# THE ANDHRA STATE ACT,1953

## No.30 OF 1953

**[14th September, 1953]**

**An Act to provide for the formation of the State of Andhra, the increasing of the area of the State of Mysore and the diminishing of the area of the State of Madras, and for matters connected therewith.**

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**B**E it enacted by Parliament as follows: **-**

# PART I

# PRELIMINARY

## 1.Short title and Commencement

**.-**(1)This act may be called the Andhra State Act, 1953**.**

(2)This Part and sections 43, 54, 58, 61, 62, 63, 64, 66 and 69 shall come into force at once, and all other provisions of this Act shall come into force on the 1st day of October, 1953**.**

## 2.Definitions

**.-**In this Act, unless the context otherwise requires**.-**

*(a)*"appointed day" means the 1st day of October, 1953**.**

*(b)*"article" means an article of the Constitution**.**

*(c)*"Assembly constituency", "Council constituency" and "Parliamentary constituency" have the same meaning as in the Representation of the People act, 1950 (XLIII of 1950);

*(d)*"law" includes any enactment ordinance, regulation, order, bye**-**law, rule, scheme, notification or other instrument having the force of law in the whole or in any part of the State of Madras or Mysore as constituted immediately before the appointed day;

(e) "Order" means an Order published in the Official Gazette**.**

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

*(g)*"transferred territory" means the territory added top the State of Mysore by sub**-**section (1) of section 4**.**

# PART II

# FORMATION OF ANDHRA STATE AND TRANSFER OF TERRITORY FROM MADRAS TO MYSORE

## 3.Formation of Andhra State

**.-**(1) As from the appointed day, there shall be formed a Part A State to be known as the State of Andhra comprising the territories which immediately before that day were comprised in Srikakulam, Visakhapatnam, East Godavari, West Godavari, Krishna, Guntur, Nellore, Kurnool, Anantapur, Cuddapah and Chittoor district and in the Alur, Adoni and Rayadrug taluks

of Bekllary district in the State of Madras and the said territories shall thereupon cease to form part of the State of Madras.

(2) Without prejudice to the power of the State Government to alter hereafter the extent, boudoirs and names of distracts the said talks of Alur and Adoni shall be included in and become part of Kurnool district and the said talk of Rayadrug shall be included, in and become part of Anantapur district.

## 4.Transfer of territory from Madras to Mysore

.-(1) As from the appointed day, there shall be added to the State of Mysore the territory which immediately before that day was comprised in the talks of Bellary district other than Alur, adoni and Rayadrug in the State of Madras, and the said territory shall thereupon cease to form part of the State of Madras.

(2) Without prejudice to the power of the State Government to alter hereafter the extent boundaries and names of districts, the trasnferred territory shall from a separate district to be known as Bellary district.

## 5.Amendment of the First Schedule to the Constitution

.- In the First Schedule too the Constitution-

*(a)* in Part A entries 1 to 9 shall be renumbered as entries 2 to 10 respectively, and before entry 2 as so renumbered, the entry "1.Andhra" shall be inserted;

*(b)* in Part A, in the description of the territories of states-

*(i)* before the paragraph relating to the territory of the State of assam, the following paragraph shall be inserted namely: -

"The territory of the State of andhra shall comprise the territories specified in sub-section (1) of section 3 of the Andhra State act, 1953."; and

*(ii)* at the end of the last paragraph, the following shall be added, namely: -

"but in the case of the State of Madras shall not include the territories specified in sub-section (1) of section 3 and sub-section (1) of section 4 of the Andhra State Act, 1953"; and

*(c)* in Part B, at the end of the paragraph containing the description of the Territories of States, the following shall be added, namely: -

"and in the case of the State of Mysore shall also comprise the territory specified in sub-section (1) of section 4 of the Andhra State act, 1953."

# PART III

# REPRESENTATION IN THE LEGISLATURES

# Council of States

## 6.Representation in the Council of States

.-The number of seats allotted to the State of Madras in the Council of States shall be reduced from 27 to 18, and there shall be allotted 12 seats to the State of Andhra in the said Council.

## 7.Amendment of the Fourth Schedule to the Constitution

.-In the Fourth Schedule to the Constitution-

*(a)* in the Table of Seats relating to the States specified in Part A of the First Schedule-

*(i)* entries 1 to 9 shall be renumbered as entries 2 to 10 respectively;

*(ii)* before entry 2 as so renumbered, the entry "1.Andhra.....12" shall be inserted;

*(iii)* in column 2, for the figures "27" and "145" the figures "18" and "148" shall respectively be substituted;

*(b)* at the end of the Table of Seats, for the figures "204" the figures "207" shall be substituted.

## 8.Allocation of sitting members

.-The nine sitting members of the Council of states representing the State of Madras whose names are specified in Part I of the First Schedule shall be deemed to have been elected by the elected members of the Legislative Assembly of Andhra too fill nine of the seats allotted to the State of Andhra in the Council of States; and the remaining eighteen sitting members whose names are specified in Part II of that Schedule shall continue to be members of the Council of States representing the State of Madras.

## 9.Bye-election to fill vacancies

.-As soon as may be after the appointed day, there shall be held a bye-election to fill the vacancies existing on the appointed day in the seats allotted to the State of Andhra in the Council of States.

## 10.Term of office

.-(1) Except as provided in sub-section (2), the terms of office of the members specified in the First Schedule shall remain unaltered, that is to say, as indicated in that Schedule.

(2) The term of office-

*(a)* of one of the two members specified against serial number s 4 and 5 in Part I of the First Schedule shall be increased so as to expire on the 2nd day of April, 1958, and

*(b)* of on of the seven members specified against serial numbers 7 to 13 in Part II of that Schedule shall be reduced so as to expire on the 2nd April, 1954.

(3) The member whose term of office is to be increased under clause (a) of sub-section (20 and the member whose term of office is to be reduced under clause (b) of that sub-section shall be determined as soon as may be after the appointed day by lot drawn in such manner as the Chairman of the Council of States may direct.

(4) The term of office of each of th three members to be elected by the elected members of the Legislative Assembly of Andhra under section 9 shall expire on the 2nd day of April, 1956.

# House of the People

## 11.Representation in the House of the People

.-(1) The number of seats allotted in the House of the People to the State of Madras shall be reduced from 75 to 46, the number of seats allotted to the State of Mysore shall be increased from 1 to 12, and there shall be allotted 28 seats to the State of andhra in that House.

(2) In the First Schedule to the Representation of the People Act, 1950 (XLIII of 1950)-

*(a)* in the Part relating to Part A States, -

*(i)* entries 1 to 9 shall be renumbered as entries 2 to 10 respectively, and before entry 2 as so renumbered, the following entry shall be inserted, namely: -

"1 Andhra .....28"; and

*(ii)* for the entry in column 2 against Madras the entry "46" shall be substituted; and

*(b)* in the Part relating to Part B States, for the entry in column 2 against Mysore, the entry "12" shall be substituted.

## 12.Delimitation of constituencies

.-The Delimitation of Parliamentary and Assembly Constituencies (Madras) Order, 1951 and the Delimitation of Parliamentary and Assembly Constituencies (Mysore) Order 1951 shall, until other provision is made by law, have effect subject to the modifications directed by the Second Schedule.

## 13.Provision as to sitting members

.-Every sitting member of the House of the People representing a constituency which on the appointed day by virtue of the provisions of section 12 stands transferred, whether with or without alteration of boundaries, to the State of Andhra or to the State of Mysore, shall be deemed to have been elected to the House of the People by that constituency as so transferred.

## 14.Electoral rolls for modified Parliamentary constituencies

.-Where by virtue of the provisions of section 12, the extent of a Parliamentary constituency has altered, the electoral roll for that constituency as so altered shall, as from the appointed day and until it is revised in accordance with law, be deemed to consist of so much of the electoral roll or rolls for any Parliamentary constituency or constituencies as relate to the areas comprised within the constituency as so altered.

# Legislative Assemblies

## 15.Strength of Legislative Assemblies

.- (1) The total number of seats to be filled by persons chosen by direct election-

*(a)* in the Legislative Assembly of Andhra shall be 140,

*(b)* in the Legislative Assembly of Madras, shall be reduced from 375 to 230, and

*(c)* in the Legislative Assembly of Mysore shall be increased from 99 to 104.

(2) In the Second Schedule to the Representation of the People Act, 1950 (XLII of 1950)-

*(a)* in the Part relating to Part A States, -

*(i)* entries 1 to 9 shall be renumbered as entries 2 to 10 respectively, and before entry 2 as so renumbered, the following entry shall be inserted, namely:-

"1.Andhra.....140"; and

*(ii)* for the entry in column 2 against Madras, the entry "230" shall be substituted; and

*(b)* in the Part relating to Part B States, for the entry in column 2 against Mysore, the entry '104' shall be substituted.

