THE MUMBAI METROPOLITAN REGION DEVELOPMENT AUTHORITY ACT, 1974

[*Text as on 4th April 2024*]

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7. Amended by Mah. 25 of 1996 (4-10-1996)
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1 Maharashtra Ordinance No. I of 1975 was repealed by Mah. 26 of 1975, s. 9. The provisions of section 2(*a*) and sections 4 to 8 (both inclusive) of this Act came into force from 26th August 1975 and the remaining provisions were deemed to have come into force on the 10th day of May 1975, [See Mah. 26 of 1975, s. 1(*2*)].

2 Maharashtra Ordinance No. XVI of 1975 was repealed by Mah. 59 of 1975, s. 2.

3 Maharashtra Ordinance No. VI of 1976 was repealed by Mah. 29 of 1976, s. 22.

4 This indicates the date of commencement of the Act except section 14 of Mah. 29 of 1976, section 14 came into force on the 21st July 1976.

5 Maharashtra Ordinance No. X of 1983 was repealed by Mah. 30 of 1983, . 14.

6 Maharashtra Ordinance No. XV of 2002 was repealed by Mah. 5 of 2003 s, 5.

Note.- The date mentioned in the bracket indicates the date of commencement of the Act.

MAHARASHTRA ACT No. IV OF 1975[1]

[THEMUMBAIMETROPOLITANREGIONDEVELOPMENTAUTHORITYACT,1974.]

[This Act Received assent of the President on the 18th January 1975; Assent was first published in the *Maharashtra Government Gazette*, Part IV, Extraordinary, dated the 22nd January 1975.]

An Act for forming [2][Brihan Mumbai] and certain areas round about into a [3][Mumbai Metropolitan Region], to provide for the establishment of an Authority for the purpose of planning, co-ordinating and supervising the proper, orderly and rapid development of the areas in that Region and of executing plans, projects and schemes for such development, and to provide for matters connected therewith.

WHEREAS [4][Brihan Mumbai] and certain areas round about are being progressively developed and populated, and the necessity is increasingly felt for

forming these areas into a [5][Mumbai Metropolitan Region] and for setting up an Authority for the purpose of planning, co-ordinating and supervising the proper, orderly and rapid development of these areas, in which several local authorities are at present separately dealing with such matters within their own jurisdictions; to provide also that such Authority be [6][enabled either itself or through other authority to formulate] and execute plans, projects and schemes for the development of this Metropolitan Region; and to provide for matters connected with the purposes aforesaid; It is hereby enacted in the Twenty-fifth Year of the Republic of India as follows :—

CHAPTER I

PRELIMINARY

1. Short title and commencement.— (*1*) This Act may be called [7][the Mumbai Metropolitan Region Development Authority Act, 1974.]

(*2*) It shall come into force on such [8]date as the State Government may, by notification in the *Official Gazette*, appoint.

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

(*a*) "amenity" includes road, bridge, any other means of communication, transport, supply of water and electricity, any other source of energy, street lighting, drainage, sewerage and conservancy, and any other convenience as the State Government, in consultation with Authority, may from time to time, by notification in the *Official Gazette*, specify to be amenity for the purposes of this Act;

(*b*) "[9][Mumbai Metropolitan Region]" or "Metropolitan Region" means the area specified in Schedule I. The State Government may, from time to time, by notification in the *Official Gazette*, amend that Schedule by adding thereto or deleting therefrom any area specified in such notification; and thereupon the modified area shall be the [10][Mumbai Metropolitan Region] :

2 These words were substituted for the words "Greater Bombay" by Mah. 25 of 1996, s. 2, Schedule, entry (*2*), sub-entry 1(*a*).

3 These words were substituted for the words "Bombay Metropolitan Region", by Mah. 25 of 1996, s. 2, Schedule, entry (*2*), sub-entry 1(*b*).

4 These words were substituted for the words "Greater Mumbai", by Mah. 25 of 1996, s. 2, Schedule, entry (*2*), sub-entry 2(*a*).

5 These words were substituted for the words "Bombay Metropolitan Region", by Mah. 25 of 1996, s. 2, Schedule, entry (*2*), sub-entry 2(*b*).

6 These words were substituted for the words "enabled itself to formulate" by Mah. 59 of 1975, s. 2.

7 These words were substituted for the words "Bombay Metropolitan Region Development Authority Act, 1974" by Mah. 25 of 1996, s. 2, Schedule, entry (*2*), sub-entry 3.

8 26th day of January 1975 (*See* G.N., U.D., P.H. and H.D., No. BMRDA. 1074/ Met. Cell, 24th January 1975).

9 These words were substituted for the words "Bombay Metropolitan Region" by Mah. 25 of 1996, s.2 Schedule, entry (*2*), sub-entry 4(*a*).

10 These words were substituted for the words "Bombay Metropolitan Region" by Mah. 25 of 1996, s.2 Schedule, entry (*2*), sub-entry 4(*a*).

