsistent with the provisions of this Act or until other provision is made by a competent Legislature or other competent authority, continue to exercise their respective functions.

86. 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.

87. 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.

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

[1][**87A. Power to remove difficulties.—**(*1*) If any difficulty arises in giving effect to the provisions of this Act, as amended by the North-Eastern Areas (Reorganisation) and Other Related Laws (Amendment)

1. Ins. by Act 26 of 2012, s. 8 (w.e.f. 23-3-2013).

Act, 2012, the Central Government may, by order published in the Official Gazette, make such provisions not inconsistent with the provisions of this Act, as may appear to be necessary for removing the difficulty:

Provided that no such order shall be made under this section after the expiry of a period of two years from the commencement of the North-Eastern Areas (Reorganisation) and Other Related Laws (Amendment) Act, 2012.

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

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

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

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1. Subs. by Act 8 of 1974, s. 3, for "which may be comprised in one session or in two successive sessions and if, before the expiry of the session in which it is so laid or the session immediately following" (w.e.f. 19-1-1974).

THE FIRST SCHEDULE

[*See* sections 14 (*2*) and 20 (*5*)]

AMENDMENTS TO THE DELIMITATION OF PARLIAMENTARY AND ASSEMBLY CONSTITUENCIES ORDER, 1966

In Schedule II to the Delimitation of Parliamentary and Assembly Constituencies Order, 1966,—

(*1*) in PART A.—PARLIAMENTARY CONSTITUENCIES,—

(*a*) for serial No. 1 and the entries relating thereto, the following shall be substituted, namely:—

"1. **Cachar.—**(11) Silchar, (12) Sonai, (13) Dholai, (14) Lakhipur, (15) Udharbond, (*16*) Borkhola.";

(*b*) for serial No. 3 and the entries relating thereto, the following shall be substituted, namely:—

"**3. Diphu (S.T.).—**(18) Haflong, (19) Bokajan, (20) Howraghat, (21) Baithalangso.";

(*c*) for serial No. 4 and the entries relating thereto, the following shall be substituted, namely:—

"**4. Dhubri**.—(31) Mankachar, (32) South Salmara, (33) Dhubri, (34) Gauripur, (35) Golakganj, (36) Bilasipara.";

(*2*) in PART B.—ASSEMBLY CONSTITUENCIES, serial Nos. 1, 2, 3 and 22 to 30 (both inclusive) and the entries relating thereto shall be omitted.

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THE SECOND SCHEDULE

[*See* section 25 (*1*)]

AMENDMENTS TO THE CONSTITUTION (SCHEDULED CASTES) ORDER, 1950

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

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

(*2*) in paragraph 4,—

(*a*) for the words and figures "and any reference in Part XIV", the words and figures "any reference in Part XIV" shall be substituted;

(*b*) the following shall be added at the end, namely:—

"and any reference in Parts XV, XVI and XVII to a State shall be construed as a reference to the State constituted as from the day appointed under clause (*b*) of section 2 of the North-Eastern Areas (Reorganisation) Act, 1971";

(*3*) in the Schedule, after Part XIV, the following Parts shall be inserted, namely:—

"PART XV—*Manipur*

Throughout the State:—

1. Dhupi or Dhobi
2. Lois
3. Muchi or Ravidas
4. Namasudra
5. Patni
6. Sutradhar
7. Yaithibi.

PART XVI—*Meghalaya*

Throughout the State:—

1. Bansphor
2. Bhuinmali or Mali
3. Brittial-Bania or Bania
4. Dhupi or Dhobi
5. Dugla or Dholi
6. Hira
7. Jalkeot
8. Jhalo, Malo or Jhalo-Malo
9. Kaibartta or Jaliya
10. Lalbegi
11. Mahara
12. Mehtar or Bhangi
13. Muchi or Rishi
14. Namasudra
15. Patni
16. Sutradhar.

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Throughout the State:—

1. Bagdi
2. Baiti
3. Bhuimali
4. Bhunar
5. Chamar or Muchi
6. Dandasi
7. Dhenuar
8. Dhoba
9. Duai
10. Dum
11. Ghasi
12. Gour
13. Gunar
14. Gur
15. Gorang
16. Jalia Kaibartta
17. Kahar
18. Kalindi
19. Kan
20. Kanda
21. Kanugh
22. Keot
23. Khadit
24. Kharia
25. Khemcha
26. Koch
27. Koir
28. Kol
29. Kora
30. Kotal
31. Mahisyadas
32. Mali
33. Mehtor
34. Musahar
35. Namasudra
36. Patni
37. Sabar.”.