## 16.Allocation of members

.-(1) Every sitting member of the Legislative Assembly of Madras representing a constituency which on the appointed day by virtue of the provisions of section 12 stands transferred, whether with or without alteration of boundaries, to the State of Andhra or to the State of Mysore shall, as from the appointed day, cease to be a member of the Legislative Assembly of Madras and shall be deemed to have been elected to the Legislative Assembly of Andhra or as the case may be of Mysore by that constituency as so transferred.

(2) The sitting member of the Legislative Assembly of Madras nominated to that Assembly under article 333 to represent the Anglo-Indian community shall, notwithstanding the diminution in the area of that State, continue to represent the said community in that Assembly under that article.

## 17.Duration of Legislative Assemblies

.-(1) The period of five years referred to in clause 91) of article 172 shall, in the case of the Legislative Assembly of Andhra, be deemed to have commenced on the date on which it actually commenced in the case of the legislative Assembly of Madras.

(2) The changes in the composition of the Legislative Assemblies of Madras and Mysore shall not affect the duration of either of those assemblies as provided under clause (1) of article 172.

## 18.Electroal rolls for modified Assembly constituencies

.-Where by virtue of the provisions of section 12 th extent of an Assembly constituency has altered, the electoral roll for that constituency as so altered shall, as from the appointed day and until it is revised in accordance with law, be deemed to consist of so much of the electoral roll or rolls for any Assembly constituency or constituencies as relate to the areas comprised within the constituency as so altered.

# Legislative Councils

## 19.Madras Legislative Council

.-(1) In the Legislative Council of Madras there shall be 51 seats of which-

*(a)* the numbers to be filled by persons elected by the electorates referred to in sub-clauses *(a), (b)* and *(c)* of clause (3) of article 171 shall be 14, 4 and 4 respectively;

*(b)* the number to be filled by persons elected by the members of the Legislative Assembly of Madras in accordance with the provisions of sub-clause *(d)* of these aid clause shall be 18; and

*(c)* the number to be filled by persons nominated by the Governor of Madras in accordance with the provisions of sub-clause *(e)* of the said clause shall be 11;

*(a)* the number of seats to be filled by persons elected by the electorates referred to in sub-clause *(b)* of clause (3) of article 171 shall be increased to 6, and

*(b)* the number of seats to be filled by persons referred to in clause *(c)* of this sub-section shall be reduced to 9.

(2)The two additional seats allotted under clause *(a)* of the proviso to sub-section *(1)* shall,

for the purpose of filling them for the first time, be deemed to be seats rendered vacant by the members of the Legislative Council of Madras retiring on the expiration of their terms of office on the 20th day of April 1954.

(3)The Third Schedule to the Representation of the People Act, 1950 (XLIII of 1950) shall,-

*(a)*as from the appointed day and until the 21st day of April, 1954, stand amended as follows:-

For the entry relating to Madras, the entry-

"3 Madras 51 14 4 4 18 11"

shall be substituted; and

*(b)*as from the 21st day of April, 1954 stand amended as follows:-

For the entry relating to Madras, the entry-

"3.Madras 51 14 6 4 18 9"

shall be substituted.

## 20.Madras Council constituencies

.-The Delimitation of Council Constituencies (Madras) Order, 1951, shall, until other provision is made by law, have effect subject to the modifications directed by the Third Schedule:

Provided that as from the 21st day of April, 1954, the Table appended to paragraph 2 of that Order shall have effect subject to the further modification that for the entry in column 3 thereof against "Madras (Graduates)" constituency the entry "6" shall be substituted.

## 21.Members of the Madras Legislative Council and their terms of office

.-(1)The sitting members of the Legislative Council of Madras whose names are not specified in the Fourth Schedule shall, on the appointed day, cease, to be members of that Council.

(2)The sitting members of the Legislative Council representing the Madras South (Graduates)constituency and the Madras South (Teachers) constituency shall, as from the appointed day, be deemed to have been elected to the Legislative Council of Madras by the Madras (Graduates)constituency and the Madras (Teachers) constituency, respectively.

The terms of office of those sitting members who do not cease to be embers of the Legislative Council on the appointed day shall be determined in accordance with the provisions contained in the Fort Schedule.

## 22.Mysore Legislative Council

.-(1)The Delimitation of Council Constituencies (Mysore) Order, 1951, shall, until other provision is made by law, have effect subject to the modification directed by the Fifth Schedule.

(2)Any reference in the said Order to the State if Mysore shall be construed as including the territory added to that State by sub-section (1) of section 4.

(3)The sitting members of the Legislative Council of Mysore representing the Chitaldrug (Local Authorities) constituency shall, as from the appointed day, be deemed, to have been elected to that Council by the Chitaldrug-*cum*-Bellary (Local Authorities) constituency.

(4)Every sitting member of the Legislative Council of Mysore representing the Mysore (Graduates)constituency or the Mysore (Teachers_ constituency, the boundaries, of which are by virtue of the provisions of sub-section (2)altered, shall as from the appointed day, be deemed o have been elected to the said Council by that constituency as so altered.

## 23.Electoral rolls for modified Council constituencies

**.-**As soon as may be after the appointed day, the electoral rolls for the Mysore (Graduates) constituency and the Mysore (Teachers) constituency shall be revised and an electoral roll shall be prepared for the Chitaldrug**-***cum***-**Bellary (Local Authorities) constituency of the Mysore legislative Council in accordance with the provisions of the Representation of the People act, 1950 (XLIII of 1950) and the rolls so revised or prepared shall come into force immediately upon their final publication in accordance with th rules made under that Act**.**

# MISCELLANEOUS

## 24.Revision of the Scheduled Castes and Scheduled Tribes Orders

**.-T**he Constitution (Scheduled Castes) order, 1950, and the Constitution (Scheduled Tribes) Order, 1950 shall have effect subject to the modifications directed by the Sixth Schedule**.**

## 25.Rules of Procedure of the Andhra Legislative Assembly

**.-** The rules as to procedure and conduct of business in force immediately before the appointed day with respect to the legislative Assembly of the State of Madras shall, until rules are made under clause (1) of article 208, have effect in relation to the Legislative assembly of the State of Andhra subject to such modifications and adaptations as may be made therein by the Speaker thereof**.**

## 26.Amendment o section 2, Act XLIII of 1950

**.-**Section 2 of the Representation of the People Act, 1950 (XLIII of 1950) shall be renumbered as sub**-**section (1) of section 2 and to the said section as so renumbered the following sub**-**section shall be added, namely:**-**

"(2)Any reference in this Act to an order made under section 6, 9 or section 11 shall, unless the context otherwise requires be construed as including a reference to any such order as modified under section 12, section 20 or section 22, as the case may be, of the Andhra State Act, 1953**.**

## 27.Amendment of section 9, Act LXXXI of 1952

**.-**In sub**-**section (3) of section 9 of the Delimitation Commission Act, 1952 (LXXXI of 1952), for the words " and the orders made under either of the said acts" the following shall be substituted, namely:**-**

"the Andhra State act, 1953, and the orders made under any of the said Acts"**.**

# PART IV

# HIGH COURTS

## 28.High Court for Andhra

**.-**(1)As from the 1st day of January 1956, or such earlier date as may be appointed under sub**-**section (2), there shall be a separate High Court of the State of Andhra (hereinafter referred to as "the High Court of Andhra")**.**

(2)The President may, if a resolution recommending the establishment of a separate High Court for th estate of Andhra has after having been adopted by the Legislative Assembly of that State, been submitted to him, appoint, by notification in the Official Gazette, as date

earlier than the 1st day of January 1956, for the purpose of sub-section (1).

(3)The date mentioned in sub-section 91)or if an earlier date is appointed under sub-section n92), the date so appointed is hereinafter referred to as the "prescribed day".

(4)The principal seat of the High Court of Andhra shall be at such place as the Governor of Andhra may, before the prescribed day, by order, appoint:

Provided that if a resolution recommending any place for such principal seat is adopted by the Legislative Assembly of Andhra such place shall be appointed by the Governor as the Principal set.

## 29.Judges of the Andhra High Court

.-(1)Such of the Judges of the High Court at Madras holding office immediately before the prescribed day as may be determined by the President shall on that day cease to be Judges of the High Court at Madras and become Judges of the High Court of Andhra

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

(3)Any person who by virtue of sub-section 91) becomes a Judge of the High Court of Andhra shall, except in the case where a Judge other than the Chief Justice of the High Court at Madras is appointed to be the Chief Justice of the High Court of Andhra continue to be entitled to receive in respect of time spent on actual service as a Judge of the High Court of andhra the special pay which he was drawing immediately from the prescribed day under sub paragraph (2) of paragraph 10 of the Second Schedule to the Constitution.

## 30.Jurisdiction of Andhra High Court

.-The High Court of Andhra shall have, in respect of the territories, for the time being included in the State of Andhra, all such original, appellate and other jurisdiction as under the law inforce immediately before the prescribed day, is exercisable in respect of the said territoreis or any part thereof by the High Court at Madras.