Provided that, no such notification shall be issued by the State Government unless it has been laid in draft before each House of the State Legislature and has been approved by resolution in which both Houses agree; and upon such approval, the notification may be issued and shall take effect in the

form in which it is so approved ;

(*c*) "development", with its grammatical variations, means the carrying out of building, engineering, mining or other operations in, or over, or under any land (including land under sea, creek, river, lake or any other water) or the making of any material change in any building or land, or in the use of any building or land and includes redevelopment and layout and Sub-divisions of any land and also the provisions of amenities and projects, and schemes for development of agriculture, horticulture, floriculture, forestry, dairy development, poultry farming, piggery, cattle breeding, fisheries and other similar activities ; and "to develop" shall be construed accordingly ;

(*d*) "land" includes benefits to arise out of land, and things attached to the earth, or permanently fastened to anything attached to the earth;

(*e*) "prescribed" means prescribed by rules made under this Act;

(*f*) "Regional Plan" means plan prepared under the provisions of the Maharashtra Regional and Town Planning Act, 1966 (Mah. XXXVII of 1966), for the development or redevelopment of [1][Mumbai Metropolitan Region] as defined in this Act, or for any part thereof and includes a draft or final Regional Plan prepared for the said region or any Part thereof whether before or after the commencement of this Act which is for the time being in force;

(*g*) "regulation" means a regulation made under this Act;

(*h*) "rule" means a rule made under this Act;

(*i*) Words and expressions used in this Act, and not defined herein shall have the meanings assigned to them in the Maharashtra Regional and Town Planning Act, 1966 (Mah. XXX VII of 1966).

CHAPTER II

ESTABLISHMENT AND CONSTITUTION OF THE AUTHORITY

3. Establishment of the [2][Mumbai Metropolitan Region Development Authority].— (*1*) As soon as may be after the commencement of this Act, the State Government shall by notification in the *Official Gazette*, establish, for the purposes of this Act an authority to be called "The [3][Mumbai Metropolitan Region Development Authority"] hereinafter referred to as "the Metropolitan Authority" or "the Authority".

(*2*) The Metropolitan Authority shall be a body corporate, having perpetual succession and a common seal, with power, subject to the provisions of this Act, to acquire, hold and dispose of property, both moveable, and immoveable and to contract and may sue or be sued by its corporate name aforesaid.

(*3*) The Metropolitan Authority shall be deemed to be a local authority within the meaning of the term "local authority" as defined in the Bombay General Clauses Act, 1904 (Bom. I of 1904).

[4]**[4. Composition of the Metropolitan Authority.—** (*1*) On and from the date of commencement of the Bombay Metropolitan Region Development Authority (Amendment) Act, 1983 (Mah. XXX of 1983), in place of the existing members, the Metropolitan Authority shall consist of the following members, namely :—

(*i*) The Minister for Urban Development;

1 These words were substituted for the words "Bombay Metropolitan Region" by Mah. 25 of 1996, s. 2. Schedule, entry (*2*), sub-entry 4(*b*).

2 These words were substituted for the words "Bombay Metropolitan Region Development Authority" by Mah. 25 of 1996, s. 2, Schedule, entry (*2*), sub-entry 5.

3 These words were substituted for the words "Bombay Metropolitan Region Development Authority" by Mah. 25 of 1996, s. 2, Schedule, entry (*2*), sub-entry 5.

4 Section 4 and 4A were substituted for the original by Mah. 30 of 1983, s.2.

(*ii*) The Minister for Housing;

(*iii*) The Minister of State for

(*iv*) The [1][Mayor of Mumbai];

(*v*) The Chairman, Standing Committee, Municipal Corporation of [2][Brihan Mumbai];

(*vi*), (*vii*) and (*viii*) three Councillors of the Municipal Corporation of [3][Brihan Mumbai], elected by the Corporation, the election being held by ballot according to the system of proportional representation by means of the single transferable vote ;

(*ix*) and (*x*) two members of the Maharashtra Legislative Assembly, representing constituencies falling, wholly or partly, within the limits of the [4][Mumbai Metropolitan Region], to be nominated by the State Government;

(*xi*) one member of the Maharashtra Legislative Council, to be nominated by the State Government ;

(*xii*) The Chief Secretary to the Government of Maharashtra;

(*xiii*) The Municipal Commissioner of the Municipal Corporation of [5][Brihan Mumbai] ;

(*xiv*) The Secretary to the Government of Maharashtra, Urban Development Department ;

(*xv*) The Secretary to the Government of Maharashtra, Housing Department ;

(*xvi*) The Managing Director, City and Industrial Development Corporation of Maharashtra ;

(*xvii*) The Metropolitan Commissioner.

(*2*) The Minister for Urban Development shall be the Chairman, and the Metropolitan Commissioner shall be the Member-Secretary, of the Authority.

(*3*) With effect from the date of commencement of the said Act, the Authority shall be deemed to be duly constituted, notwithstanding that there may be any vacancies as some of the members may not have been elected or nominated or appointed or for any other reason may not be available to take office on that day, and the members of the Authority, who may, from time to time, be available shall be competent to exercise, perform and discharge all the powers, duties and functions of the Authority from that date.

(*4*) The State Government may, from time to time, by notification in the *Official Gazette*, publish the names of members, who are elected under clauses (*vi*), (*vii*) and (*viii*) or nominated under clauses (*ix*), (*x*) and (*xi*) of sub-section (*1*).

(*5*) The members shall receive such allowances as may be determined by regulation for meeting the personal expenditure in attending the meetings of the Authority or any Committee or body thereof, or in performing any other functions as members. Such regulation shall require the previous approval of the State Government.