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THE THIRD SCHEDULE

[*See* section 25 (*2*)]

AMENDMENTS TO THE CONSTITUTION (SCHEDULED CASTES) (UNION TERRITORIES) ORDER, 1951

In the Constitution (Scheduled Castes) (Union Territories) Order, 1951,—

(*1*) for paragraph 4, the following paragraph shall be substituted, namely:—

> "4. Any reference in this Order to a Union territory in Part I of the Scheduled shall be construed as a reference to the territory constituted as a Union territory as from the 1st day of November, 1956, any reference to a Union territory in Part II of the Schedule shall be construed as a reference to the territory constituted as a Union territory as from the 1st day of November, 1966 and any reference to a Union territory in Parts III and IV of the Schedule shall be construed as a reference to the territory constituted as a Union territory as from the day appointed under clause (*b*) of section 2 of the North-Eastern Areas (Reorganisation) Act, 1971.";

(*2*) in the Schedule,—

(*a*) Parts III and IV shall be omitted;

(*b*) Part V shall be re-numbered as Part II and after that Part as so re-numbered, the following Parts shall be inserted, namely:—

"PART III—*Mizoram*

Throughout the Union territory:—

1. Bansphor
2. Bhuinmali or Mali
3. Brittial-Bania or Bania
4. Dhupi or Dhobi
5. Dugla or Dholi
6. Hira
7. Jalkeot
8. Jhalo, Malo or Jhalo-Malo
9. Kaibartta or Jaliya
10. Lalbegi
11. Mahara
12. Mehtar or Bhangi
13. Muchi or Rishi
14. Namasudra
15. Patni
16. Sutradhar.

PART IV—*Arunachal Pradesh*

Throughout the Union territory:—

1. Bansphor
2. Bhinmali or Mali
3. Brittial-Bania or Bania
4. Dhupi or Dhobi
5. Dugla or Dholi
6. Hira
10. Lalbegi
11. Mahara
12. Mehtar or Bhangi
13. Muchi or Rishi
14. Namasudra
15. Patni

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7. Jalkeot
8. Jhalo, Malo or Jhalo-Malo
9. Kaibartta or Jaliya
16. Sutradhar.”.

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THE FOURTH SCHEDULE

[*See* section 26 (*1*)]

AMENDMENTS TO THE COSTITUTION (SCHEDULED TRIBES) ORDER, 1950

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

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

(*2*) in paragraph 3,—

(*a*) for the words and figures "and any reference in Part XIII", the words and figures "any reference in Part XIII" shall be substituted;

(*b*) the following shall be added at the end, namely:—

"and any reference in Parts XIV to XVI to a State shall be construed as a reference to the State constituted as from the day appointed under clause (*b*) of section 2 of the North-Eastern Areas (Reorganisation) Act, 1971";

(*3*) in the Schedule,—

(*a*) in PART II—*Assam*, paragraph 2 shall be omitted and in paragraph 3, for the words "excluding the Tribal areas", the words "excluding the autonomous districts" shall be substituted;

(*b*) after Part XIII, the following Parts shall be inserted, namely:—

"PART XIV—*Manipur*

Throughout the State:—

1. Aimol
2. Anal
3. Angami
4. Chiru
5. Chothe
6. Gangte
7. Hmar
8. Kabui
9. Kacha Naga
10. Khoirao
11. Koireng
12. Kom
13. Lamgang
14. Any Mizo (Lushai) tribes
15. Maram
16. Maring
17. Mao
18. Monsang
19. Moyon
20. Paite
21. Purum
22. Ralte
23. Sema
24. Simte
25. Suhte
26. Tangkhul
27. Thadou
28. Vaiphui
29. Zou.

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PART XV—*Meghalaya*

Throughout the State:—

1. Chakma
2. Dimasa (Kachari)
3. Garo
4. Hajong
5. Hmar
6. Khasi and Jaintia (including Khasi, Synteng or Pnar, War, Bhoi or Lyngngam)
7. Any Kuki tribes, including:
   - (*i*) Biate or Biete
   - (*ii*) Changsan
   - (*ii*) Chongloi
   - (*iv*) Doungel
   - (*v*) Gamalhou
   - (*vi*) Gangte
   - (*vii*) Guite
   - (*viii*) Hanneng
   - (*ix*) Haokip or Haupit
   - (*x*) Haolai
   - (*xi*) Hengna
   - (*xii*) Hongsungh
   - (*xiii*) Hrangkhwal or Rangkhol
   - (*xiv*) Jongbe
   - (*xv*) Khawchung
   - (*xvi*) Khanwathlang or Khothalong
   - (*xvii*) Khelma
   - (*xviii*) Kholhou
   - (*xix*) Kipgen
   - (*xx*) Kuki
   - (*xxi*) Lengthang
   - (*xxii*) Lhangum
   - (*xxiii*) Lhoujem
   - (*xxiv*) Lhouvum
   - (*xxv*) Lupheng
   - (*xxvi*) Mangjel
   - (*xxvii*) Misao
   - (*xxviii*) Riang
   - (*xxix*) Siarhem
   - (*xxx*) Selnam
   - (*xxxi*) Singson
   - (*xxxii*) Sitlhou
   - (*xxxiii*) Sukte
   - (*xxxiv*) Thado
   - (*xxxv*) Thangngeu
   - (*xxxvi*) Uibuh
   - (*xxxvii*) Vaiphei
8. Lakher
9. Man (Tai-Speaking)
10. Any Mizo (Lushai) tribes
11. Mikir
12. Any Naga tribes
13. Pawi
14. Synteng.