## 31.Power to enrol advocates etc

.-(1)The High Court of Andhra shall have the like power to approve, admit enrol, remove and suspend advocates and attorneys and to make rules with respect to advocates and attorneys, as are under the law in force immediately before the prescribed day, execrable by the High Court at Madras.

(2)The right of audience in the High Court of Andhra shall be regulated in accordance with the like principles as immediately before the prescribed day, are in force with respect to the right of audience in the High Court at Madras.

Provided that, subject to any rule made or direction given by the high Court of Andhra in the exercise of the powers conferred by this section, any person who immediately before the prescribed day is an advocate entitled to practise or an attorney entitled to act in the High Court at Madras shall be recognised as an advocate or any attorney entitled to practise or to act, as the case may be , in the High Court of Andhra.

## 32.Practice and procedure in Andhra High Court

.-Subject to the provisions of this Part, the law in force immediately before the prescribed day with respect to practice and procedure in the High Court at Madras shall, with the necessary modifications apply in relation to the high Court of andhra and accordingly that High Court shall have all such powers to make rules and orders with respect to practice and

procedure as are immediately before the prescribed day execrable by the High Court at Madras:

Provided that any rules or orders which are in force immediately before the prescribed day with respect to practice and procedure in the High court at Madras shall, until varied or revoked by rules or orders made by the High Court of Andhra apply with the necessary modifications in relation to practice and procedure in the High Court of Andhra as if made by that Court.

## 33.Custody of the Seal of the Andhra High Court

.-The law in force immediately before the prescribed day with respect to the custody of the seal of the high Court at Madras shall, with the necessary modifications apply with respect to the custody of the Seal of the High Court of Andhra.

## 34.Form of writs and other processes

.-The law in force immediately before the prescribed day with respect to the form of writs and other process used, issued or awarded by the High Court at Madras, shall, with the necessary modifications apply, with respect to the form of writs and other process used, issued or awarded by the High Court of Andhra.

## 35.Powers of Judges

.-The law in force immediately before the prescribed day relating to the powers of the Chief Justice, single judges and division courts of the high Court at Madras 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 Andhra.

## 36.The place of sitting of the High Court

.-The Judges and division courts of the High Court of Andhra may sit at such place or places in the State of Andhra other than its principal seat as the Chief Justice may, with the approval of the Governor of Andhra, appoint.

## 37.Procedure as to appeals to the Supreme Court

.-The law in force immediately before the prescribed day relating to appeals to the Supreme Court from the High Court at Madras and the judges and division courts thereof shall, with the necessary modifications apply in relation to the High Court of Andhra.

## 38.Transfer of proceedings from Madras High Court to Andhra High Court

.-*(1)*Except as hereinafter provided, the High Court at Madras shall, as from the prescribed day, have no jurisdiction in respect of the State of Andhra.

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

*(3)*Notwithstanding anything contained in sub-sections *(1)*and *(2)*of this section or in section 30, but save as hereinafter provided, the High Court at Madras shall have, and the High Court of Andhra shall not have jurisdiction to entertain, hear or dispose of appeals applications for leave to appeal including leave to appeal including leave to appeal to the Supreme Court, applications for review and other proceedings where any such proceedings seek any relief in respect of any order passed by the High Court at Madras before the

prescribed day:

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

*(4)*Any order made by the High Court at Madras-

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

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

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

## 39.Savings

.-Nothing in this Part shall effect the application the High Court of Andhra of any provisions of the Constitution, and this Part shall have effect subject to any provision that may be made on or after the prescribed day with respect to that High Court by Legislature or other authority having power to make such provision.

## 40.Transitional Provisions

.-*(1)*The provisions of this section shall have effect with respect to the period beginning on the appointed day and ending immediately before the prescribed day.

*(2)*The Jurisdiction of the High Court at Madras shall extend to the State of Andhra, and the said High Court shall, in relation to the territories of that State, continue to have such jurisdiction as it had immediately before the appointed day.

## 41.High Court for the added areas of Mysore

.-*(1)*Except as hereinafter provided-

*(a)*the jurisdiction of the High Court of Mysore shall, as from the appointed day, extend to the whole of the transferred territory, and

*(b)*the High Court at Madras shall, as from that day, have no jurisdiction in respect of the transferred territory.

*(2)*Such proceedings pending in the High Court at Madras immediately before the appointed day as are certified 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 Mysore shall, as soon as may be after such certification, be transferred to the High Court of Mysore.

*(3)*Notwithstanding anything contain in sub-sections *(1)* and *(2)*but save as hereinafter provided, the High Court at Madras shall have, and the High Court of Mysore shall not have, jurisdiction to entertain, hear or dispose of appeals, applications for leave to appeal including leave to appeal to the Supreme Court, applications for review and other proceedings where any such proceedings seek any relief in respect of any order passed by the High Court at Madras before the appointed day.

Provided that if after any such proceedings have been entertained by the High Court at Madras, it appears to the Chief Justice of that High Court that they ought to be transferred to the High Court at Mysore he shall order that they shall be so transferred, and such

proceedings shall thereupon be transferred accordingly.

*(4)*Any order made by the High Court at Madras-

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

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

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

*(5)*Any person who immediately before the appointed day is an advocate entitle to practise or an attorney entitled to act in the High Court at Madras and was authorised to appear or to act in any proceedings transferred from that High Court to the High Court of Mysore under sub-section *(2)* or the proviso to sub-section *(3)*shall, on such transfer of the proceedings, have the right to appear or to act, as the case may be, in the High Court of Mysore in relation to those proceedings as an advocate or an attorney entitled to practice or to act in the High Court of Mysore.

## 42.Interpretation

.-For the purposes of sections 38 and 41-

*(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 including leave to the Supreme Court, applications for review, petitions for revision and petitions for writs;

*(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 contryued as including references to a sentence, judgement or decree passed or made by that court or Judge.

# PART V

# FINANCIAL PROVISIONS

## 43.Authorisation of expenditure pending its sanction by Legislature

.-*(1)*The Governor of Madras may, at any time before the appointed day, authorise such expenditure from the Consolidated Fund of the State of Andhra and the Consolidated Fund of the State of Madras as be deems necessary for a period of not more than four months beginning with the appointed day pending the sanction of such expenditure by the Legislature of the State of Andhra or the State of Madras, as the case may be:

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

*(2)*The Rajpramukh of Mysore may also, at any time before the appointed day, authorise such expenditure from the Consolidated Fund of the State of Mysore as he deems necessary for meeting the additional expenditure in respect of the transferred territory for a period of not more than four months beginning with the appointed day pending the sanction of such expenditure by the Legislature of the State.

## 44.Vote on account by the Madras Legislative Assembly

**.-**Any grant made by the Legislative Assembly of Madras under sub**-**clause *(a)*of clause *(1)* of article 206 in respect of the estimated expenditure for a part of the financial year 1953**-**54 and the law made by the Legislature of that State authorising the withdrawal of moneys from the Consolidated Fund of the State for the purposes for which the said grant has been made shall, notwithstanding that the procedure prescribed in article 203 for the voting of such grant has not been completed and the law in accordance with the provisions of article 204 in relation to such expenditure has not been passed before the appointed day, be deemed to be sufficient authority for all expenditure incurred before that day for the purposes for which the said grant has been made and for the withdrawal of moneys before that day from the Consolidated Fund of the State in relation to such expenditure**.**

## 45.Authorisation under the Madras Appropriation Act to cease

**.-**As from the appointed day, any Act passed by the Legislature of Madras before that day for the appropriation of any money out of the Consolidated Fund of the State to meet any expenditure in respect of any part of the financial year 1953**-**54 shall cease to have effect**.**

## 46.Reports relating to the accounts of Madras State

**.-**The reports of the Comptroller and Auditor**-**General of India referred to in clause *(2)* of article 1151 relating to the accounts of the State of Madras in respect of any period prior to the appointed day shall be submitted to the Governor of each of the States of Andhra and Madras who shall cause them to be laid before the Legislature of the State**.**

## 47.Apportionment of assets and liabilities

**.-***(1)*Subject to the other provisions of this Part, the assets and liabilities of the State of Madras immediately before the appointed day shall be apportioned between that State and the States of Andhra and Mysore in accordance with the provisions contained in the Seventh Schedule**.**

*(2)*Any dispute relating to, or arising out of, such apportionment shall be referred to the President whose decision shall be final**.**

## 48.Contracts

**.-***(1)*Where before the appointed day the State of Madras has made any contract in the exercise of the executive power of that State for any purposes of the State, then such contract shall**-**

*(a)*if such purposes are as from that day**-**

*(i)*exclusively purposes of the State of Andhra, or

*(ii)*partly purposes of the State of Andhra and partly purposes of the State of Mysore and not purposes of the State of Madras as constituted on the appointed day,

be deemed to have been made in the exercise of the executive power of the State of Andhra instead of the State of Madras;

*(b)*if such purposes are as from that day exclusively purposes of the State of Mysore, be deemed to have been made in the exercise of the executive power of that State instead of the State of Madras; and

*(c)*in any other case, continue to have effect as having been made in the exercise of the executive power of the State of Madras;

and all tights 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 State of Madras as constituted immediately before the appointed day, be rights or liabilities of the State of Andhra, the State of Mysore or the State of Madras, as the case may be.

