

# **The M.P. Bhudan Yagna Board (Reconstitution) Order, 1960**

MADHYA PRADESH

India

## **The M.P. Bhudan Yagna Board (Reconstitution) Order, 1960**

### **Rule**

### **THE-M-P-BHUDAN-YAGNA-BOARD-RECONSTITUTION-ORDER-1960 of 1960**

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The M.P. Bhudan Yagna Board (Reconstitution) Order, 1960 Published vide Notification Gazette of India, 1960, Part 2, Section 3(7), p. 590 G.S.R 345, dated 16th March, 1960. - In exercise of the powers conferred by sub-section (1) of Section 4 of the Inter-State Corporations Act, 1957 (38 of 1957), the Central Government, after consulting the Governments of the States of Madhya Pradesh and Bombay, approves the scheme forwarded by the Government of Bombay relating to the reconstitution and reorganisation of the Madhya Pradesh Bhudan Yagna Act, 1953 (Madhya Pradesh Act No. 15 of 1953) and functioning in parts of the States of Madhya Pradesh and Bombay and for the purpose of giving effect to the said scheme, the Central Government hereby makes the following Order, namely:-

### **1. Short title.**

- This Order may be called the Madhya Pradesh Bhudan Yagna Board (Reconstitution) Order, 1960.

### **2. Definitions.**

- In this Order, unless the context otherwise requires.-(a)"Act" means the Madhya Pradesh Bhudan Yagna Act, 1953 (Madhya Pradesh Act 15 of 1953);(b)"appointed day" means the 1st April, 1960;(c)"existing Board" means the Madhya Pradesh Bhudan Yagna Board established under the Act and functioning and operating immediately before the appointed day in the areas of the former State of Madhya Pradesh;(d)"Mahakoshal region" or "Mahakoshal region of the State of Madhya Pradesh" means the territories which immediately before the 1st November, 1956 were comprised in the State of Madhya Pradesh, excluding the Vidarbha region.(e)"new Board " means the Board established under the Act, as from the appointed day, for the Vidarbha region;(f)"Vidarbha region"

or "Vidarbha region of the State of Bombay" means the territories comprising the districts of Buldana, Akola, Amravati, Yeotmal, Wardha, Nagpur, Bhandara and Chanda transferred to the State of Bombay under Clause (c) of sub-section (1) of Section 8 of the States Reorganisation Act, 1956 (37 of 1956).(2) Words and expressions used, but not defined, in this Order shall have the meanings respectively assigned to them in the Act.

### **3. Exclusion of certain areas from the operation of the existing Board and creation of new Board for Vidarbha region.**

- As from the appointed day, -(a) the existing Board shall cease to function and operate in the Vidarbha region of the State of Bombay and shall be deemed to have been established for the Mahakoshal region of the State of Madhya Pradesh; (b) a new Board shall be established for the Vidarbha region.

### **4. Transfer of assets and apportionment of fund of existing Board.**

(1) Subject to the other provisions of this Order, all land and all stores, articles and other goods belonging to the existing Board shall, as from the appointed day, -(a) if situated within the Vidarbha region, pass to the new Board; and (b) in any other case, continue to vest in the existing Board. Explanation. - In this sub-paragraph, "land" includes immovable property of every kind and any rights in or over such property. (2) The balance standing to the credit of the Fund of the existing Board on the appointed day shall be apportioned between the existing Board and the new Board in such proportion as may be agreed upon by the State Governments of Madhya Pradesh and Bombay, or failing such agreement, in such proportion as may be decided by the Central Government.

### **5. Contracts.**

- Where, before the appointed day, the existing Board has made any contract, the contract shall be deemed to have been made, -(a) if the purposes of the contract are, as from the appointed day, exclusively relatable to the Vidarbha region, by the new Board; (b) in any other case, by the existing Board; 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 the rights or liabilities of the new Board, or the existing Board, as the case may be.

### **6. Residuary provision.**

- The benefit or burden of any assets or liabilities of the existing Board not dealt with under any other provisions of this Order shall, -(a) if the assets are situated, or the liability arises, in the Vidarbha region, pass to the new Board; (b) in any other case, continue to be the benefit or burden of the existing Board: Provided that, the initial allocation of the benefit or burden under this paragraph shall be subject to such financial adjustment as may be agreed upon by the State Governments of Madhya Pradesh and Bombay, or in default of such agreement, as the Central Government may direct.

## **7. Legal proceedings.**

- Where immediately before the appointed day, the existing Board is a party to any legal proceedings with respect to any property, rights or liabilities transferred to the new Board the new Board shall be deemed to be substituted for the existing Board as a party to the proceedings continued accordingly.

