



GOVERNMENT OF MAHARASHTRA
LAW AND JUDICIARY DEPARTMENT

BOMBAY ACT No. XXI OF 1960

THE BOMBAY STATUTORY CORPORATIONS
(REGIONAL REORGANISATION) ACT, 1960.

(As modified upto the 15th September 2012)



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**THE BOMBAY STATUTORY CORPORATIONS (REGIONAL
REORGANISATION) ACT, 1960.**

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BOMBAY ACT No. XXI OF 1960.¹

[The Bombay Statutory Corporations (Regional Reorganisation) Act, 1960.]

(First published, after having received the assent of the President in the "Bombay Government Gazette" on the 12th April 1960.)

An Act to take power for the reorganisation of certain corporations; and for matters connected therewith.

WHEREAS certain corporations have been established and are functioning in the pre-Reorganisation State of Bombay, excluding the transferred territories;

AND WHEREAS it is expedient to take power to reorganise those corporations by setting up separate corporations for the Gujarat and Maharashtra regions of the State; It is hereby enacted in the Eleventh Year of the Republic of India as follows :—

1. This Act may be called the Bombay Statutory Corporations (Regional Reorganisation) Act, 1960. Short title.

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

(a) "existing corporation" means a body corporate constituted under any Act mentioned in the Schedule, or any such body which is deemed to be the body corporate for the purposes of any such Act, or which is performing the functions, discharging the duties and exercising the powers of any such body;

(b) "Gujarat region" means such area as the State Government may, by notification in the *Official Gazette*, specify to be the Gujarat region;

(c) "Maharashtra region" means the area comprised in the pre-Reorganisation State of Bombay, excluding the transferred territories and also the Gujarat region;

(d) "region" means the Maharashtra region or the Gujarat region; and "regional" shall be construed accordingly.

3. (1) If it appears to the State Government expedient that any existing corporation, which is operating and functioning immediately before the commencement of this Act, should be dissolved or that it should be reconstituted and reorganised so that there are established or functioning separate corporations for the Maharashtra and Gujarat regions, that Government may by order make provision for such dissolution or reconstitution and reorganisation of such existing corporation. Reorganisa-
tion of
existing
corporations
and setting
up of
regional
corporations.

(2) An order made under sub-section (1) may, notwithstanding anything contained in any of those Acts, provide for all or any of the following matters, that is to say :—

(a) the dissolution of any existing corporation;

(b) the reorganisation and reconstitution in any manner whatsoever of an existing corporation, including the constitution, where necessary, of one or more regional corporations;

(c) the area in which the existing corporation as reorganised, or any new corporation, shall function and operate;

(d) the nomination of a chairman or president of any existing corporation as reorganised, or of any new corporation;

¹ For Statement of Objects and Reasons, see *Bombay Government Gazette, 1960*, Part V, page 20. (G.C.P.) H 790—2(3350—9-2012)

(e) the nomination of such number of members to constitute any existing corporation as reorganised, or any new corporation for such period as may be specified in the order, or until a corporation is duly constituted for the region under any of the Acts aforesaid ;

(f) the provision for a quorum for the meeting and other proceedings of an existing corporation as reorganised, or for any new corporation ;

(g) where an existing corporation is a corporation sole, the appointment of any person to the office of that corporation as reorganised, or of any such new corporation ;

(h) the appointment of any Registrar, or any other officer or person required to be appointed by or under any of the Acts aforesaid, and the terms and conditions of service applicable to him ;

(i) the transfer in whole or in part of the assets, rights and liabilities of the existing corporation, including the rights and liabilities under any contract made by it, to one or more new corporations, and the terms of such transfer ;

(j) the substitution of any such transferee of the existing corporation, or the addition of any such transferee, as a party to any legal proceedings, or proceedings pending before any officer or authority, to which the existing corporation is a party ;

(k) the transfer of any proceedings pending before any existing corporation or any officer or authority, to any new corporation or any other officer or authority which may be designated ;

(l) the transfer or re-employment of any employees of an existing corporation to, or by, any such transferee, and the terms and conditions of service applicable to such employees after such transfer or re-employment :