*(2)*For, the purposes of this section there shall be deemed to be included in the liabilities which have accrued or may accrue under any contract-

*(a)*any liability to satisfy an order or award made by any court or other tribunal in proceedings relating to the contract; and

*(b)*any liability in respect of expenses incurred in or in connection with any sec proceedings.

*(3)*This section shall have effect subject to the provisions relating to apportionment of liabilities in respect of loans, guarantees and other financial obligation contained in the Seventh Schedule and bank balances and securities shall, notwithstanding that they partake of the nature of contractual rights, be dealt with under the said provisions.

## 49.Liability in respect of actionable wrong

.-Where immediately before the appointed day, the State of Madras is subject to any liability in respect of an actionable wrong other than breach of contract, that liability shall.-

*(a)*where the cause of action arose-

*(i)*wholly within the territories which as from that day are the territories of the State of Andhra; or;
*(ii)*partly within the territories which s from that day are the territories of the State of Andhra and partly within the transferred territory but not within any part of the territories which as from that day are the territories of the State of Madras,
be a liability of the State of Andhra;

*(b)*where the cause of action arose wholly within the transferred territory, be a liability of the State of Mysore; and

*(c)*in any other case, continue to be a liability of the State of Madras.

## 50.Liability as guarantor

.-If immediately before the appointed day, the State of Madras is liable as guarantor in respect of any liability of a Co-operative Societies Act, 1932 (Madras Act VI of 1932) and whose are of operations is limited to the whole or any part of the territories which on the appointed day become the territories of the State of Andhra, then as from that day the Said liability of the State of Madras in respect of such guarantee shall be a liability of the State of Andhra.

## 51.Power of President to order allocation or adjustment in certain cases

.-Where by virtue of any of the provisions of sections 47 to 50 or of the Seventh Schedule, any of the States of Madras, Andhra and Mysore becomes entitled to any property or obtains any other benefits or becomes subject to any liability, and the President is of opinion, on a reference made within a period of three years from the appointed day, by any State concerned, that it is just and equitable that property or those benefits should be transferred to or share with one or both of the other States, or a contribution towards that liability should be made by one or both of the other States, the said property or benefits shall be allocated in such manner, or the other State or States shall make to the State primarily subject to the liability such contribution in respect thereof, as the President may, after consultation with the State Governments concerned, by order determine.

## 52.Certain expenditure to be charged on the Consolidated Fund of the State

**.-**All sums payable by any of the States of Madras, Andhra and Mysore to any one of the other two States or to the Central Government by virtue of the provisions of paragraph 12 or paragraph 17 of the Seventh Schedule, shall be charged on the Consolidated Fund of the State by which such sums are payable**.**

# PART VI

# LEGAL PROVISIONS

## 53.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 territorial references in any such law to the State of Madras or of Mysore shall, until otherwise provided by a competent Legislature or other competent authority, continue to have the same meaning**.**

## 54.Power to adapt laws

**.-**For the purpose of facilitating the application in relation the State of Andhra, Madras or Mysore of any law made before the appointed day, the appropriate Government may, before the 1st day of April, 1954, by order make such adaptations and modifications of the law, whether by way of repeal or amendment, as may be necessary or expedient, and thereupon every such law shall have effect subject to the adaptations and modifications so made until altered, repealed or amended by a competent Legislature or other competent authority**.**

*Explanation***.-**In this section, the expression "appropriate Government" means as respects a law relating to a matter enumerated in List I of the Seventh Schedule to the Constitution, the Central Government, and as respects any other law, the State Government of Andhra, Madras or Mysore, as the case may be**.**

## 55.Power to Construe laws

**.-**Notwithstanding that no provision or insufficient provision has been made under section 54 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 Madras, Andhra or Mysore, construe the law with such alterations not affecting the substance as may be necessary or proper to adapt it to the matter before the court, tribunal or authority, as the case may be**.**

## 56.Power to name authorities, etc., for exercising statutory function

**.-**The Governor as respects the State of Andhra and the Rajpramukh as respects, the transferred territory 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 exe4rcisable under any law in force on that day as may be mentioned in that notification and such law shall have effect accordingly**.**

## 57.Legal proceedings concerning the State of Madras

**.-**Where, immediately before the appointed day, the State of Madras is a party to any legal proceedings with respect to any property, rights or liabilities subject to apportionment between the State of Madras and the States of Andhra and Mysore under this Act, the State which succeeds to, or acquires a share in, that property pr those rights or liabilities by virtue of any provision of this Act shall be deemed to be substituted for the State of Madras as a party to those proceedings or to be added as a party thereto, as the case may be, and the

proceedings may continue accordingly.

## 58.Provisions as to certain pending proceedings

.-*(1)*Every proceeding pending immediately before the appointed day before a court (other than the High Court), tribunal authority or officer-

*(a)*in any area which on that day falls within the State of Madras or the transferred territory shall, if it is a proceeding relating exclusively to any part of the territories which as from that day are the territories of the State of Andhra, stand transferred to the corresponding court, tribunal, authority or officer in the State of Andhra.

*(b)*in any area which on that day falls within the State of Madras or the State of Andhra shall, if it is a proceeding relating exclusively to any part of the transferred territory, stand transferred to the corresponding court, tribunal, authority or officer in the State of Mysore.

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

*(3)*In this section-

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

*(b)*"corresponding court, tribunal, authority or officer" in relation to a State means

*(i)*the court, tribunal, authority or officer in which the proceeding would have lain if the proceeding had been instituted after the appointed day, or

*(ii)*in case of doubt, such court, tribunal, authority or officer in the State as may be determined, before the appointed day by the Governor of Madras, and after the appointed day by the Governor of Madras, and after the appointed day by the Governor or Rajpramukh of that State, to be the corresponding court, tribunal, authority or officer.

# PART VII

# ADMINISTRATIVE AND MISCELLANEOUS PROVISIONS

## 59.Provisions for detention in, and power to commit to, certain jails and other institutions

.-*(1)*The Government of Madras and the Government of Mysore shall, for a period of five years form the appointed day, make available to the Government of Andhra the jails and other institutions specified in Part I and Part II respectively of the Eighth Schedule for the reception and detention of persons committed to, or ordered to be detained in, such jails or institutions by any court, tribunal or other authority in the State of Andhra.

*(2)*It shall be competent for a court, tribunal or other authority in the State of Andhra to order the commitment to, detention in, any of the jails and other institutions specified in the Eighth convicted and sentenced, or ordered to be detained therein, by such court, tribunal or other authority notwithstanding that such jail or institution is outside the State.

*(3)*The terms and conditions subject to which the jails and other institutions specified in the Eighth Schedule shall be used by the Government of Andhra for the Andhra for the purposes referred to in sub-section *(1)*shall be such as may be agreed upon between the Governments concerned by the 1st day of January, 1954, or, if no agreement is reached by the said date, as may be fixed by order of the President.

## 60.continuance of facilities in certain State institutions

**.-**The Government of Madras and the Government of Mysore, in respect of the institutions specified in Part I and Part II, respectively, of the Ninth Schedule shall provide for the Government and the people of the State of Andhra such facilities, for such period and upon such terms and conditions as may be agreed upon between the Governments concerned by the 1st day of January, 1954 or, if no agreement is reached by the said date, as may be fixed by order of the President**.**

## 61.Provisions relating to the Indian Administrative Service and the Indian Police Service

**.-***(1)*In place of the cadres of the Indian Administrative Service and the Indian Police Service existing in the State of Madras immediately before the appointed day, there shall**.**as from that day, be two separate cadres, one for the State of Andhra and the other for the State of Madras, in respect of each of these Services**.**

*(2)*The President shall, by order, determine the strength and composition of, and the allocation of individual officers to, the said cadres for each of the States of Andhra and Madras**.**

*(3)*Every officer allocated under sub**-**section *(2)*to the cadre for the State of Andhra who immediately before the appointed day is serving in connection with the affairs of the State of Madras shall,**-**

*(a)*if immediately before the appointed day he is holding any post in area which on that day falls in the State of Andhra, be as from that day, deemed to have been duly appointed to that post by the Government of Andhra; and

*(b)*if immediately before the appointed day he is not holding any post in any such area, be appointed by the Government of Andhra to a post in connection with the affairs of that State**.**

## 62.Provisions relating to the Indian Civil Service the Indian Police, the Indian Service of Engineers and the Indian Forest Service

**.-***(1)*In respect of the members borne on the Madras cadre of the Services known as the Indian Civil Service, the Indian Police, the Indian Service of Engineers and the Indian Forest Service, the President shall, by order, determine the allocation of individual officers to the States of Andhra and Madras**.**

*(2)*Every officer allocated under sub**-**section *(1)* to the State of Andhra, who immediately before the appointed day, is serving in connection with the affairs of the State of Madras shall**-**

*(a)*if, immediately before the appointed day, he is holding any post in any area which on that day falls in the State of Andhra, be deemed, as from that day, to have been duly appointed to that post by the Government of Andhra; and
*(b)*if, immediately before the appointed day, he is not holding any post in any such area, be appointed by the Government of Andhra to a post in connection with the affairs of that State**.**

## 63.Provisions relating to other Services

**.-** (1) The President may by general order require all persons who immediately before the appointed day are serving in connection with the affairs of the State of Madras in the territories specified in sub**-**section (1) of section 3 or in the transferred territory and who under the terms of their appointments or their conditions of service are not normally liable to be transferred outside the said territories or territory in which they are serving, to serve as

from the appointed day in connection with the affairs of the State of Andhra or the State of Mysore, as the case may be, and all allocations so made by the President shall be final.