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PART XVI—*Tripura*

Throughout the State:—

1. Lushai
2. Mag
3. Kuki, including the following sub-tribes:—
   - (*i*) Balte
   - (*ii*) Belalhut
   - (*iii*) Chhalya
   - (*iv*) Fun
   - (*v*) Hajango
   - (*vi*) Jangtei
   - (*vii*) Khareng
   - (*viii*) Khephong
   - (*ix*) Kuntei
   - (*x*) Laifang
   - (*vii*) Khareng
   - (*xi*) Lentei
   - (*xii*) Mizel
   - (*xiii*) Namte
   - (*xiv*) Paitu, Paite
   - (*xv*) Rangchan
   - (*xvi*) Rangkhole
   - (*xvii*) Thangluya
   - (*xiv*) Paitu, Paite
4. Chakma
5. Garoo
6. Chaimal
7. Halam
8. Khasia
9. Bhutia
10. Munda including Kaur
11. Orang
12. Lepcha
13. Santal
14. Bhil
15. Tripura or Tripuri, Tippera
16. Jamatia
17. Noatia
18. Riang
19. Uchai.".

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THE FIFTH SCHEDULE

[*See* section 26(*2*)]

AMENDMENTS TO THE CONSTITUTION (SCHEDULED TRIBES) (UNION TERRITORIES) ORDER, 1951

In the Constitution (Scheduled Tribes) (Union Territories) Order, 1951,—

(*1*) in paragraph 2, for the words and figures "Parts I to IV", the words and figures "Parts I to III" shall be substituted;

(*2*) for paragraph 3, the following paragraph shall be substituted, namely:—

"3. Any reference in this Order to a Union territory in Part I of the Scheduled shall be construed as a reference to that territory constituted as a Union territory as from the 1st day of November, 1956 and any reference to a Union territory in Parts II and III of the Schedule shall be construed as a reference to the territory constituted as a Union territory as from the day appointed under clause (*b*) of section 2 of the North-Eastern Areas (Reorganisation) Act, 1971.";

(*3*) in the Schedule,—

(*a*) Parts II and III shall be omitted;

(*b*) Part IV shall be re-numbered as Part I and after that Part as so re-numbered, the following Parts shall be inserted, namely: —

"PART II—*Mizoram*

Throughout the Union territory:—

1. Chakma
2. Dimasa (Kachari)
3. Garo
4. Hajong
5. Hmar
6. Khasi and Jaintia (including Khasi, Synten or Pnar, War, Bhoi or Lyngngam)
7. Any Kuki tribes, including:
   - (*i*) Biate or Biete
   - (*ii*) Changsan
   - (*iii*) Chongloi
   - (*iv*) Doungel
   - (*v*) Gamalhou
   - (*vi*) Gangte
   - (*vii*) Guite
   - (*viii*) Hanneng
   - (*ix*) Haokip or Haupit
   - (*xi*) Hengna
   - (*xii*) Hongsungh
   - (*xiii*) Hrangkhwal or Rangkhol
   - (*xiv*) Jongbe
   - (*xv*) Khawchung
   - (*xvi*) Khawathlang or Khothalong
   - (*xvii*) Khelma
   - (*xviii*) Kholhou
   - (*xix*) Kipgen
   - (*xx*) Kuki
   - (*xxi*) Lengthang
   - (*xxii*) Lhangum
   - (*xxiii*) Lhoujem
   - (*xxiv*) Lhouvun
   - (*xxv*) Lupheng
   - (*xxvi*) Mangjel
   - (*xxvii*) Missao

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(*xxviii*) Riang

(*xxix*) Sirphem

(*xxx*) Selnam

(*xxxi*) Singson

(*xxxii*) Sitlhou

(*xxxiii*) Sukte

(*xxxiv*) Thado

(*xxxv*) Thangngeu

(*xxxvi*) Uibuh

(*xxxvii*) Vaiphei

8. Lakher
9. Man (Tai-Speaking)
10. Any Mizo (Lushai tribes)
11. Mikir
12. Any Naga tribes
13. Pawi
14. Synteng.

PART III—*Arunachal Pradesh*

Throughout the Union territory:—

All tribes of the Union territory including:

1. Abor
2. Aka
3. Apatani
4. Dafla
5. Galong
6. Khampti
7. Khowa
8. Mishmi
9. Momba
10. Any Naga tribes
11. Sherdukpen
12. Singpho.".

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THE SIXTH SCHEDULE

[*See* section 53 (*3*)]

APPORTIONMENT OF ASSETS AND LIABILITIES

1. Definitions.—In this Schedule,—

(*a*) "population ratio", in relation to the States of Assam and Meghalaya means the ratio of 93.58 to 6.42; and

(*b*) "transferred territories" means the territories which, as from the appointed day, become the territories of the State of Meghalaya under section 5.

2. Provisions of the Schedule to be applied to the apportionment of certain assets and liabilities.—Where any asset or liability is required to be apportioned to the autonomous State of Meghalaya by virtue of section 58 of the Assam Reorganisation (Meghalaya) Act, 1969 (55 of 1969), but has not been so apportioned before the appointed day, the provisions of this Schedule shall be applied after apportionment under the said section has been effected.

3. Apportionment of land, stores, etc.—(*1*) Subject to the other provisions contained in this Schedule, all land and all stores, articles and other goods belonging to the existing State of Assam shall, on and from the appointed day,—

(*a*) in a case where such land, stores, articles and other goods are situated within the transferred territories, pass to the State of Meghalaya; and

(*b*) in any other case, pass to the State of Assam;

Provided that where the Central Government is of the opinion that any goods or class of goods should be distributed among the States of Assam and Meghalaya 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 States of Assam and Meghalaya accordingly.