(*6*) Where a person becomes or is elected or nominated or appointed as a member of the Authority by virtue of holding any office or being a member of the Legislature or any local authority, or Committee or body, he shall cease to be a member of the Authority, as soon as he ceases to hold that office or to be such member, as the case may be.

1 These words were substituted for the words “Mayor of Bombay” by Mah. 25 of 1996, s. 2. Schedule, entry (*2*), sub-entry 6(*a*).

2 These words were substituted for the words “Greater Bombay” by Mah. 25 of 1996, s. 2, Schedule, entry (*2*), sub-entry 6(*b*).

3 These words were substituted for the words “Greater Bombay” by Mah. 25 of 1996, s. 2, Schedule, entry (*2*), sub-entry 6(*b*).

4 These words were substituted for the words “Bombay Metropolitan Region” by Mah. 25 of 1996, s. 2. Schedule, entry (*2*), sub-entry 6(*c*).

5 These words were substituted for the words “Greater Bombay” by Mah. 25 of 1996, s.2, Schedule, entry (*2*), sub-entry 6(*b*).

(*7*) A member of the Authority, other than *ex-officio* members, may, at any time, by writing under his hand addressed to the Chairman, resign

(*8*) No act or proceeding of the Metropolitan Authority, or of any Committee or other body thereof, shall be deemed to be invalid at any time merely on the ground that—

(*a*) any of the members of the Authority or its Committee or body are not duly elected, nominated or appointed or for any other reason are not available to take office at the time of the constitution or any meeting of the Authority or of its Committee or body or there is any defect in the constitution thereof, or any person is a member in more than one capacity or there are one or more vacancies in the offices of any such members;

(*b*) there is any irregularity in the procedure of the Authority or such Committee or body, affecting the merits of the matter under consideration.

4A. Powers and duties of Chairman, Metropolitan Commissioner, etc.— (*1*) The Chairman of the Authority shall supervise and control all the activities on behalf of the Authority and shall exercise such powers and perform such duties as are conferred on him by this Act and exercise such other powers and perform such other duties as the Authority may, from time to time, by regulations determine.

(*2*) (*a*) Subject to the provisions of sub-section (*1*), the Metropolitan Commissioner shall be the Chief Executive Officer of the [1][Authority; and shall exercise such powers and perform such functions or duties as the Authority may, by a resolution passed in this behalf, direct. The Metropolitan Commissioner may, by general or special order, further direct that such of the powers or functions or duties delegated to him as aforesaid or under sub-section (*5*) of section 7 shall be exercised or performed by such of the officers of the Authority, as may be specified in such order.]

(*b*) The Metropolitan Commissioner shall supervise and control all its officers and servants, including any officers of Government appointed, from time to time, on deputation to the Authority or any Committee or body thereof.

(*c*) The Metropolitan Commissioner shall be responsible for collection of all sums due to the Authority and payment of all sums payable by the Authority. He shall ensure adequate security of all assets, including cash balances, of the Authority. He shall also be responsible for performing all executive functions in connection with the works of the Authority.

(*3*) Subject to the provisions of sub-section (*2*), the Executive Committee shall, from time to time, by order determine the powers and duties of any Additional, Deputy and Assistant Metropolitan Commissioners appointed under section 11.]

5. Meetings of the Metropolitan Authority.— (*1*) The Metropolitan Authority shall meet at least once in three months, at such place and at such time as the Chairman may decide; and shall, subject to the provisions of sub-section (*3*), observe such rules of procedure in regard to the transaction of business at its meetings (including the quorum thereat) as may be laid down by regulations.

[2][(*2*) The Chairman shall preside at the meetings of the Authority. In the absence of the Chairman, at any meeting, any other member of the Authority elected by the members present at the meeting shall, preside at such meeting.]

(*3*) A member of the Authority, who has or acquires, directly or indirectly, any share or pecuniary or other interest in any contract, loan, arrangement or proposal entered into, or proposed to be entered into, by or on behalf of the Authority, shall cease to be a member of the Authority :

Provided that, a member shall not be deemed to have any such share or interest by reason only of his being a shareholder of a public limited company concerned in any such contract, loan, arrangement, or proposal or that he himself or any relation of his is employed by or on behalf of the Authority, or he has such share or interest in his capacity as a member of the Authority, or his property, or any property

1 These words were substituted for the words "Authority" by Mah. 39 of 1989, s. 2. 2 Sub-section (*2*) was substituted for the original by Mah. 30 of 1983, s. 3.

in which he has a share or interest, is or is being acquired or taken on lease by or on behalf of the Authority by agreement or according to any law for the time being in force.

(*4*) If any question arises whether a member of the Authority has become subject to the disqualification mentioned in the last preceding sub-section, the question shall be referred for decision of the State Government, and its decision shall be final.

6. [*Constitution and powers of Standing Committee*.] *Deleted by Mah. 30 of 1983, s. 4*.

[1][**7. Constitution and powers of Executive Committee.—** (*1*) There shall be an Executive Committee of the Authority, consisting of the following members, namely:—

(*i*) the Chief Secretary to Government;

(*ii*) the Metropolitan Commissioner;

(*iii*) the Secretary to Government, Urban Development Department ;

(*iv*) the Secretary to Government, Housing Department ;

(*v*) the Municipal Commissioner, [2][Mumbai Municipal Corporation] ;

(*vi*) the Managing Director, City and Industrial Development Corporation of Maharashtra ;

(*vii*), (*viii*) and (*ix*) three members who are experts in the field of urban planning and development, to be appointed by the State Government.