(2)The President may by special order require any person who is serving immediately before the appointed day in connection with the affairs of the State of Madras and to whom the provisions of sub-section (1) do not apply, to serve in connection with the affairs of the State of Andhra.

(3)Every person who is required to serve under sub-section (1) or sub-section (2) in connection with the affairs of the State of Andhra or the State of Mysore shall.-

(a)if immediately before the appointed day he is holding any post in connection with the affairs of the State of Madras in any area which on that day falls in the state in which he is so required to serve, be deemed as from that day to have been duly appointed to that post by the Government of, or by other appropriate authority in, the State concerned in connection with the affairs of that State; and

(b)if immediately before the appointed day he is not holding any post in any such area, be appointed by the Government of, or by other appropriate authority in, the State concerned, to a post in connection with the affairs of that State.

(4)All persons who are required by the President under sub-section (2) to serve in connection with the affairs of the State of Andhra shall be classified by him into the following two categories, namely :-

(i)officers whose allocation to the State of Andhra is final (hereinafter referred to in this section as "allotted officers"), and

(ii)officers required by the President to serve in connection with the affairs of the State of Andhra for limited period as provided in sub-section (5) (hereinafter referred to in this section as "transferred officers")

(5)The period for which a transferred officer may be required to serve in connection with the affairs of the State of Andhra shall be two years ;

Provided that the Government of Andhra may return any such officer to the State of Madras at any time before the expiration of the said period after giving three months' notice to him and to the Government of Madras.

(6)An officer shall be classified under sub-section (4) as an allotted officer or a transferred officer according as he is, or is not, in the opinion of the President, suitable for final allotment to the State of Andhra.

(7)A transferred officer shall, during the period he is required to serve in connection with the affairs of the State of Andhra.-

(a)continue to be in the service of the State of Madras and be deemed to be on deputation to the State of Andhra, and

(b)be entitled in addition to the remuneration which he would have drawn if he had continued during such period to serve in connection with the affairs of the State of Madras to such allowance as the President may by general or special order determine.

(8)A transferred officer shall not be dismissed, removed or reduced in rank except with the previous concurrence of the Government of Madras, and if the Government of Madras does not concur in any such proposal of the Government of Andhra, then the Government of Andhra shall notwithstanding anything contained in sub-section (5) return the officer concerned to the State of Madras.

(9)Subject to the provisions of sub-section (7) and (8), the conditions of service of a transferred officer shall be the same as they would have been if he had continued to serve in

connection with the affairs of the State of Madras during the period he is required to serve in connection with the affairs of the State of Andhra.

(10)The foregoing provisions of this section shall not apply in relation to any person to whom the provisions of section 61 or section 62 apply.

## 64.Power of President to give directions

.- The President may give such directions to the State of Madras Andhra and Mysore as may appear to him to be necessary for the purpose of giving effect to the provisions of section 61, 62 and 63 and ensuring the proper division of services among those States.

## 65.Report of the Madras Public Service Commission

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

## 66.Special provisions with regard to Tungabhadra Project

.- (1) Notwithstanding anything contained in this Act but subject to the provisions of paragraph 12 of the Seventh Schedule, all rights and liabilities of the State of Madras in relation to the Tungabhadra Project or the administration thereof shall, on the appointed day, be the rights and liabilities of the states of Andhra and Mysore subject to such adjustments as may be made by agreement entered into by the said States after consultation with the President or, if no such agreement is entered into within two years from the due regard to the purposes of the Project, and any such order may provide for the management of the Project jointly by the said States or otherwise :

Provided that the order so made by the President may be varied by any subsequent agreement entered into by the States of Andhra and Mysore.

(2)An agreement or order referred to in sub-section (1) shall, if there has been an extension or further development of the Project after the appointed day, provide also for the rights and liabilities of the States of Andhra and Mysore in relation to such extension or further development.

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

(a)the rights to receive and to utilise water which may be available for distribution as a result of the Project.

(b)the rights to receive and to utilise the power generated as a result of the Project,

(c)the rights and liabilities in respect of the administration of the Project and the construction, maintenance and operations thereof,

but shall not include the rights and liabilities under any contract entered into before the appointed day by the Government of Madras with any person other than Government.

(4)The President may from time to time give such directions as may appear to him to be necessary generally in regard to any of the matters specified in the foregoing provisions of this section and, in particular, for the completion of the Project and its operation and maintenance thereafter:

Provided that no such direction shall be issued or have effect after an agreement has been entered into by the States of Andhra and Mysore under sub-section (1) or after an order has been made by the president under that sub-section, whichever is earlier.

(5)In this section, the expression "Tungabhadra Project" or "the Project" means the agreed to between the Government of Madras and the Government of Hyderabad before the appointed day and so far as the State of Madras in concerned, intended for the supply and distribution of water from the Tungabhadra river by means of high level and low level canals to the districts of Bellary Anantapur, Cuddapah and Kurnool, and for the generation of electric energy, both hydro-electric and thermal, and its transmission and distribution to the said districts and includes any extension or further development after that day of that project for the said purposes.

## 67.Allowances and privileges of the Governor of Andhra

.- The allowances and privileges of the Governor of Andhra 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.

## 68.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.

## 69.Powers to remove difficulties

.- If any difficulty arises in give effect to the provisions of this Act, the President may by order anything not inconsistent with such provisions which appears him to be necessary or expedient for the purpose of removing difficulty.

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# THE FIRST SCHEDULE

**(See sections 8 and 10)**

**PART I**

*Andhra Members of the Council of States*

Members whose term of office expires on the 2 nd April 1958.

1.Sri Puchalapalli Sundarayya.
2.Sri Pydah Venkatanarayana.
3.Sri G.Ranganayakulu alias N.G.Ranga.

Members whose term of officer-expires on the 2 nd April, 1958.
4.Sri Kommareddi Suryanarayana.
5.Sri S.Sambhu Prasad.

Members whose term of officer expires on the 2 nd April, 1958.
6.Sri Kotamraju Rama Rao.
7.Sri Makkineni Basavapunnaiah.
8.Sri Neelam Sanjiva Reddy.
9.Sri K.N.Rahimatullah.

**PART II**

*Madras Members of the Council of States*

Members whose term of office expires on the 2 nd April, 1958,

1.Sri T.Bhaskar Rao.
2.Sri M.Mohamad Ismail.
3.Sri K.L.Narasimham.
4.Sri G.Rajagopalan,
5.Sri H.D.Rajah,
6.Sri V.M.Surendra Ram.

Members whose term of office expires on the 2 nd April, 1956,

7.Sri B.V.Kakkilaya,
8.Sri V.K.Krishna Menon,
9.Srimati Mona Hensman.
10.Sri V.M.Obaidullah Sahib.
11.Sri T.S.Pattabiraman.
12.Sri A.Ramaswami Mudaliar.
13.Sri S.Venkataraman.

Members whose term of office expires on the 2nd April, 1954.

14.Sri Ezhukuttikkal Imbichi Bava.
15.Sri S.Guruswami
16.Sri P.S.Rajagopal Naidu
17.Sri K.Sadananda Hegde
18. Sri T.V.Kamalaswamy.

# THE SECOND SCHEDULE

*(See section 12)*

**MODIFICATIONS IN THE DELIMINATION OF PARLIAMENTARY AND ASSEMBLY CONSTITUENCIES (MADRAS) ORDER, 1951**

1.In paragraph 1, for "Madras" substitute "Andhra and Madras".

2.In paragraph 2, for "the State of Madras" substitute "each of the States of Andhra and Madras".

