

(2) All proceedings pending before any authority of the said municipality or local authority on the said day which under the provisions of this Act are required to be instituted before or undertaken by the Commissioner shall be transferred to and continued by him and all other such proceedings shall, so far as may be, be transferred to and continued by such authority before or by whom they have to be instituted or undertaken under the provisions of this Act.

(3) All appeals pending before any authority of the said municipality or local authority on the said date shall, so far as may be practicable, be disposed of as if the area was constituted to be a City when they were filed.

(4) All prosecutions instituted by or on behalf of the said municipality or local authority and all suits and other legal proceedings instituted by or against the said municipality, local authority or any officer of the said municipality or local authority pending on the said date shall be continued by or against the Commissioner or the Corporation for the said City, as the case may be, as if the area was constituted to be a City when such prosecution, suit or proceeding was instituted.

5. Save as expressly provided by the provisions of this Appendix or by a notification issued under paragraph 22 or order made under paragraph 23,—

(a) any appointment, notification, notice, tax, order, scheme, licence, permission, rule, by-law, or form made, issued, imposed or granted under the Bombay District Municipal Act, 1901, or the Bombay Municipal Boroughs Act, 1925, or any other law in force in any local area constituted to be a City immediately before the appointed day shall, in so far as it is not inconsistent with the provisions of this Act, continue in force until it is superseded by any appointment, notification, notice, tax, order, scheme, licence, permission, rule, by-law, or form made, issued, imposed or granted under this Act or any other law as aforesaid, as the case may be;

(b) all budget estimates, assessments, valuation, measurements, and divisions made under the Bombay District Municipal Act, 1901, or the Bombay Municipal Boroughs Act, 1925 or any other law in force in any area constituted to be a City immediately before the appointed day shall in so far as they are consistent with the provisions of this Act be deemed to have been made under this Act;

(c) all officers and servants in the employ of the said municipality or local authority immediately before the appointed day shall be officers and servants employed by the Corporation under this Act and shall, until other provision is made in accordance with the provisions of this Act, receive salaries and allowances and be subject to the conditions of service to which they were entitled or subject on such date:

Provided that service rendered by such officers and servants before the appointed day shall be deemed to be service rendered in the service of the Corporation:

Provided further that it shall be competent to the Corporation to discontinue the services of any officer or servant who, in its opinion, is not necessary or suitable to the requirements of the municipal service, after giving such officer or servant such notice as is required to be given by the terms of his employment and every officer or servants whose services are so discontinued, shall be entitled to such leave, pension or gratuity as he would have been entitled to take or receive on being invalided out of service if this Act had not been passed.

¹[5A. Where any local area comprising partly of an area of a Municipal Borough and partly of an area of any gram or nagar is constituted to be a city ² [* * * * *] any appointment, notification, notice, tax, order, scheme, licence, permission, rule, bye-law or form made, issued, imposed or granted under the Gujarat Panchayats Act, 1961 or, as the case may be, the Gujarat Municipalities Act, 1963 or any other law in force in a part of the local area constituted to be a city immediately before the appointed day shall, in so far as it is not inconsistent with the provisions of this Act continue in force in such part of the area of the city until it is superseded by any appointment, notification, notice, tax, order, scheme, licence, permission, rule, bye-law or form made, issued, imposed, or granted under this Act or any other law as aforesaid, as the case may be.]

Continuation of appointments, taxes, budget estimates assessments, etc.

Continuation of appointments tax, budget estimates, assessments, etc., in certain other cases.

1. Paragraph 5A was inserted by Guj. 18 of 1984, s. 4 (1) (b).

2. The words and figures "under section 3" were deleted by Guj. 16 of 1993, s. 22 (1).

Bom of XVII
of 1925.
Bom. III of
1901.

Bom. III of
1901.

Bom. XVIII
of 1925.

Guj. 6 of
1962.
Guj. 34 of
1964.