

THE DADRA AND NAGAR HAVELI AND DAMAN AND DIU (MERGER OF UNION
TERRITORIES) ACT, 2019

ARRANGEMENT OF SECTIONS

SECTIONS

PART I

PRELIMINARY

1. Short title and commencement.
2. Definitions.

PART II

MERGER OF UNION TERRITORIES

3. Formation of Union territory of Dadra and Nagar Haveli and Daman and Diu.
4. Amendment of article 240 of Constitution.
5. Amendment of First Schedule to Constitution.

PART III

REPRESENTATION IN THE HOUSE OF THE PEOPLE

6. Allocation of seats in House of People.
7. Provisions as to sitting members.

PART IV

HIGH COURT

8. Extension of jurisdiction of High Court of Bombay.

PART V

ASSETS AND LIABILITIES

9. Land and goods.
10. Cash balances.
11. Arrears of tax.
12. Right to recover loans and advances.
13. Assets and liabilities of Union territory undertakings.
14. Refund of taxes collected in excess.

PART VI

PROVISIONS AS TO SERVICES

15. Provisions relating to All India Services.
16. Provisions relating to other services.

PART VII

LEGAL AND MISCELLANEOUS PROVISIONS

17. Extension of laws.
18. Power to construe laws.
19. Power to adapt laws.
20. Legal proceedings.
21. Transfer of pending proceeding.
22. Effect of provisions inconsistent with other laws.
23. Power to remove difficulties.

THE DADRA AND NAGAR HAVELI AND DAMAN AND DIU (MERGER OF UNION
TERRITORIES) ACT, 2019

ACT NO. 44 OF 2019

[09th December, 2019.]

An Act to provide for merger of Union territories of Dadra and Nagar Haveli and Daman and Diu and for matters connected therewith.

BE it enacted by Parliament in the Seventieth Year of the Republic of India as follows:—

PART I

PRELIMINARY

1. Short title and commencement.—(1) This Act may be called the Dadra and Nagar Haveli and Daman and Diu (Merger of Union territories) Act, 2019.

(2) It shall come into force on such date¹ as the Central Government may, by notification in the Official Gazette, appoint.

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

(a) “appointed day²” means the day on which the Central Government may, by notification in the Official Gazette, appoint;

(b) “existing Union territories” means the Union territories of Dadra and Nagar Haveli and Daman and Diu as existing immediately before the appointed day;

(c) “law” includes any enactment, Ordinance, regulation, order, bye-law, rule, scheme, notification or other instrument having a force of law in the whole or in any part of the existing Union territories immediately before the appointed day.

PART II

MERGER OF UNION TERRITORIES

3. Formation of Union territory of Dadra and Nagar Haveli and Daman and Diu.—On and from the appointed day, there shall be formed a new Union territory to be known as the Union territory of Dadra and Nagar Haveli and Daman and Diu comprising the territory of the existing Union territories, namely:—

Dadra and Nagar Haveli and Daman and Diu,

and thereupon the said territories shall have ceased to form part of the existing Union territories.

4. Amendment of article 240 of Constitution.—In article 240 of the Constitution, in clause (1),—

(i) for entry (c), the following entry shall be substituted, namely:—

“(c) Dadra and Nagar Haveli and Daman and Diu;”;

(ii) entry (d) shall be omitted.

1. 26th January, 2020, *vide* notification No. S.O. 4542(E), dated 19th December, 2019, *see* Gazette of India, Extraordinary, Part II, sec. 3(ii).

2. 26th January, 2020, *vide* notification No. S.O. 4543(E), dated 19th December, 2019, *see* Gazette of India, Extraordinary, Part II, sec. 3(ii).

5. Amendment of First Schedule to Constitution.—On and from the appointed day, in the First Schedule to the Constitution, under the heading “II. THE UNION TERRITORIES”, for entries 4 and 5 and the corresponding entries relating thereto, the following shall be substituted, namely:—

Name	Extent
“4. Dadra and Nagar Haveli and Daman and Diu	The territory which immediately before the eleventh day of August, 1961 was comprised in Free Dadra and Nagar Haveli and the territories specified in section 4 of the Goa, Daman and Diu Reorganisation Act, 1987 (18 of 1987).”.

PART III

REPRESENTATION IN THE HOUSE OF THE PEOPLE

6. Allocation of seats in House of People.—On and from the appointed day, there shall be allocated two seats to the Union territory of Dadra and Nagar Haveli and Daman and Diu in the House of the People and the First Schedule to the Representation of the People Act, 1950 (43 of 1950) shall be deemed to be amended accordingly.

7. Provisions as to sitting members.—(1) Every sitting members of the House of the People representing any Parliamentary constituency, which, on the appointed day, by virtue of the provisions of section 5, stands allotted, with or without alteration of boundaries, be deemed to have been elected to that House by that constituency.

Explanation.—For the purposes of this sub-section “parliamentary constituency” shall have the same meaning as assigned to it in the Representation of the People Act, 1950 (43 of 1950).

(2) The term of office of such members shall remain unaltered.

PART IV

HIGH COURT

8. Extension of jurisdiction of High Court of Bombay.—On and from the appointed day, the jurisdiction of the High Court of Bombay shall continue to extend to the Union territory of Dadra and Nagar Haveli and Daman and Diu.

PART V

ASSETS AND LIABILITIES

9. Land and goods.—Subject to the other provisions of this Part, all land and all stores, articles and other goods held immediately before the appointed day, by the existing Union territories, shall, on and from that day, vest in the Union territory of Dadra and Nagar Haveli and Daman and Diu.

Explanation.—For the purposes of this section, 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.

10. Cash balances.—The total of the cash balances in all treasuries, the Reserve Bank of India, the State Bank of India and any nationalised bank, of the existing Union territories immediately before the appointed day shall be merged in the Union territory of Dadra and Nagar Haveli and Daman and Diu.

11. Arrears of tax.—(1) The right to recover arrears of any tax or duty (including arrears of land revenue) on any property situated in the existing Union territories shall vest in the Union territory of Dadra and Nagar Haveli and Daman and Diu.

(2) The right to recover arrears of any tax or duty, other than a tax or duty specified in sub-section (1), shall belong to the Union territory of Dadra and Nagar Haveli and Daman and Diu.