(*2*) (*a*) Such of those lands and buildings as are held by the existing State of Assam, within the limits of the cantonment and municipality of Shillong immediately before the appointed day as may be agreed upon between the States of Assam and Meghalaya shall be available for the use of the State of Assam on the appointed day and thereafter for such period as may be agreed upon between the said States.

(*b*) Where no agreement is reached between the States of Assam and Meghalaya on any of the matters referred to in clause (*a*), the Central Government shall decide such matter and the decision of the Central Government thereon shall be binding on the said States.

(*c*) Different periods may be agreed upon under clause (*a*) or decided under clause (*b*) for different lands and buildings.

(*d*) Where any land or building is made available to the State of Assam under this sub-paragraph on or after the appointed day, then, notwithstanding anything contained in this Schedule, the debt or other liabilities in respect of such land or building shall pass to the State of Meghalaya only from the date from which possession of the land or building is given to the State of Meghalaya and the amount of such debt or other liability shall be determined by agreement between the States of Assam and Meghalaya or, in default of any such agreement, by the Central Government.

(*e*) For so long as any land or building referred to in clause (*a*) is held by the State of Assam for its use, it shall be the responsibility of that State to properly maintain such land or building from its own funds.

(*3*) Stores relating to the Secretariat and the offices of Heads of departments having jurisdiction over the areas comprised partly in the transferred territories and partly in the State of Assam and unissued stores shall be divided between the States of Assam and Meghalaya in accordance with such directions as the Central Government may think fit to issue for a just and equitable distribution thereof.

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Explanation.—In this paragraph, the expression "land" includes immovable property of every description and any rights in or over such property, and the expression "goods" does not include coins, bank notes and currency notes.

4. Arrears of Taxes.—The State of Meghalaya shall have the right to recover the arrears of any tax or duty, including the arrears of land revenue, on property situate in the transferred territories, and shall also have the right to recover the arrears of any other tax or duty if the place of assessment of that tax or duty is located in the transferred territories.

5. Right to recover loans and advances.—(*1*) Save as provided in sub-paragraph (*2*) of paragraph 6, the right to recover any loans or advances made before the appointed day by the existing State of Assam to any local body, society, agriculturist or other person in the transferred territories shall belong to the State of Meghalaya.

(*2*) The right to recover loans and advances of pay and travelling allowances to a Government servant made before the appointed day by the existing State of Assam shall pass to the State of Meghalaya if, after the appointed day, that Government servant is required to serve in connection with the affairs of Meghalaya.

6. Investments.—(*1*) The investments of the existing State of Assam immediately before the appointed day in any company or private commercial or industrial undertaking, in so far as such investments have not been made or deemed not to have been made from the Cash Balance Investment Account, shall pass to the State of Meghalaya, if the principal seat of business of the company or undertaking is located in the transferred territories and where on that day the principal seat of business of the company or undertaking is located outside the territories of the existing State of Assam, such investments shall be divided between the States of Assam and Meghalaya in the population ratio:

Provided that such investments in any Government company shall be divided between the States of Assam and Meghalaya in such proportion as may be agreed upon between those States or—

(*a*) in default of such agreement; or

(*b*) at the expiry of a period of one year from the appointed day,

whichever is earlier, in such proportion as the Central Government may, by order, determine:

Provided further that nothing in this paragraph shall apply to any investment made by the existing State of Assam on or after the 2nd day of April, 1970 in any company or private commercial or industrial undertaking located outside the territories of the existing State of Assam.

(*2*) Where any body corporate constituted under a Central Act, State Act or Provincial Act for the existing State of Assam 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 Assam made before the appointed day shall, save as otherwise expressly provided by or under this Act, be divided between the State of Assam and Meghalaya in the same proportion in which the assets of the body corporate are divided under the provisions of Part VII.

7. Assets and liabilities of State undertakings.—(*1*) The assets and liabilities relating to any commercial or industrial undertaking of the existing State of Assam shall pass to the State of Meghalaya if the undertaking is located in the transferred territories.

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

(*3*) Where any such undertaking is located partly in the State of Assam and partly in the State of Meghalaya, the assets and liabilities and the securities referred to in sub-paragraphs (*1*) and (*2*) respectively shall be divided in such manner as may be agreed upon between the Governments of the two States within one year from the appointed day, or in default of such agreement, as the Central Government may, by order, direct.

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8. Public debt.—(*1*) The public debt of the existing State of Assam attributable to loans raised by the issue of Government securities and outstanding with the public immediately before the appointed day shall continue to be the public debt of the State of Assam, and the State of Meghalaya shall be liable to pay to the State of Assam a share of the sums due from time to time for the servicing and repayment of the debt and for the purpose of determining the said share, the debt shall be deemed to be divided between the States of Assam and Meghalaya as if it were a debt referred to in sub-paragraph (*5*).

Explanation.—In this sub-paragraph, "the public debt of the existing State of Assam", excludes the portion of such public debt the liability for servicing and repayment of which has been apportioned to the autonomous State of Meghalaya by virtue of section 58 of the Assam Reorganisation (Meghalaya) Act, 1969 (55 of 1969).