## **8. Provisions relating to employees of existing Board.**

(1) Every employee of the existing Board who, immediately before the appointed day, is serving exclusively in connection with the affairs of the existing Board relating to the Vidarbha region shall, as from appointed day, be deemed to have been allotted to serve in connection with the affairs of the new Board. (2) Nothing in this paragraph shall be deemed to affect the right of the new Board to determine after the appointed day the conditions of service of persons allotted to it under that sub-paragraph (1): Provided that the conditions of service applicable immediately before the appointed day to any such person shall not be varied to his disadvantage except with the previous approval of the Central Government.

## **9. Adaptations and modifications in the Act.**

- As from the appointed day, the Act shall, until altered, repealed or amended by the competent Legislature of the State have effect subject to the provisions of this Order and the adaptations and modifications directed by the Schedule hereto annexed. The Schedule [See Paragraph 9] The Madhya Pradesh Bhudan Yagna Act, 1953 (Madhya Pradesh Act No. 15 of 1953)

### **1. For sub-section (2) of Section 1, the following sub-section shall be substituted, namely:-**

"(2) It extends to the territories which immediately before the 1st day of November, 1956 were comprised in the State of Madhya Pradesh."

### **2. In Section 2-**

(i) in Clause (a), for the words "the Board", the words "either of the Board" shall be substituted; (ii) for Clause (b), the following clause shall be substituted, namely:- "(b) "Board" means the Board established or deemed to be established under Section 3 for the Mahakoshal region of the State of Madhya Pradesh or the Board established under that section for the Vidarbha region of the State of Bombay, as the case may be; (iii) after Clause (d), the following clause shall be inserted, namely:- "(d-1) "Mahakoshal region of the State of Madhya Pradesh" means the territories which immediately before the 1st day of November, 1956 were comprised in the State of Madhya Pradesh, excluding the Vidarbha region of the State of Bombay;"; (iv) in Clause (e), for the words and figures "Central Provinces Land Revenue Act, 1917, or the Berar Land Revenue Code, 1928, as the case may be," the following shall be substituted, namely:- "Madhya Pradesh Land Revenue Code, 1954"; (v) after Cl. (f), the following clause shall be inserted, namely:- "(g) "Vidarbha region of the

State of Bombay" means the territories comprising the Districts of Buldana, Akola, Amravati, Yeotmal, Wardha, Nagpur, Bhandara and Chanda transferred to the State of Bombay under CL (c) and sub-section (1) of Section 8 of the States Reorganisation Act, 1956,'.

**3. After Section 2, the following section shall be inserted, namely:-**

"2A. Construction of certain references in the Act.-In the application of the provisions of this Act to the Vidarbha region of the State of Bombay, any reference therein to any expression mentioned in column 1 of the Table below shall be construed as a reference to the corresponding expression mentioned in column 2 of the said Table.

1	2
State Government	Government of the State of Bombay.
Board	Board established under Section 3 for the Vidarbha region of the State of Bombay.
Deputy Commissioners	Collector."

**4. In Section 3, for sub-section (1), the following sub-sections shall be substituted, namely:-**

"(1) There shall be established a Board by the name of the Madhya Pradesh Bhudan Yagna Board for the Mahakoshal region of the State of Madhya Pradesh and a Board by the name of the Vidarbha Bhudan Yagna Board for the Vidarbha region of the State of Bombay.(1A)Until a Board is established in accordance with the provisions of this Act for the Mahakoshal region of the State of Madhya Pradesh, the existing Board functioning and operating immediately before the commencement of the Madhya Pradesh Bhudan Yagna Board (Reconstitution) Order, 1959 shall be deemed to be the Board for the purposes of this Act for that region; and on the establishment of such Board,-(a)the existing Board shall stand dissolved;(b)all properties, funds and dues which are vested in, or realisable by the existing Board shall vest in, and be realisable by, the Board so established; and(c)all liabilities which were enforceable against the Board shall be enforceable against the Board as established."

**5. In sub-section (2) of Section 30, for the words and figures "Central Provinces Land Revenue Act, 1917, or the Berar Land Revenue Code, 1928, as the case may be," the following shall be substituted, namely :-**

"Madhya Pradesh Land Revenue Code, 1954".

**6. In Section 32 -**

(i)for the words and figures "Central Provinces Land Revenue Act, 1917, or the Berar Land Revenue Code, 1928, as the case may be," the following shall be substituted, namely:-"Madhya Pradesh Land

Revenue Code, 1954";(ii)for the words "said Act or the Code", the words "said Code" shall be substituted.