3.In Table A,-

*(a)*above the entry relating to Pathapatnam constituency insert the sub-heading "Part I-Andhra";

(*b)*for the entry in column 2 relating to Nandyal constituency, substitute "The nandyal, Nandikotkur, Markapur Cumbum, Sirvel and Koilkuntla taluks of the Kurnool District";

*(c)*for the entry in column2 relating to Kurnool constituency, substitute "The Kurnool, Dhone, Pattikonda, Alur and Adoni taluks and Banganapalle sub-taluk of the Kurnool district";

*(d)*omit the entry relating to Bellary constituency;

*(e)*for the entry in column 2 relating to Anantapur constituency, substitute "The gooty, Kalyandrug, Tadpatri, Rayadrug and Anatapur taluks (excluyding Bukkacherla firka of the Anatapur taluk) of the Anatapur district";

*(f)*for the entry in column 2 relating to Penukonda constituency substitue "The Bukkacherla firka of the Anantapur taluk, and the Dharmavaram, penukonda, Madakasira, Hindupur and Kadiri taluks of the Anantapur District"; and

*(g)*above the entry relating to madras constituency, insert the sub-heading "Part II-Madras".

4.In Table B,-

*(a)*above the sub-heading "Srikakulam District" insert the sub-heading "PART I-ANDHRA";

*(b)*after the entry relating to Kurnool constituency, insert the following entry namely:-

"Adoni the Alur and Adoni taluks. 2 1 ....."..

*(c)*after the entry relating to Anatapur constituency insert the following entry, namely:-

Rayadrug The Rayadrug taluk. 1

*(d)*omit the sub-heading "Bellary District" and all entries relating to adoni, Siruguppa, Bellary, Rayadrug, Hospet, kudligi and Harpanahalli constituencies thereunder; and

*(e)*above the sub-heading "Madras City" insert he sub-heading "PART II -MADRAS".

5.In the Appendix, omit the whole of item (14).

## II.MODIFICATIONS IN THE DELIMINATION OF PARLIAMENTARY AND ASSEMBLY CONSTITUENCIES (MYSORE) ORDER, 1951

1.In Table A, add the following entry at the end, namely:-

"Bellary The Bellary district 1 -

2.In Table B, add the following entries at the end, namely:-

*"Bellary District*

| | | | |
|---|---|---|---|
| Bellary | The Bellary taluk | 1 | - |
| Sirguppa | The Siruguppa taluk | 1 | - |
| Hospet | The hospet and Sandur taluks | 1 | - |
| Kudligi | The Kudligi taluk, the Chigateri firka of the harpanahalli taluk, and the Ittigi firka (excluding Hampasagara, Yenigi, Bannical, Yenigi Basapur, G.Kodihalli, Kodlabal, Byasigideri, Hagari-bommanahalli and Chintrapalli villages) of the Hadagalli taluk. | 1 | - |
| Harpana halli | The Harpanahalli, Arsikere and Teligi firkas of the Har panahalli taluk; and the Hireh-adagalli, Hadagalli and Tambara-halli firkas and Hampasagara, Yennigi, bannnnical, Yernigi Basapur, G.Kodihalli, Kodlabal, Byasigideri, Hagaribommanahalli and Chintrapalli villages of Ittigi firka of the Hadagalli taluk" | 1 | - |

# THE THIRD SCHEDULE

(See Section 20)

**MODIFICATIONS IN THE DELIMINATION OF COUNCIL CONSTITUENCIES (MADRAS) ORDER, 1951.**

In the Table-

*(a)*for the sub-heading "Graduates' Constituencies" substitute "Gradutates' Constituency";

*(b)*omit the entry relating to the Madras north (Graduates) Constituency;

*(c)*in column 1, for "Madras South (Graduates)" substitute "Madras (Graduates)";

*(d)*for the sub-heading "Teachers Constituencies" substitute "Teachers' Constituency";

*(e)*omit the entry relating to the Madras North (Teachers) Constituency;

*(f)*in column 1, for "Madras South (Teachers)" substitute "Madras (Teachers)"; and

*(g)*omit the entries relating to the following Local Authorities'Constituencies:-

*(i)*Srikakulam-*cum*-Visakhapatnam-*cum*-East Godavari (Local Authorities);

*(ii)*West Godavari-*cum*-Krishna-*cum*-Guntur (Local Authorities);

*(iii)*Nellore-*cum*-Chittoor (Local Authorities); and

*(iv)*Ceded Distircts (Local Authorities).

# THE FOURTH SCHEDULE

(See Section 21)

**LIST OF MEMBERS OF THE MADRAS LEGISLATIVE COUNCIL**

*(a) Elected by Local Authorities' constituencies*

1.Sri Rangaswami naidu .....20th April, 1958

2.Sri K.N.Palaniswami Goundar .....20th April, 1958

3.Sri P.B.K.Thiagaraja Reddiar .....20th April, 1958

4.Sri A.Somasundaram .....20th April 1956

5.Sri C.Marudavanam pillai .....20thApril, 1956

6.Sri Abdul Salam .....20thApril 1956

7.Sri S.O.Sp.Odayappa .....20thApril 1956

8.Sri P.Sivasubramania Nadar .....20thApril 1956

9.Sri T.S.Sankaranarayana Pillai .....20th April 1956

10.Sri C.Perumalswamy Reddy .....20thApril 1954

11.Sri Nathamani naidu .....20th April 1954

12.Sri Purushothaman .....20th April 1954

13.Sri S.Narasappayya .....20th April 1954

14.Sri Thurutheelakath Thottinakara Puthia Purayil Kunnihipocker .....20th April 1954

*(b) Elected by the Madras (Graduates) constituency*

15.Sri A.Lakshmanaswami Mudaliar .....20th April, 1958

16. Sri P.v.Cherian .....20th April, 1958

17. Sri K.Balasubramania Iyer .....20th April, 1956

18. Sri K.Bhashyam .....20th April, 1956

*(c) Elected by the Madras (Teachers) constituency*

19. Sri V.R.Ranganathan .....20th April, 1956

20. Sri Alexander Gnanamuthu .....20th April, 1956

21. Sri G.Krishnamurthi .....20th April, 1954

22. Sri.E.H.Parameswaran .....20th April, 1954

*(d) Elected by the Madras Legislative Assembly*

23. Sri T.M.Narayanaswami Pillai .....20th April,.1958

24. Sri B.V.Subrahmanyam .....20th April, 1958

25. Sri M.Bhaktavatsalam .....20th April, 1958

26. Sri V.Chakkarai Chetty .....20th April, 1958

27. Sri V.G.Rao .....20th April, 1958

28. Sri S.B.Adityan .....20th April, 1956

29. Sri.M.P.Govinda Menon .....20th April, 1956

30. Sri S.Srinivasa Rao .....20th April, 1956

31. Sri Arcot Gajapathi Nayagar .....20th April, 1956

32. Sri N.Nallasenapathi Sarkarai Manradiar .....20th April, 1956

33. Sri.Mohammad Raza Khan .....20th April, 1956

34. Sri.A.M.Alla Pichai .....20th April, 1956

35. Sri M.Ethirajulu .....20th April, 1956

36. Sri N.Annamalai Pillai .....20th April, 1954

37. Srimati Manjubhashini …..20th April, 1954

38. Sri V.K.John …..20th April, 1954

39. Sri.T.G.Krishnamoorthi …..20th April, 1954

40. Shri M.P.Sivagnana Gramani …..20th April, 1954

*(e) Nominated by the Governor*

41. Sri V.Bhasyham Ayyangar .....20th April, 1958

42. Sri O.P.Ramaswamy Reddiar .....20th April, 1958

43. Srimati R.S.Subbulakshmi Ammal .....20th April, 1958

44. Sri Chakravarthi Rajagopalachari .....20th April, 1956

45. Sri T.M.Daivasikhamani Achariar .....20th April, 1956

46. Sri G.Venkatachalam .....20th April 1956

47. Sri M.Satyanarayana .....20th April 1956

48. Sri Muhammad usman .....20th April 1954

49. Dr.S.Muthulakshmi Reddi .....20th April 1954

50. Sri P.M.Marthandam Pillai .....20th April, 1954

51. Mrs.M.N.Clubwala .....20th April, 1954

**PROVISIONS FOR DETERMINING THE TERMS OF OFFICE OF MEMBERS**

1.Except as provided in the succeeding paragraphs, the term of office of ever member shall expire on the date specified against this name in the above list.

2.The term of office of-

*(a)*one of the six members specified against serial numbers 4 to 9,

*(b)*one of the two members specified against serial numbers 19 and 20, and

*(c)*two of the eight members specified against serial numbers 28 to 35,

shall be increased so as to expire on the 20th April, 1958

3.The term of office of one of the four members specified against serial Nos.44 to 47 shall be reduced so as to expire on the 20th April, 1954.

4.The members whose terms of office are to be increased under paragraph 2 and the member whose term of office is to be reduced under paragraph 3 shall be determined as soon as may be after the appointed day by lot drawn in such manner as the Chairman of the Legislative Council of Madras may direct.