(*2*) The Chief Secretary shall be the Chairman of the Executive Committee. He shall appoint a suitable person to be the Secretary of the Executive Committee.

(*3*) The Executive Committee shall exercise the following powers and perform the following duties, namely :—

(*i*) appointment of the staff;

(*ii*) planning and implementation of projects and schemes of the Authority, including approval or rejection of such projects and schemes;

(*iii*) approval or rejection of tenders for projects and schemes of the Authority ;

(*iv*) grant of permission or refusal of permission, on behalf of the Authority, under sub-section (*3*) of section 13;

(*v*) investment of surplus moneys of [3][the Mumbai Metropolitan Region Development Fund] ;

(*vi*) institution, conduct and withdrawal of any legal proceedings on behalf of the Authority ;

[4][(*vii*) the powers (except the power to make regulations) delegated or the functions or duties imposed, from time to time, on the Executive Committee by the Authority].

(*4*) The Executive Committee shall meet at such place and at such time as may be determined by its Chairman, and shall observe such rules of procedure as it may determine.1

[5][(*5*) The Executive Committee may, from time to time, by a resolution passed in this behalf, direct that any power and any function or duty which is conferred on it, by or under the provisions of this Act, shall be exercised or performed by the Metropolitan Commissioner.]

1 Section 7 was substituted for the original by Mah. 30 of 1983, s. 5.

2 These words were substituted for the words "Bombay Municipal Corporation" by Mah. 25 of 1996, s. 2, Schedule, entry (*2*), sub-entry 7.

3 These words were substituted for the words "Bombay Metropolitan Region Development Fund" by Mah. 25 of 1996, Schedule, entry (*2*), sub-entry 7.

4 Clause (*vii*) was added by Mah. 39 of 1989, s. 3(*a*).

5 Sub-section (*5*) was added, by Mah. 39 of 1989, s. 3(*b*).

[1][**7A. Authentication of orders etc., of Authority** [2][**and Executive Committee].—** All proceedings of the Authority [3]* * * * and the Executive Committee shall be authenticated by the signature of the Chairman of the Authority, [4]* * * * or the Executive Committee, as the case may be, or of any member thereof authorised by the Chairman in this behalf, and all other orders and instruments of the Authority shall be authenticated by the Metropolitan Commissioner or [5][the Secretary of the Executive Committee] or by any other officer of the Authority authorised by the Metropolitan Commissioner in this behalf.]

8. [*Constitution and powers of the Functional Boards*.] *Deleted by Mah. 30 of 1983, s. 7*.

9. Constitution of [6]** **Committees.—** (*1*) The Metropolitan Authority may constitute [7]* * * * committees consisting wholly of mem partly of other persons and for such

purpose or purposes, as it may think fit; and entrust to any such [8]* * committee such powers as the Metropolitan Authority may specify by regulations.

(*2*) The [9]* * * committees constituted under this section shall meet at such place and at such time, time, and shall observe such rules of procedure in regard to the transaction of business at its meetings as may be provided by regulations.

(*3*) The members of the[10]* * committees may be paid such allowances for meeting the personal expenditure in attending the meetings and for attending to any other work of the [11]* * * committees, as may be provided by regulations.

10. Members not disqualified from contesting elections or continuing as members of State Legislature or local authorities.— (*1*) Notwithstanding anything contained in any other law for the time being in force, a member (including the Chairman or Vice-Chairman of the Authority or any of its Committees or boards) shall not be disqualified for being chosen as, and for being, a member or Councillor of the State Legislature or any local authority or any committee, board or body of such Legislature or authority, merely by reason of the fact that he is a member of the Authority or any of its Committees or boards.

(*2*) In Schedule I to the Bombay Legislature Members (Removal of Disqualifications) Act, 1956 (Bom. LII of 1956), after entry 15, the following entry shall be added, namely :—

"16. The office of the member (including the Chairman or Vice-Chairman) of the Authority constituted under [12][the Mumbai Metropolitan Region Development Authority Act, 1974 (Mah. IV of 1975)] or of any of its Committees or Boards constituted under that Act."

[13][**10A. Provision for inviting Government and local authority officers to assist or advise.—**The Authority, [14][or the Executive Committee] may invite any officer of Government or local authority to attend its meeting or meetings as a special or permanent invitee for the purpose of assisting or advising it on any matter or matters. The officer so invited may take part in the proceedings, but shall have no right to vote].

1 Section 7A was inserted by Mah. 29 of 1976, s. 5.

2 These words were substituted for the words "and Standing and Executive Committees" by Mah. 30 of 1983, s.6(*b*). 3 The words "Standing Committee" were deleted by Mah. 30 of 1983, s. 6(*a*).

