

MAHARASHTRA WAREHOUSING CORPORATION (RIGHTS, ASSETS AND LIABILITIES) ORDER, 1962

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MAHARASHTRA WAREHOUSING CORPORATION (RIGHTS, ASSETS AND LIABILITIES) ORDER, 1962

G.S.R. 100, dated the 20th January, 1962.1-In exercise of the powers conferred by Section.68 of the Bombay Reorganisation Act, 1960 (II of 1960), the Central Government hereby makes the following Order, namely:

1. Short title and commencement :-

(1) This Order may be called the Maharashtra Warehousing Corporation (Rights, Assets and Liabilities) Order, 1962.

(2) It shall be deemed to have come into force on the 1st day of October, 1960.

2. Definitions :-

In this Order,-

(a) "dissolved corporation" means the State Warehousing Corporation established for the former State of Bombay, which, by virtue of sub-section

(b) of Section.68 of the Bombay Reorganisation Act, 1960 , stood dissolved on the 1st day of October, 1960;

(c) "Maharashtra Corporation" means the Maharashtra State Warehousing Corporation established under the Agricultural Produce (Development and Warehousing) Corporations Act, 1956 (28 of 1956)

.

3. Transfer of assets of dissolved corporation :-

Subject to the other provisions of this Order, as from the commencement of this Order, all land, machinery, stores, articles and other goods belonging to the dissolved corporation shall,-

(a) if situated within the State of Gujarat, pass to and vest in that State ; and

(b) in any other case, pass to and vest in the Maharashtra Corporation.

Explanation.-In this clause, "land" includes immoveable property of every kind and any right in or over such property, and "goods" docs not include coins, bank notes or currency notes

4. Cash assets, liabilities and stores :-

As from the commencement of this Older-

(a) the cash assets including investments, and the liabilities, of the dissolved corporation shall be allotted to and vested in the Maharashtra Corporation ;

(b) the stores at the head office of the dissolved corporation at Poona shall be allotted to the Maharashtra Corporation

.

5. Dead stock and equipment :-

The dead stock and equipment of the dissolved corporation shall, as from the commencement of this Order,-

(a) if situated at the warehouse centres in the State of Gujarat, stand allotted to that State;

(b) if situated at the warehouse centres in the State of Maharashtra, stand allotted to the Maharashtra Corporation

.

6. Employees :-

The employees of the dissolved Corporation shall, as from the commencement of this Order,-

(a) if working in a warehouse centre situated in the State of Gujarat, stand allotted to that State ;

(b) in any other case, stand allotted to the Maharashtra Corporation : Provided that if any employee working at a centre in the State of Maharashtra whose mother tongue is Gujarati desires to be allotted to the State of Gujarat, he shall, after consultation with the Government of that

State, be allotted to that State.

7. Accrued income :-

All accrued income in respect of stocks shall, as from the commencement of this Order,-

(a) if lying in warehouses under the administrative control of the Maharashtra Corporation, stand allotted to that Corporation ;

(b) in other cases, stand allotted to the State of Gujarat

.

8. Advance payments :-

The benefit of advance payments in respect of insurance and rent of warehouses shall, as from the commencement of this Order,-

(a) if the warehouse is in-charge of the Maharashtra Corporation, pass to that Corporation;

(b) in other cases, pass to the State of Gujarat

.

9. Outstanding bills :-

Payment of outstanding bills pertaining to the period prior to the commencement of this Order shall, as from the commencement of this Order, be the liability of and be paid by the Maharashtra Corporation.

10. Residuary provision :-

The benefit or burden of any assets and liabilities of the dissolved corporation not dealt with in the foregoing provisions shall, as from the commencement of this Order,-

(a) if the assets are situated or the liabilities arise in the State of Gujarat, pass to that State;

(b) in any other case, pass to the Maharashtra Corporation.

11. Legal proceedings :-

Where, immediately before the commencement of this Order, the dissolved Corporation is a party to any legal proceeding with respect to any property, rights or liabilities transferred to the State of Gujarat or the Maharashtra Corporation under this Order, that State or, as the case may be, that Corporation shall be deemed to be substituted for the dissolved corporation as a party to the proceedings and the proceedings may continue accordingly.

12. Acquisition proceedings :-

Where, immediately before the commencement of this Order, any proceedings for the acquisition of any land for the purpose of dissolved corporation are pending, then, all such proceedings in relation to land situated in the State of Gujarat shall be deemed to be proceedings for the acquisition of land for the purposes of the Gujarat Warehousing Corporation and in any other case shall be deemed to be proceedings for the acquisition of land for the purpose of the Maharashtra Corporation.