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

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

(*a*) if re-lent to the Assam State Electricity Board, or any other institution which becomes an inter-State body corporate on the appointed day, be divided between the States of Assam and Meghalaya in the same proportion in which the assets of such body corporate are divided under the provisions of Part VII;

(*b*) 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.

(*4*) Out of so much of the public debt of the existing State of Assam, other than the public debt referred to in sub-paragraphs (*1*) and (*3*), as is equal to loans and advances made by that State and outstanding on the appointed day, the share of the liability of the State of Meghalaya shall be for an amount equal to the loans and advances [not being re-lent amounts referred to in sub-paragraph (*3*) and outstanding immediately before the appointed day] recoverable by the State of Meghalaya under paragraph 5.

(*5*) The remaining public debt of the existing State of Assam attributable to loans taken from the Central Government, the Reserve Bank of India or any other body or bank outstanding immediately before the appointed day, shall be divided between the States of Assam and Meghalaya in proportion to the total expenditure on all capital works and other capital outlays incurred or deemed to have been incurred by the existing State of Assam up to the appointed day in the territories remaining in the State of Assam and the total expenditure on all capital works and other capital outlays incurred or deemed to have been incurred by the existing State of Assam up to the appointed day in the transferred territories, other than such outlays incurred or deemed to have been incurred before the 2nd day of April, 1970 in the autonomous State of Meghalaya for the purposes of the autonomous State as defined in paragraph 1 of the Third Schedule to the Assam Re-organisation (Meghalaya) Act, 1969 (55 of 1969).

(*6*) For the purpose of this paragraph, "Government security" means a security created and issued by the existing State of Assam 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).

(*7*) For the purpose of this paragraph, "the public debt of the existing State of Assam attributable to the loan taken from the Central Government" means the public debt of the State as reduced in accordance with the provisions of sub-section (*4*) of section 52.

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9. Refund of taxes collected in excess.—After the appointed day it shall be the liability of the State of Meghalaya to refund any tax or duty on property, including land revenue, collected in excess on any property situate in the transferred territories or any other tax or duty collected in excess, if the place of assessment of that tax or duty is situate in the transferred territories.

10. Deposits, etc.—(*1*) The liability of the existing State of Assam in respect of any civil deposit or local fund deposit, made before the appointed day in any place situate in the transferred territories, shall become the liability of the State of Meghalaya.

(*2*) The liability of the existing State of Assam in respect of any charitable or other endowment shall, as from the appointed day, be the liability of the State or Meghalaya if the institution entitled to the benefit of the endowment is located in the transferred territories, or if the objects of the endowment, under the terms thereof, are confined to the transferred territories.

11. Arrears of pay and allowances.—The liability of the existing State of Assam in respect of any arrears of pay or allowances due to any Government servant for the period prior to the appointed day shall, if the Government servant is required to serve in connection with the affairs of the State of Meghalaya, be the liability of the State of Meghalaya.

12. Provident Fund, etc.—The liability of the existing State of Assam in respect of the Provident Fund and Special Deposit Fund accounts of a Government servant required to serve in connection with the affairs of the State of Meghalaya shall, on and from the appointed day, be the liability of the State of Meghalaya.

13. Pensions.—The liability of the State of Assam or the State of Meghalaya in respect of pensions shall be apportioned between the two States in such manner as may be agreed upon between them or in default of such agreement, in such manner as the Central Government may, by order, specify.

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

(*a*) if such purposes are, as from the appointed day, exclusively purposes of either the State of Assam or the State of Meghalaya, of the State of Assam or, as the case may be, of the State of Meghalaya; and

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

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 Assam, be rights or liabilities of the State of Assam or, as the case may be, of the State of Meghalaya:

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

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

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

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

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

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

(*a*) if the area of operation of such society or person is limited to the territories which, as from that day, are the territories of the State of Assam or the State of Meghalaya, be the liability of the State of Assam or as the case may be, of the State of Meghalaya; and

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

17. 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 Schedule, it shall be dealt with in accordance with that provision.

18. Residuary provisions.—The benefit or burden of any asset or liability of the existing State of Assam not dealt with in the foregoing paragraphs of this Schedule shall pass to the State of Assam in the first instance, subject to such financial adjustment as may be agreed upon between the States of Assam and Meghalaya within one year from the appointed day or, in default of such agreement, as the Central Government may, by order, direct.

19. Apportionment of assets and liabilities by agreement.—Where the States of Assam and Meghalaya agree that the benefit or burden of any particular asset or liability should be apportioned between them in a manner other than that as provided for in the foregoing paragraphs of this Schedule, then, notwithstanding anything contained therein, the benefit or burden of that asset or liability shall be apportioned in the manner so agreed upon.

20. Power of Central Government to order allocation or adjustment in certain cases.—Where, by virtue of any of the provisions of this Schedule, the State of Assam or the State of Meghalaya is 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 to it within a period of three years from the appointed day by the State of Assam or the State of Meghalaya, as the case may be, that it is just and equitable that that property or those benefits should be transferred to one of the two States or shared between them, or that a contribution towards that liability should be made by either of the States, the said property or benefits shall be allocated in such manner, or the State of Meghalaya or the State of Assam shall make to the other State primarily subject to the liability such contribution in respect thereof, as the Central Government may, after consultation with the Government of Assam and the Government of Meghalaya, by order, determine.