4 The words "Standing Committee" were deleted by Mah. 30 of 1983, s. 6(*a*).

5 These words were substituted for the words "the Financial Advisor" by Mah. 39 of 1989, s. 6(*b*).

6 The words "other boards or" were deleted, by Mah. 29 of 1976, s. 7(*d*).

7 The words "other Boards or" were deleted by Mah. 29 of 1976, s. 7(*a*).

8 The words "boards or" were deleted, by Mah. 29 of 1976, s. 7(*a*).

9 The words "boards and" were deleted, by Mah. 29 of 1976, s. 7(*b*).

10 These words "boards and" and "boards or" were deleted, by Mah. 29 of 1976, s. 7(*c*).

11 These words "boards and" and "boards or" were deleted, by Mah. 29 of 1976, s. 7(*c*).

12 These words were substituted for the words "Bombay Metropolitan Region Development Authority" by Mah. 25 of 1996, s. 2, Schedule, entry (*2*), sub-entry 3.

13 Section 10A was inserted by Mah. 29 of 1976, s. 8.

14 These words were substituted for the words "Standing Committee, the Executive Committee or a Functional Board" by Mah. 30 of 1983, s. 8.

CHAPTER III

OFFICERS AND SERVANTS

11. Officers and servants of the Authority.— (*1*) The State Government shall appoint a Metropolitan Commissioner. The State Government shall by order determine, from time to time, the salary and other terms and conditions of service of the Metropolitan Commissioner. He shall be appointed for such period not exceeding three years as the State Government may decide, and the appointment may be extended from time to time for a period not exceeding three years at a time:

Provided that, the State Government may at any time-

(*a*) if the Metropolitan Commissioner holds a lien on the service of the State, recall him to such service, after consultation with the Authority ;

(*b*) remove him from office if, it shall appear to the State Government that he is incapable of performing the duties of his office or has been guilty of any misconduct or neglect which renders his removal expedient :

Provided further that if the Metropolitan Commissioner holds a lien on the service of the State, he shall forthwith be recalled to such service, if so requested by the Authority by passing a resolution for his recall :

Provided also that, the Metropolitan Commissioner may resign his office by tendering his resignation in writing to the Chairman of the Authority but such resignation shall be effective only on acceptance by the Chairman of the Authority.

[1,[2]* * * * *]

(*1B*) The State Government may, on a request being made by [3][the Executive Committee,] appoint one or more Additional, [4][Joint,] Deputy or Assistant Metropolitan Commissioners. The State Government shall by order determine, from time to time, the salary and other terms and conditions of service of an Additional Metropolitan Commissioner, [5][a Joint Metropolitan Commissioner,] a Deputy Metropolitan Commissioner and an Assistant Metropolitan Commissioner.]

(*2*) The Authority may, from time to time, [6][sanction creation of posts of other officers and servants subordinate to the Authority[7]* * as it thinks necessary.] The conditions of appointment and service and the powers and duties of such officers and servants shall be such as may be determined by regulations.

CHAPTER IV

POWERS AND FUNCTIONS OF THE AUTHORITY.

12. Functions of the Metropolitan Authority.—[8][(*1*) The main object of the Authority shall be to secure the development of the Bombay Metropolitan Region according to the Regional Plan, and for that purpose the functions of the Authority shall be—

(*a*) review any physical, financial and economical plan;

(*b*) review any project or scheme for development which may be proposed or may be in the course of execution or may be completed in the Metropolitan Region ;

1 Sub-sections (*1A*) and (*1B*) were inserted by Mah. 29 of 1976, s. 9(*a*).

2 Sub-section (*1A*) was deleted by Mah. 39 of 1986, s. 5.

3 These words were substituted for the words "the Standing Committee" by Mah. 30 of 1983, s. 9(*b*).

4 This word was inserted by Mah. 5 of 2003, s. 2(*a*).

5 These words were inserted, by Mah. 5 of 2003, *s*. 2(*b*).

6 These words were substituted for the words beginning with "appoint" and ending with "considers necessary," by Mah. 29 of 1976, s. 9(*b*).

7 The brackets and words "(including any functional Board)" were deleted by Mah. 30 of 1983, s. 9(*c*).

8 Sub-section (*1*) was substituted for the original by Mah. 29 of 1976, s. 10.

(*c*) formulate and sanction for the development of the Metropolitan Region or any part thereof;

(*d*) execute projects and schemes[1]* * * * * * ;

(*e*) recommend to the State Government any matter or proposal requiring action by the State Government or any other authority for the overall development of the Metropolitan Region ;

(*f*) participate with any other authority for inter-regional development ;

(*g*) finance any project or scheme for the development of the Metropolitan Region ;

(*h*) co-ordinate execution of the projects or schemes for the development of the Metropolitan Region ;

(*i*) supervise or otherwise ensure adequate supervision over the planning and execution of any project or scheme, the expenses of which, in whole or in part, are to be met from [2][the Mumbai Metropolitan Region Development Fund];

(*j*) prepare schemes and advise the concerned authorities in formulating and undertaking schemes for development of agriculture, horticulture, floriculture, forestry, dairy development, poultry farming, piggery, cattle breeding, fisheries and other similar activities;

(*k*) prepare and implement schemes for providing alternative accommodation and for rehabilitation of persons displaced by projects and schemes which provide for such requirements;

(*l*) do all such other acts and things as may be necessary for, or incidental or conducive to, any matters which arise on account of its activity and which are necessary for furtherance of the objects for which the Authority is established.]

(*2*) Notwithstanding anything contained in the Maharashtra Regional and Town Planning Act, 1966 (Mah. XXX VII of 1966), or any other law for the time being in force, the Authority may at any time undertake a revision of the Regional Plan for the Metropolitan Region or any part thereof prepared under the said Act, and shall for this purpose have all the powers of a Regional Planning Board constituted under section 4 of that Act, and undertake such revision in accordance with the provisions of that Act.