Provided that the terms and conditions of service of any such employee shall not, until altered by an authority designated, be less favourable than those applicable to him while in the service of the existing corporation ;

(m) that any registers maintained by an existing corporation, shall be divided in such manner as is provided in the order, or that such registers shall be deemed to be prepared or maintained by the existing corporation as reorganised, or by any new corporation, or by each of them ;

(n) that any person who immediately before a specified date is on any register or list prepared and maintained by any existing corporation under any of the Acts aforesaid, shall be entitled to practise in the area within the jurisdiction of the existing corporation as reorganised, or any new corporation, or within the jurisdiction of both of them ;

(o) that any institution recognised or approved by any existing corporation shall be deemed to be recognised or approved by the existing corporation as reorganised, or by any new corporation, or by both of them, in such way and subject to such conditions as may be specified in the order ;

(p) that a public trust, duly registered under the Bombay Public Trusts Act, 1950, the property of which is wholly situated in one region and the registered office of which is in another region, or the property of which is partly situated in one region and partly in another, shall be deemed to be registered in particular region, or in both regions ;

(q) the division or re-allocation of any schemes which may be formulated, approved or sanctioned by the existing corporation, between the existing corporation as reorganised, and any new corporation, or between any new corporations ;

(r) the provision for the right to recover any loans, subventions, contributions or other monies or any part thereof by the State Government, or by the existing corporation as reorganised, or by any new corporation ;

(s) the provision that anything done or any action taken (including any appointment or delegation made, notification, order, instruction or direction issued, rule, regulation, form, bye-law or scheme framed, certificate obtained, permit or licence granted or registration effected) by the existing corporation shall be deemed to be a thing done or action taken by the existing corporation as reorganised or any new corporation, or by each of them ;

(t) all incidental, consequential or supplementary matters as may be necessary to give effect to the establishment of regional corporations, and for the proper and just distribution of rights, and liabilities between them ;

(u) the adaptation and modification of any of the Acts aforesaid under which an existing corporation is functioning and operating, whether by way of repeal or amendments, as may be necessary or expedient to give effect to the setting up of regional corporations.

(3) The validity of the proceedings of any existing corporation as reorganised or any new corporation or anything done by any such body shall not be questioned on the ground merely of any vacancy in such body or any defect or irregularity in the constitution thereof.

(4) Where any order is made under this section transferring any assets, rights or liabilities of an existing corporation then by virtue of such order such assets, rights or liabilities of the existing corporation shall vest in and be the assets, rights and liabilities of the transferee.

(5) Any order made under this section shall be published in the *Official Gazette* and shall take effect from such date (not being a date earlier than the date of the commencement of this Act) as is specified in the order; and the Act under which the existing corporation was functioning and operating shall have effect subject to the provisions of the order and the adaptation and modification made thereby until duly altered, repealed or amended by the competent Legislature.

(6) Except as otherwise provided by this Act, or any order made thereunder, the Act under which an existing corporation is functioning and operating shall in all other respects apply to such existing corporation as reorganised, or to any new corporation constituted for a region.

4. The State Government may by notification in the *Official Gazette* specify in the Schedule any Act under which a body corporate constituted or deemed to be constituted for the pre-Reorganisation State of Bombay, excluding the transferred territories is functioning, and on the issue of such notification the Schedule shall be deemed to be amended by the inclusion of such Act therein.

Power of State Government to add to the Schedule.

THE SCHEDULE

[See sections 2 and 4]

Existing Corporation 1	Relevant Act 2
1. The Secondary School Certificate Examination Board.	The Bombay Secondary School Certificate Examination Act, 1948 (Bom. XLIX of 1948).
2. The Bombay Housing Board.	The Bombay Housing Board Act, 1948 (Bom. LXIX of 1948).
3. The Khar Lands Development Board.	The Bombay Khar Lands Act, 1948 (Bom. LXXII of 1948).
4. The Charity Commissioner, Bombay.	The Bombay Public Trusts Act, 1950 (Bom. XXIX of 1950).
5. The Bombay Labour Welfare Board.	The Bombay Labour Welfare Fund Act, 1953 (Bom. XL of 1953).

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