# THE FIFTH SCHEDULE

(See section 22)

**MODIFICATION IN THE DELIMITATION OF COUNCIL CONSTITUENCIES (MYSORE) ORDER, 1951**

In the Table, for the entry relating to the Chitaldrug (Local Authorities) constituency, substitute the following:-

| | | |
|---|---|---|
| "Chitaldrug-*cum*-Bellary Davangere (Local Authorities). | 2." | Chitaldrug District (including City) and Bellary District |

# THE SIXTH SCHEDULE

(See section 24)

## I. MODIFICATIONS IN THE CONSTITUTION (SCHEDULED CASTES) ORDER, 1950

1. For paragraph 4, substitute the following:-

" 4.Any reference in the Schedule to this Order-

*(a)*to the State of Madras, Andhra or Mysore or to district or other territorial division of any of these State shall be construed as a reference to that State or to the district or other territorial division as constituted on the 1st day of October, 1953; and

*(b)*to any other State or to a district or other territorial division thereof shall be construed as a reference to that State or to that district or other territorial division as constituted on the 26th day of January, 1950."

2.In the Schedule-

*(a)*for the sub-heading "Part V-Madras" and for the words "Throughout the State" thereunder, substitute "Part V-Madras and Andhra" and "Throughout each of the states" respectively".

*(b)*for the entry under the sub-heading "Part XII-Mysore substitute the following:-

"1.Throughout the State except in Bellary district:-

1.Adidravida
2.Adikarnataka
3.Bannjara or Lambani
4.Bhovi
5.Koracha
6.Korama

2. In Bellary district:-

1.Adi Andhra
2.Adi Dravida
3.Adikarnataka
4.Ajila
5. Arunthathiyar
6. Baira
7. Bakuda
8. Bandi
9. Bariki
10. Bavuri
11. Bellara
12. Byagari
13. Chachati
14. Chakkiliyan
15. Chalavadi'
16. Chamar
17. Chandala
18. Cheruman
19. Dandasi
20. Devendrakulathan
21. Dom or Dombara, Paid, Pano
22. Ghasi or Haddi Relli Sachandi
23. Godagali
24. Godari'
25. Godda
26. Gosangi
27. Hasla
28. Holeya
29. Jaggali
30. Jambuvulu
31. Kadan
32. Kalladi
33. Kanakkan
34. Karimpalan
35. Kodalo
36. Koosa
37. Koraga
38. Kudubi
39. Kudumban
40. Kuravan
41. Kurichchan
42. Madari
43. Madiga
44. Maila
45. Mala(including Agency Malas)
46. Mala Dasu
47. Malasar
48. Matangi
49. mavilan
50. Moger
51. Muchi

52. Mundala
53. Nalakeyava
54. Nayadi
55. Pagadai
56. Painda
57. Paky
58. Pallan
59. Pambada'
60. Pamidi
61. Panan
62. Panchama
63. Panniandi
64. Paraiyan
65. Paravan
66. Pulayan
67. Puthirai Vannan
68. Raneyar
69. Samagara'
70. Samban
71. Sapari
72. Semman
73. Thoti
74. Tiruvalluvar
75. Valluvan
76. Valmiki
77. Vettuvan".

**MODIFICATIONS IN THE CONSTITUTION (SCHEDULED TRIBES) ORDER 1950**

1.For paragraph 3, substitute the following:-

"3.Any reference in the Schedule to this order-

*(a)*to the State of Madras, Andhra or Mysore or to a district or other territorial division of any of these States shall be construed as a reference to that State or to that district or other territorial division as constituted on the 1st day of October, 1953, and

*(b)*to any other State or to a district or other territorial division thereof shall be construed as a reference to that State or to that district or other territorial division as constituted on the 26th day of January, 1950."

2.In the Schedule-

*(a)*for the sub-heading "Part V-Madras" and for the words "Throughout the state" thereunder, substitute "Part V-Madras and Andhra" and "Throughout each of the states" respectively ;

*(b)*for the entry under the sub-heading "Par XI-Mysore" substitute the following:-

"1.Throughout the State except in Bellary district:-

1. Hasalaru
2. Iruliga
3. Jeny Kuruba
4. Kadu-Kuruba
5. maleru
6. Soligaru

2. In Bellary district:-

1. Aranadan
2. Bagala
3. Bhottadas-Bodo Bhottada, Muria Bhottada and Sano Bhottada
4. Bhumias-Bhuri Bhumia and Bodo Bhumia
5. Chennnchu
6. Gadabas-boda Gadaba, Cerllam Gadaba, Franji Gadaba, Jodia Gadaba, Olaro Gadaba, Pangi Gadaba and Pranga Gadaba
7. Gondi-Modya Gond and Rajo Gond
8. Goudus-bato, Bhirithya Dudhokouria, hato, Jatako and Joria
9. Kosalya, Goudus-Bosothoriya Goudus, Chitti Goudus, Dangayath Goludus, Dodd Kamariya, Dudu Kamaro, Ladiya Goudus and Pullosoriya Goudus
10. Magatha Goudus-bernia Goudu, Boodo Magatha, Dongayath goudu, Ladya Goudu, Ponna Magatha and Sana Magatha.
11. Holva
12. Jadapus
13. Jatapus
14. Kammara
15. Kattunayakannn
16. Khattis-Khatti, Komarao and Lohara
17. Kodu
18. Kommar
19. Konda Dhoras
20. Konda Kapus
21. Kondareddis
22. Kondhs-Desaya Kondhs, Dongria Kondhs.Kuttiya Kondhs Tikiria Kondhs and Yenity Kondhs
23. Kota
24. Kotia-Bartika Bentho Oriya, Dhulia or Dulia, Holva Paiko, Putiya Sanrona and Sidho Paiko
25. Koya or Goud, with its sub-sects Raja or Rasha Koyas, Lingadhari Koyas (ordinary) and Kotty Koyas
26. Kudiya
27. Kurumannns
28. Manna Dhora
29. Maune
30. Mukha Dhora-Nooka dhora
31. Muria'
32. Paigarapu
33. Palasi
34. Paniyan
35. Porjas-Bodo Bonda, Daruva, Didua, Jodia, Mundili, Pengu Pydi and Saliya
36. Reddi Dhoras
37. Savaras-Kapu Savaras, Khutto Savaras and Maliya Savaras
38. Sholaga
39. Toda
40. Inhabitants of the Laccadive, Minicoy and Amindivi Islands who, and both of whose parents, were born in these Islands."

# THE SEVENTH SCHEDULE

[See sections 47 (1), 48(3), 51, 52 and 66(1)]

**PROVISIONS AS TO APPORTIONMENT OF ASSETS AND LIABILITIES BETWEEN MADRAS, ANDHRA AND MYSORE**

1.(1)Subject to the other provisions of this Schedule, all land and all stores, articles and other goods shall remain the property of, or as the case may be pass to the State in which they are situated.

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

2.(1)A sum equivalent to the proceeds of any public loan raised by the Government of Madras between the 1st day of July, 1953 and the appointed day, or such portion thereof as the President may determine shall be allocated between the States of Madras and Andhra in such proportion as may be fixed by the President having regard to the terms on which the loan was raised.

(2)Subject to the provisions of sub-paragraph (1) of this paragraph, the total of the cash balances in all treasures of the State of Madras and the credit balances with the Reserve Bank of India immediately before the appointed day shall be divide d between the States of Madras, Andhra and Mysore in the proportion of 62 2/3 : 36: 1 1/3 :

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

*Explanation*-In this paragraph, "treasury" includes a sub-treasury.

3.Any unissued stores of any class shall be divided between the States of Madras, Andhra and Mysore in proportion to the total indents for stores of that class made in the three years immediately preceding the 1st day of April, 1953, for the areas respectively comprised in the States of Madras and Andhra and the transferred territory excluding the indents relating to the Secretariat and offices of Heads of departments located in the city of Madras:

Provided that nothing in this paragraph shall apply to stores held for specific purposes, such as for the use or utilisation in particular institutions, workshops and electrical undertaken or on specific works under construction.

4.The State of Andhra shall be entitled to 36/100th share of the printing machinery in the Government Press at Madras.This share shall, as far as practicable, be given to that State in the form of machinery which can be removed and utilised by it, and to the extent to which this is not practicable, an adjustment shall be made in cash on the basis of the book value of the machinery less depreciation where such depreciation is adjusted in the accounts of the Press.

5.The right to recover arrears of taxes including land revenue shall belong to the State in which the taxed property is situate or the taxed transactions took place.

6.(1)The right to recover any loans or advances made before the appointed day by the State of Madras to any local body (other than the District Board of Bellary), society, agriculturist or other person in an area within the State shall belong to the State in which that area is included on the appointed day.

(2)If immediately before the appoint3d day any sums are due from the District Board of Bellary to the State of Madras on account of loans or advances made before that day, such part thereof as is due on account of any loan or advance utilised in or for the benefit of Alur and Adoni taluks, or in or for the benefit of Rayadrug taluk shall be a debt due to the State of Andorra by the Distirct Board of Kurnool or, as the case may be , of Anantapur, and the remaining part shall be a debt due to the State of Mysore by the Distirct Board of Bellary.

(3)The right of recover any loans or advances made before the appointed day by the State of Madras to any person, firm or institution outside that State, shall belong to the State of Madras:

Provided that any sum recovered in respect of any such loan or advance shall be divided

between the States of Madaas, Andhra and Mysore in the proportion of 62 2/3:36: 1/3.