(*3*) The Authority may also in consultation with the Planning Authority concerned, for the purpose of the integrated development of the Metropolitan Region, undertake modification or revision of the Development Plans under the Act aforesaid for the area of the Planning Authority and shall for this purpose have all the powers of a Planning Authority under that Act.

13. No other authority or person to undertake certain development without permission of the Authority.— (*1*) Notwithstanding anything contained in any law for the time being in force, except with the previous permission of the Authority, no authority or person shall undertake any development within the Metropolitan Region of the type as the Metropolitan Authority may from time to time specify, by notification published in the *Official Gazette*, and which is likely to adversely affect [3][the overall development] of the Metropolitan Region.

(*2*) Any authority or person desiring to undertake development referred to in sub-section (*1*) shall apply in writing to the Metropolitan Authority for permission to undertake such development.

(*3*) The Metropolitan Authority shall, after making such inquiry as it deems necessary and within 60 days from the receipt of an application under sub-section (*2*), grant such permission without any conditions or with such conditions as it may deem fit to impose or refuse to grant such permission. [4][If the Authority fails to communicate its decision to grant or refuse permission to the applicant within sixty days from the date of receipt of his application, or within sixty days from the date of receipt of

1 The words "on the directions of the State Government" were deleted by Mah. 30 of 1983, s. 10.

2 These words were substituted for the words "the Bombay Metropolitan Region Development Fund" by Mah. 25 of 1996, s.2, Schedule, entry (*2*), sub-entry 8.

3 These words were substituted for the words "the integrated development" by Mah. 29 of 1976, s. 11.

4 This portion was substituted for the portion beginning with the words "If such permission" and ending with the words "by the Authority" by Mah. 39 of 1989, s. 6.

compliance of requisition, if any made by the Secretary of the Executive Committee or any officer authorised by him, whichever is later, such permission shall be deemed to have been granted to the applicant on the date immediately following the date of expiry of such sixty days, but subject to the provisions of the Regional Plan or the Regulations or the Development Control Rules, if any, applicable for the time being to such development.]

(*4*) Any authority or person aggrieved by the decision of the Metropolitan Authority under sub-section (*3*), may, within 30 days, appeal against such decision to the State Government, whose decision shall be final :

[1][Provided that, where the aggrieved authority submitting such appeal is under Administrative control of the Central Government, the appeal shall be decided by the State Government, after consultation with the Central Government.]

(*5*) In case any person or authority [2][contravenes any condition imposed under sub-section (*3*) or] does anything contrary to the decision given under sub-section (*4*), the Authority shall have power to pull down, demolish or remove any development undertaken contrary to such decision and recover the cost of such pulling down, demolition or removal from the person or authority concerned.

14. Power of the Metropolitan Authority to give directions.— (*1*) Notwithstanding anything contained in any other law for the time being in force, the Metropolitan Authority may give such directions [3][[4][to any local authority, or other authority or person] with regard to the implementation of any development project or scheme financed under section 12, as it thinks fit,] and [5][any such authority or person] shall be bound to comply with such directions.

(*2*) Where any direction is given to any authority [6][or person] under sub-section (*1*), such authority [7][or person] may, within fifteen days from the date of receipt of such direction, appeal to the State Government against such direction, and the decision of the State Government thereon shall be final.

(*3*) The Metropolitan Authority shall so exercise the powers of supervision referred to in [8][clause (*i*)] of sub-section (*1*) of section 12 as may be necessary to ensure that each development project or scheme is executed in the interest of the overall development of the Bombay Metropolitan Region, and in accordance with any plan, project or scheme duly approved under any law for the time being in force or by the State Government.

15. Power of Metropolitan Authority to require local authority to assume responsibilities in certain cases.— Where any amenities are provided by the Metropolitan Authority, the Authority may assume responsibility for the maintenance of the amenities which have been provided by it or may require the local authority, within whose local limits the area so developed is situated, to assume such responsibility for the maintenance of the amenities, and for the provision of such other amenities which have not been provided by the Metropolitan Authority, but which in its opinion should be provided in the area, on such terms and conditions as may be agreed upon between the Metropolitan Authority and that local authority; and where such terms and conditions cannot be agreed upon, on such terms and conditions as may be specified by the State Government, in consultation with the local authority and the Metropolitan Authority.

16. Power of the Metropolitan Authority to execute any plan.— (*1*) Where the Metropolitan Authority is satisfied that any direction given by it under sub-section (*1*) of section 14 with regard to any development project or scheme has not been carried out by the authority referred to therein, within

1 This proviso was added by Mah. 26 of 1975, s. 5.

2 These words, brackets and figures were inserted by Mah. 30 of 1983, s. 11.

3 This portion was substituted for the portion beginning with the words “with regard to” and ending with the words and figures "under section 12" by Mah. 59 of 1975, s. 5.