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THE SEVENTH SCHEDULE

[*See* section 60(*1*)]

LIST OF INSTITUTIONS WHERE EXISTING FACILITIES SHALL BE CONTINUED

1. Assam Forest Training School, Jhalukbari.
2. Survey School for Mandals, Gauhati.
3. Assam Survey Training School, Gauhati.
4. Assam Co-operative Training Centre, Joysagar.
5. Grain Sevikas Training Centre, Jorhat.
6. Police Training College, Dergaon.
7. Forensic Science Laboratory, Gauhati.
8. Finger Print Bureau, Shillong.
9. Public Health Laboratory, Shillong.
10. Administrative Training School, Gauhati.
11. Reid Chest T. B. Hospital, Shillong.
12. Gauhati Medical College, Gauhati.
13. Assam Medical College, Dibrugarh.
14. Medical College, Silchar.
15. Pasteur Institute, Shillong.
16. State Malaria Institute, Shillong.
17. Ayurvedic College, Gauhati.
18. Mental Hospital, Tezpur.
19. Primary Health Centre, Chabua.
20. Assam Engineering College, Jhalukbari.
21. Jorhat Engineering College, Jorhat.
22. Assam Government Press, Shillong.
23. Assam Agricultural College. } Under the Agricultural University, Jorhat
24. Assam Veterinary College. }

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THE EIGHTH SCHEDULE

[*See* section 71 (*i*)]

AMENDMENTS TO THE SIXTH SCHEDULE TO THE CONSTITUTION

1. In the Sixth Schedule to the Constitution (hereinafter in this Schedule referred to as the Sixth Schedule), in the heading, for the word "Assam", the words "the States of Assam and Meghalaya and in the Union territory of Mizoram" shall be substituted.

2. In paragraph 1 of the Sixth Schedule,—

(*i)* in sub-paragraph (*1*), for the word and letter "Part A", the words and figures "Parts I and II and in Part III" shall be substituted;

(*ii*) in sub-paragraph (*3*),—

(*i*) in clauses (*a*) and (*b*), for the word and letter "Part A", the words "any of the Parts" shall be substituted;

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

"Provided further that any order made by the Governor under this sub-paragraph may contain such incidental and consequential provisions (including any amendment of paragraph 20 and of any item in any of the Parts of the said table) as appear to the Governor to be necessary for giving effect to the provisions of the order.".

3. In paragraph 3 of the Sixth Schedule, in the proviso to clause (*a*) of sub-paragraph (*1*), for the words "by the Government of Assam or the Government of Meghalaya", the words "by the Government of the State concerned" shall be substituted.

4. In paragraph 4 of the Sixth Schedule,—

(*i*) in sub-paragraph (*3*), the words "of Assam" shall be omitted;

(*ii*) in sub-paragraph (*5*), for the words "after consulting the Government of Assam or, as the case may be, the Government of Meghalaya", the words "after consulting the Government of the State concerned" shall be substituted.

5. In paragraph 6 of the Sixth Schedule, in sub-paragraph (*2*), the words "of Assam or Meghalaya, as the case may be," shall be omitted.

6. In paragraph 8 of the Sixth Schedule, in sub-paragraph (*1*), for the words "by the Government of Assam in assessing lands for the purpose of land revenue in the State of Assam generally", the words "by the Government of the State in assessing lands for the purpose of land revenue in the State generally" shall be substituted.

7. In paragraph 9 of the Sixth Schedule, in sub-paragraph (*1*), for the words "the Government of Assam", in both the places where they occur, the words "the Government of the State" shall be substituted.

8. In paragraph 12 of the Sixth Schedule,—

(*i*) for the heading, the following heading shall be substituted, namely:—

"Application of Acts of Parliament and of the Legislature of the State of Assam to autonomous districts and autonomous regions in the State of Assam.";

(*ii*) in sub-paragraph (*1*), —

(*a*) in clause (*a*), for the words "Legislature of the State", in both the places where they occur, the words "Legislature of the State of Assam" shall be substituted and after the words "any autonomous district or autonomous region", the words "in that State" shall be inserted;

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(*b*) in clause (*b*), for the words "Legislature of the State", the words "Legislature of the State of Assam" shall be substituted and after the words "an autonomous district or an autonomous region", the words "in that State" shall be inserted.

9. For paragraph 12A of the Sixth Schedule, the following paragraphs shall be substituted, namely:—

"12A. Application of Acts of Parliament and of the Legislature of the State of Meghalaya to autonomous districts and autonomous regions in the State of Meghalaya.—Notwithstanding anything in this Constitution,—

(*a*) if any provision of a law made by a District or Regional Council in the State of Meghalaya with respect to any matter specified in sub-paragraph (*1*) of paragraph 3 of this Schedule or if any provision of any regulation made by a District Council or a Regional Council in that State under paragraph 8 or paragraph 10 of this Schedule, is repugnant to any provision of a law made by the Legislature of the State of Meghalaya with respect to that matter, then, the law or regulation made by the District Council or, as the case may be, the Regional Council whether made before or after the law made by the Legislature of the State of Meghalaya, shall, to the extent of repugnancy, be void and the law made by the Legislature of the State of Meghalaya shall prevail;

(*b*) the President may, with respect to any Act of Parliament, by notification, direct that it shall not apply to an autonomous district or an atonomous region in the State of Meghalaya, or shall apply to such district or region or any part thereof subject to such exceptions or modifications as he may specify in the notification and any such direction may be given so as to have retrospective effect.