7.(1)The balance of the States' share of the taxes on income and of the union duties of excise payable to the State of Madras in respect of the financial year 1953-54 shall be shared between the States of Madras, Andhra and Mysore in the proportion of 62 2/3: 36" 1 1/3.

*Explanation*-The balance referred to in this sub-paragraph shall be taken to be one-half of the amount payable to the State of Madras as constituted immediately before the appointed day out of the States" share of taxes on income or of Union duties of excise as the case may be in accordance with the Budget Estimates of the Central Government in respect of the financial year 1953-54

(2)The States' share of the taxes on income or of the Union duties of excise payable to the State of Madras as constituted immediately before the appointed day in respect of each of the financial years commencing on or after the 1st day of April, 1954 shall, until other provision is made by law, be also shared between the States of Madras, Andhra and Mysore in the proportion of 62 2/3: 36" 1 1/3.

8.The sums at the credit of the Central Road Fund due to the State of Madras immediately before the appointed day shall be allocated between the States of Madras, Andhra and Mysore in the proportion of 62 2/3 : 36 " 1 1/3.

9.The shares held immediately before the appointed day by the State of Madras in the Travancore Fertilizers and Chemicals Limited the Madras Radio and Electrical Limited and the Madras Industrial Investment Corporation shall be divided between the States of Madras, Andhra and Mysore in the proportion of 62 2/3 : 36 " 1 1/3.

10.The securities held in respect of investments made from any depreciation reserve fund shall accrue to the State in whose area the undertaking for which the depreciation reserve fund is maintained is situate.

11.Subject to the provisions of paragraph 12, the assets and liabilities relating to commercial or industrial undertakings shall, in the case where the undertakings are situate in the transferred territory, pass to the State of Mysore and in other cases, pass to the State in which the undertakings and situate.

12.(1)The public debt of the State of Madras attributable to loans raised by the issue of Government securities which are outstanding with the public immediately before the appointed day shall as from such day be the debt of the State of Madras; and the States of Andhra and Mysore shall be liable to pay to the State of Madras their shares of the sum due from time to item for the servicing and repayment of the debt.For the purpose of determining the said shares, the debt shall be deemed to be apportioned between the States of Madras, Andhra and Mysore as if it were a debt refereed to in sub-paragraph (2) of this paragraph, and the shares of the States of Andhra and Mysore shoal be determined accordingly;

Provided that the liability for any public loan or po0rtion thereof referred to in sub-paragraph (1) of paragraph 2 shall, for the purposes of this sub-paragraph be deemed to be apportioned between the States of Andhra and madras in the same proportion as Amy be fixed under sub-paragraph (1) of paragraph 2 in regard to the allocation of the proceeds of such loan or portion thereof.

*Explanation*-In this sub-paragraph the expression "Government securities" has the same meaning as in clause (a) of section 2 of the Indian Securities act, 1920 (X of 1920).

(2)The remaining public debt of the State of Madras, that is to say, the debt attributable to loans taken from the Central Government, the Reserve Bank of India or any other Bank before the appointed day shall be apportioned between the States of madras, Andhra and Mysore in proportion to the total expenditure on all capital works and other capital outlays incurred in the territories of the States of Madras and Andhra and the transferred territory up to the commencement of the appointed day including the items dealt with the paragraph 9 of this Schedule.

Provided that any loan taken from the Central Government before the appointed day in connection with the construction of buildings, roads or other words for the temporary capital of the state of Andhra or for purposes incidental until that day be wholly the liability of the State of Andhra.

(3)For the purposes of the allocation under sub-paragraph (2) of this paragraph only expenditure on assets for which capital accounts have been kept (excluding the Buckingham Canal and any building for which such accounts have been kept) shall be take into account.

Provided that the amount of public debt on account of the expenditure on the Tungabhadra Project referred to in section 66 shall be reallocated on such basis as may be agreed upon between the States concerned, or if no agreement is entered into within two years from the appointed day, as may be fixed by order of the President

(4)All sinking funds for loans raised before the appointed day by the Government of Madras shall remain tight the State of Madras and the net amount of such funds shall be taken into consideration in allocating the dues on account of such loans between the States of Madras, Andhra and Mysore.

(5)In order to compensate the State of Andhra finally for its relatively smaller share of buildings its share in the liability on account of debt to be apportioned between the States of Andhra and Madras under sub-paragraph (2) of this paragraph shall be reduced by 230.4 lakhs of rupees and the share of the State of Madras in such liability shall be corresponding increased.

13,Civil deposits and local fund deposits shall pass to the State in whose area the deposits have been made, and the liability to pay them shall also fall on that State.

14.The securities held in the Zamindari Abolition Fund shall be allocated between the States of Madras, Andhra and Mysore in proportion to the estimated amount of compensation payable in the territories comprised within the State of Madras as constituted on the appointed day, in the territories forming the State of Andhra and the transferred territory.

15.The liability in respect of the undisbursed amounts in the madras Road Fund as they stand immediately before the appointed day shall be taken over by the State in which the local bodies to whom they are payable exist.

16.Each State shall take over the liabilities in respect of the Provident Fund accounts of the Government servants permanently allotted to it.

17.(1)Subject to the adjustment mentioned in sub-paragraph (3) of this paragraph, each State shall in respect of pensions granted by the State of Madras before the appointed day, pay the pensions drawn in its treasuries and sub-treasuries.

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

(3)There shall be computed in respect of the apart of the finical year 1953-54 commencing on the appointed day, and the respect of each subsequent financial year, the total payments, made in each State in respect of pensions referred to in sub-paragraphs (1) and (2z) of this paragraph and each of the States of Andhra and Mysore shall receive from or pay to the State of Madras the amount by which the total payments in the State of Andhra or the State of Mysore as the case may be for that part of the year or for that year exceeds or as the case may be fall short of 36 per cent.in the case of the State of Andhra and 1 1/3 per cent.in the case of the State of Mysore, of the total payments made in the States of Andhra Mysore and Madras for that part of the year or for that year.

(4)The liability in respect of pensions of officers retiring on or after the appointed day shellac

be that of the State granting the pensions.The portion of the pension attributable to the service of any such officer before the appointed day shall be allocated between the States of Madras, Andhra and Mysore in the proportion of 62 2/ 3: 36:1 ½ and the State which has granted the pension shall be entitled to receive from the other two States their shares of this liability in respect of any officer whose services after the appointed day were partly in one of the States of Madras, Andhra and Mysore as granted the pension and partly in one or both of the other two States, such other State or each of such other States, as the case may be shall, reimburse the State by which the pension is granted an amount which bears to the portion of the pension of such officer attributable to his service after the appointed day the same ratio as the period of qualifying service of that officer after the appointed day under that State bears to the total qualifying ser5vice of such officer after the appointed day reckoned for the purposes of pension.

*Explanation*-Any reference in this paragraph to pensions shall be construed as including a reference to the commuted value of such pensions.

18.If and in so far as any item in suspense is ultimately found to affect an asset or liability of the nature referred to in the foregoing paragraphs it shall be dealt with in accordance with the provisions of the relevant paragraph.

19.The benefit or burden of any assets or liabilities not dealt with in the foregoing paragraphs o in section 48 or section 49 or section 50 or section 66 shall be apportioned between the State of Madras and the States of Andhra and Mysore in such manner as the President may by order direct:

Provided that nothing in this paragraph shall be taken as prohibiting the apportionment of such benefit or burden in any other manner if the States concerned so agree.

# THE EIGHTH SCHEDULE

[See section 59]

**Part I**

Jails and other institutions in the State of Madras:-

(1)The Presidency Jail for Women, Vellore.
(2)The Senior Certified School, Chingleput.

**Part II**

Jails and other institutions in the transferred territory:-

(1)The Junior Certified School, Bellary.
(2)The Central Jail, Bellary.
(3)The Alipuram Jail, Bellary.
(4)The Borstal School,.Bellary.

# THE NINNTH SCHEDULE

[See section 60]

**Part I**

Institutions in the State of Madras:-

(1) The King Institute, Guindy.
(2) The Irrigation Research Station, Poondi.
(3) The Police Training College, Vellore.
(4) The Finger print Bureau, Vellore
(5) The Government Press, Madras
(6) The Government Textile Institute, Madras.
(7) The Government College of Indigenous Medicine, Madras
(8) The Madras Fire Services, State Training School, Madras.
(9) The Veterinary College, Madras.
(10) The Serum Institute, Ranipet.
(11) The Barnard Institute of Radiology, Madras.
(12) The Chemical Examiner's Department, Madras.
(13) The Central Survey Office, Madras.
(14) The Government Lady Willingdon Leprosy Sanatorium Tirumani.

**Part II**

Institutions in the transferred territory: -q

(1) Rayalseema Polytechnic, Bellary.
(2) The Government Wellesley Tuberculosis Sanatorium, Bellary.