4 These words were substituted for the words “to any authority” by Mah. 29 of 1976, s. 12 (*a*)(*i*).

5 These words were substituted for the words “such other authority”, by Mah. 29 of 1976, s. 12(*a*)(*ii*).

6 These words were inserted, by Mah. 29 of 1976, s. 12(*b*).

7 These words were inserted, by Mah. 29 of 1976, s. 12(*b*).

8 This words and brackets were substituted for the word and brackets “clause (*c*)”, by Mah. 29 of 1976, s. 12(*c*).

the time specified in the direction or that any such authority is unable to fully implement any project or scheme undertaken by it for the development of any part of the Region, the Authority may, with the sanction of the State Government, itself undertake any works and incur any expenditure for the execution of such development projects or implementation of such schemes, as the case may be, and recover the cost thereof from the concerned authority.

(*2*) The Metropolitan Authority may also undertake any work in the Region [1][of development in accordance with the Regional Plan] as may be directed by the State Government and may incur such expenditure as may be necessary for th [2][Such direction may be issued to the

Authority only where in the opinion of the State Government (*a*) there is no other suitable authority to undertake such work, or (*b*) where there is such an authority but it is unwilling or unable to undertake such work, or (*c*) where the Metropolitan Authority has specifically requested the State Government to entrust such work to it].

(*3*) Where any work is undertaken by the Metropolitan Authority under sub-section (*1*), it shall be deemed to have, for the purposes of the execution of such work, all the powers which may be exercised by or under any law for the time being in force by the authority referred in sub-section (*1*)

(*4*) The Metropolitan Authority may, for the purpose of sub-sections (*1*) and (*2*), undertake the survey of any area within the Metropolitan Region and for that purpose it shall be lawful for any officer or servant of the Metropolitan Authority—

(*a*) to enter in or upon any land and to take level of such land;

(*b*) to dig or bore into the sub-soil ;

(*c*) to mark levels and boundaries by placing marks and cutting trenches ;

(*d*) where otherwise the survey cannot be completed and levels taken and boundaries marked, to cut down and clear away any fence or jungle :

Provided that, before entering upon any land, the Metropolitan Authority shall give notice of its intention to do so in such manner as may be specified in the regulations.

[3]**[16A. Power of Metropolitan authority to subscribe to the share capital of certain companies or co-operative societies or to contribute to the corpus of certain trusts or societies.—**The Metropolitan Authority may, with the previous sanction of the State Government and subject to such terms and conditions, as the State Government may impose.-

(*i*) subscribe to the share capital of any public limited company incorporated under the Companies Act, 1956 (1 of 1956) or a Co-operative society, with limited liability registered under the Maharashtra Co-operative Societies Act, 1960 (Mah. XXIV of 1961); or

(*ii*) contribute to the corpus of a trust created under the Indian Trusts Act, 1882 (2 of 1882), or public trust registered under the Bombay Public Trusts Act, 1950 (Bom. XXIX of 1950), or a society registered under the Societies Registration Act, 1860 (21 of 1860), which are incorporated or registered and promoted by the Metropolitan Authority with the object of providing any services or for performing any functions which are directly or indirectly conducive to the duties and functions of the Authority under this Act or any other law for the time being in force :

Provided that, the amount of such subscription or contribution in a year shall not exceed ten per cent of the net income of the Authority in the last preceding year.]

[4]**[17. Power of Authority to provide amenity within Brihan Mumbai.—** (*1*) Notwithstanding anything contained in this Act or the Mumbai Municipal Corporation Act (Bom. III of 1888) or any other law for the time being in force, the Authority may, in consultation with the Municipal Commissioner of the Brihan Mumbai Municipal Corporation, prepare any project or scheme with a

1 These words were inserted, by Mah. 29 of 1976, s. 13(*a*).
2 This portion was added, by Mah. 29 of 1976, s. 13(*b*).
3 Section 16A was substituted by Mah. 18 of 2003, s. 2.
4 This section was substituted by Mah. 5 of 2003, s. 3.

view to provide an infrastructure within the territorial limits of the Brihan Mumbai Municipal Corporation and execute the same.

Explanation.— For the purposes of this section, the term "infrastructure" shall also mean and include streets, roads, bridges and any other means of transport and communication, and activities related or incidental for the execution of such infrastructure project or scheme and shall not include other items specified in sections 61 and 63 of the Mumbai Municipal Corporation Act (Bom. III of 1888).

(*2*) For the purposes of preparation and execution of a project or scheme under sub-section (*1*), the Metropolitan Commissioner and the Authority shall be deemed to be the Municipal Commissioner and the Corporation, respectively, under the Mumbai Municipal Corporation Act (Bom. III of 1888) and the Maharashtra Regional and Town Planning Act, 1966 (Mah. XXX VIl of 1966), and shall, respectively, exercise the powers of the Municipal Commissioner and the Corporation under the said Acts.

(*3*) Notwithstanding anything contained in the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 (Mah. XXVII of 1971), for the purposes of preparation and execution of the projects and schemes under sub-section (*1*), the Metropolitan Commissioner shall be deemed to be a Slum Rehabilitation Authority under the said Act and shall have all the powers and discharge all the duties of the concerned Slum Rehabilitation Authority under the said Act, for the said purposes.

(*4*) Notwithstanding anything contained in section 20 of the Bombay Motor Vehicles Tax Act, 1958 (Bom. LXV of 1958) or any other law for the time being in force, the Authority may charge toll for the use of the amenity provided by it:

Provided that, the amount of toll shall not be more than the capital outlay or expenses incurred by the authority on such project scheme and expenses incurred for collection thereof.