12B. Application of Acts of Parliament and other Acts to autonomous districts and autonomous regions in the Union territory of Mizoram.-—Notwithstanding anything in this Constitution, the President may with respect to any Act of Parliament and the Administrator may with respect to any other Act, by notification, direct that it shall not apply to an autonomous district or an autonomous region in the Union territory of Mizoram or shall apply to such district or region or any part thereof subject to such exceptions or modifications as he may specify in the notification and any such direction may be given so as to have retrospective effect".

10. In paragraph 13 of the Sixth Schedule, the words "of Assam" shall be omitted.

11. In paragraph 14 of the Sixth Schedule, in sub-paragraph (*2*), for the words "the Government of Assam", the words "the Government of the State" shall be substituted.

12. In paragraph 17 of the Sixth Schedule, for the words "the Legislative Assembly of Assam", the words "the Legislative Assembly of Assam or Meghalaya" shall be substituted and after the words "autonomous district", the words "in the State of Assam or Meghalaya, as the case may be," shall be inserted.

13. Paragraph 18 of the Sixth Schedule shall be omitted.

14. For paragraphs 20 and 20A of the Sixth Schedule, the following paragraphs shall be substituted, namely:—

"**20. Tribal areas**.—(*1*) The areas specified in Parts I, II and III of the table below shall respectively be the tribal areas within the State of Assam, the State of Meghalaya and the Union territory of Mizoram.

(*2*) Any reference in the table below to any district shall be construed as a reference to the territories comprised within the autonomous district of that name existing immediately before the day appointed under clause (*b*) of section 2 of the North-Eastern Areas (Reorganisation) Act, 1971:

Provided that for the purposes of clauses (*e*) and (*f*) of sub-paragraph (*1*) of paragraph 3, paragraph 4, paragraph 5, paragraph 6, sub-paragraph (*2*), clauses (*a*), (*b*) and (*d*) of sub-paragraph (*3*) and sub-paragraph (*4*) of paragraph 8 and clause (*d*) of sub-paragraph (*2*) of

paragraph 10 of this Schedule, no part of the area comprised within the Municipality of Shillong shall be deemed to be within the United Khasi-Jaintia Hills District.

TABLE

PART I

1. The North Cachar Hills District.

2. The Mikir Hills District.

PART II

1. The United Khasi-Jaintia Hills District.

2. The Jowai District.

3. The Garo Hills District.

PART III

The Mizo District.

20A. Interpretation.—Subject to any express provision made in this behalf, the provisions of this Schedule shall, in their application to the Union territory of Mizoram, have effect—

(*1*) as if references to the Governor and Government of the State were references to the Administrator of the Union territory appointed under Article 239 and references to State (except in the expression "Government of the State") were references to the Union territory of Mizoram;

(*2*) as if—

(*a*) in sub-paragraph (*3*) of paragraph 1,—

(*i*) after clause (*g*), the following clause had been inserted, namely:—

"(*h*) divide any autonomous region into two or more autonomous regions and define the boundaries thereof";

(*ii*) the first proviso had been omitted;

(*b*) in sub-paragraph (*5*) of paragraph 4 the provisions for consultation with the Government of the State concerned had been omitted;

(*c*) in sub-paragraph (*2*) of paragraph 9, the words "in his discretion" had been omitted;

(*d*) paragraph 13 had been omitted;

(*e*) sub-paragraphs (*2*) and (*3*) of paragraph 14 had been omitted;

(*f*) sub-paragraph (*2*) (including the proviso thereto) of paragraph 15 had been omitted;

(*g*) in paragraph 16,—

(*i*) in sub-paragraph (*1*), in clause (*b*), the words "subject to the previous approval of the Legislature of the State" and the second proviso to that sub-paragraph had been omitted;

(*ii*) sub-paragraph (*3*) had been omitted.'

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THE NINTH SCHEDULE

[*See* section 76(*a*)]

AMENDMENTS TO THE MANIPUR (COURTS) ACT, 1955

In the Manipur (Courts) Act, 1955 (56 of 1955),—

(*i*) throughout the Act, save as otherwise expressly provided,—

(*a*) for the words "Chief Commissioner", the words "State Government" shall be substituted, and for the words, "Judicial Commissioner" or "Court of the Judicial Commissioner", the words "High Court" shall be substituted, and such consequential amendments, as the rules of grammar may require, shall be made;

(*b*) for the words "Union territory of Manipur", the words "State of Manipur" shall be substituted;

(*ii*) in the long title, the words "a Judicial Commissioner's Court and other" shall be omitted;

(*iii*) in section 2,—

(*a*) clause (*i*) shall be omitted;

(*b*) after clause (*iii*), the following clause shall be inserted, namely:—

(*iiia*) "High Court" means the Gauhati High Court (the High Court of Assam, Nagaland, Maghalaya, Manipur and Tripura);';

(*iv*) Chapter II shall be omitted;

(*v*) in section 16, the words "the Court of the Judicial Commissioner and" shall be omitted;

(*vi*) in section 17,—

(*a*) the brackets and figure "(*1*)" shall be omitted;

(*b*) sub-section (*2*) shall be omitted;

(*vii*) in section18, for sub-section (*1*), the following sub-section shall be substituted, namely:—

"(*1*) When the business pending before the court of a district judge requires the aid of an additional district judge for its speedy disposal, one or more additional district judges may be appointed.";

(*viii*) section 19 shall be omitted;

(*ix*) for section 23, the following section shall be substituted, namely:—

"**23. Local limits of the jurisdiction of courts of subordinate judges and munsiffs**.—(*1*) The local limits of the jurisdiction of the court of a subordinate judge or a munsiff shall be such as the State Government may, after consultation with the High Court, by notification in the Official Gazette, define.

(*2*) When a subordinate judge is posted to a district, the local limits of the district shall, in the absence of any direction to the contrary, be the local limits of his jurisdiction.";

(*x*) in section 25, sub-section (*4*) shall be omitted;

(*xi*) sections 33, 34, 35 and 40 shall be omitted;

(*xii*) in sub-section (*1*) of section 43, the words "the Court of the Judicial Commissioner and" shall be omitted;

(*xiii*) section 46 shall be omitted.

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THE TENTH SCHEDULE

[*See* section 76(*b*)]

AMENDMENTS TO THE TRIPURA (COURTS) ORDER, 1950

In the Tripura (Courts) Order, 1950,—

(*i*) throughout the Order, save as otherwise expressly provided, for the words "Chief Commissioner", the words "State Government" shall be substituted, and for the words "Judicial Commissioner" or "Court of the Judicial Commissioner", the words "High Court" shall be substituted, and such consequential amendments, as the rules of grammar may require, shall be made;

(*ii*) in paragraph 2,—

(*a*) clause (*i*) shall be omitted;

(*b*) for clause (*iii*), the following clause shall be substituted, namely:—

(*iii*) "High Court" means the Gauhati High Court (the High Court of Assam, Nagaland, Meghalaya, Manipur and Tripura);

(*iiia*) "Tripura" means the State of Tripura;

(*iii*) Chapter II shall be omitted;

(*iv*) in paragraph 15, the words "the Court of the Judicial Commissioner and" shall be omitted;

(*v*) in paragraph 16,—

(*a*) the brackets and figure "(*1*)" shall be omitted;

(*b*) sub-paragraph (*2*) shall be omitted;

(*vi*) in paragraph 17, for sub-paragraph (*1*), the following sub-paragraph shall be substituted, namely:—

"(*1*) When the business pending before the Court of a District Judge requires the aid of an Additional Judge or Judges for its speedy disposal, one or more Additional District Judges may be appointed.";

(*vii*) paragraph 18 shall be omitted;

(*viii*) for paragraph 22, the following paragraph shall be substituted, namely:—

"**22. Local limits of jurisdiction of Courts of Subordinate Judges and Munsiffs**.—(*1*) The local limits of the jurisdiction of the Court of a Subordinate Judge or Munsiff shall be such as the State Government may, after consultation with the High Court, by notification in the Official Gazette, define.

(*2*) When a Subordinate Judge is posted to a district, the local limits of the district shall, in the absence of any directions to the contrary, be the local limits of his jurisdiction." ;

(*ix*) paragraph 31 shall be omitted;

(*x*) for paragraph 32, the following paragraph shall be substituted, namely:—

"**32. Finality of appellate decrees of District Court.**—Subject to the provisions of section 100 of the Code of Civil Procedure, 1908 (5 of 1908), an appellate decree of a District Court shall be final.";

(*xi*) paragraphs 33, 34, 35 and 41 shall be omitted;

(*xii*) in sub-paragraph (*1*) of paragraph 42, the words "the Court of Judicial Commissioner and" shall be omitted.

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STATEMENT OF OBJECTS AND REASONS

On 3rd September 1970 it was announced in Parliament that Government had decided, in principle, to grant Statehood to Manipur and Tripura. Later, a similar announcement was made in respect of the autonomous State of Meghalaya. On further consideration Government have come to the conclusion that the Mizo District of Assam and the North-East Frontier Agency should also be separated from the State of Assam, and made into Union territories to be known as Mizoram and Arunachal Pradesh, respectively.

2. The Bill seeks to establish the new States of Manipur and Tripura, and form the new State of Meghalaya and the new Union territories of Mizoram and Arunachal Pradesh by reorganisation of the existing state of Assam. The Bill also seeks to define the territories of the new States and Union territories and makes the necessary supplemental, incidental and consequential provisions regarding representation in Parliament and in the Legislative Assemblies of the States and other matters. The Bill further provides for the constitution of a common High Court, for all the States in the north-eastern region and a common Bar Council. The common High Court will also have jurisdiction in the new Union territories.

3. As required by the proviso to article a of the Constitution, this Bill was referred by the President to the Legislature of the State of Assam for expression of its views.

4. The notes on clauses explain in detail the various provisions of tile Bill.

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