Explanation.— For the purposes of this section, the expression "capital outlay" shall have the same meaning as assigned to it, in the Explanation to sub-section (*1A*) of section 20 of the Bombay Motor Vehicles Tax Act, 1958 (Bom. LXV of 1958).]

CHAPTER V

FINANCE,BUDGET AND ACCOUNTS

18. Funds of the Metropolitan Authority.— (*1*) There shall be a fund for the Metropolitan Authority to be called [1][Mumbai Metropolitan Region Development Fund] to which shall be credited all moneys received by the Authority, including—

[2][***]

(*b*) a contribution to be made by the State Government of a sum of not less than rupees ten crores towards a revolving fund to be established by the Authority, in such instalments, as the State Government may determine in accordance with the schemes included in the State Plan and under appropriation duly made in this behalf, which contribution shall be utilised by the Authority for such planned development as the State Government may, from time to time, approve;

(*c*) such other moneys as may be paid to the Authority by the State Government ;

(*d*) such moneys as may be paid to the Authority by the Union Government or any other authority or agency;

(*e*) the sums placed at its disposal by the State Government from out of the proceeds of any cess levied under Chapter VI ;

(*f*) the proceeds of any betterment charge levied under Chapter IV ;

1 These words were substituted for the words "Bombay Metropolitan Region Development Fund" by Mah. 25 of 1996, s.2, Schedule, entry (*2*), sub-entry 10.

2 Clause (*a*) was deleted by Mah. 35 of 1997, s.2.

(*g*) all fees, costs and charges received by the Authority under this Act or any other law for the time being in force;

(*h*) all money received by the Authority from the disposal of lands, buildings and other properties, moveable and immoveable, and other transactions ;

(*i*) all moneys borrowed by the Authority ;

(*j*) all moneys received by the Authority by way of rents and profits or in any other manner or from any other source.

(*2*) The Metropolitan Authority may keep in current or deposit account with the State Bank of India or with any Scheduled Bank as defined in the Reserve Bank of India Act, 1934 (II of 1934), which holds a licence issued by the Reserve Bank of India under section 22 of the Banking Regulation Act, 1949 (X of 1949), or with any other bank approved by the State Government in this behalf, such sum of money out of its Fund as may be prescribed, and any money in excess of the said sum shall be invested in such manner as may be approved by the State Government.

(*3*) Such accounts shall be operated upon by such officers of the Metropolitan Authority as may be authorised by it by regulation made in this behalf.

[1]**[18A. Loans Fund.—** (*1*) As a part of [2][the Mumbai Metropolitan Region Development Fund] the Metropolitan Authority shall establish in district Bank accounts a Loans Fund for the purposes of (*a*) receiving all monies borrowed by it including all repayments of loan instalments together with payment of interest made by the borrower on loans, (*b*) providing all moneys to be made available by the Authority as loans or advances to local authorities and other authorities or persons. (*c*) repayment of loans raised by the Authority for the purpose of this Act, and (*d*) expenditure on projects and schemes.

(*2*) All matters connected with the Loans Fund shall be governed by the regulations made in this behalf.]

19. Reserve and other Funds.— (*1*) The Metropolitan Authority shall make provisions for a reserve fund and may provide for other specially denominated funds as it deems fit.

(*2*) The management of the funds referred to in sub-section (*1*), the sums to be transferred from time to time to the credit thereof and the application of money comprised therein, shall be determined by the Metropolitan Authority.

20. Application of Funds, etc.— All property, funds and other assets vesting in the Metropolitan Authority shall be held and applied by it for the purposes and subject to the provisions of this Act.

21. Power to Metropolitan Authority to borrow.— The Metropolitan Authority may, with the previous approval of the State Government, borrow any moneys for carrying out the purpose of this Act or for servicing any loan obtained by it, at such rates and on such conditions as the State Government may determine at the time the moneys are borrowed.

[3]**[21A. Power to Metropolitan Authority to finance projects and schemes and impose conditions therefor.—** The Metropolitan Authority shall be competent to give grants, advances or loans to, or to share expenses with, any local authority or other authority in the Metropolitan Region, for any of the purposes of section 12, and notwithstanding anything contained in any law for the time being in force, [4][but subject to the restrictions (if any) contained in [5][the Mumbai Municipal Corporation Act (Bom III of 1888)], it shall be lawful for such other authority to accept such grants,

1 Section 18A was inserted by Mah. 29 of 1976, s. 15.

2 These words were substituted for the words "the Bombay Metropolitan Region Development Fund" by Mah. 25 of 1996, s. 2, Schedule, entry (*2*), sub-entry 11.

3 Section 21A was inserted by Mah. 59 of 1975, s. 6.

4 These words and brackets were inserted by Mah. 29 of 1976, s. 16.

5 These words were substituted for the words "Bombay Municipal Corporation Act" by Mah. 25 of 1996, s. 2. Schedule, entry (*2*), sub-entry 12.

advances or loans or share in the expenses, subject to such terms and conditions as the Metropolitan Authority may, from time to time, in consultation with such other authority, specify.]

[1]**[21B. State guarantee to loans taken or given by Authority.—** The State Government may guarantee repayment of the principal of, and interest on, any loan raised or given by the Metropolitan Authority or transferred to it, for the purposes of this Act, subject to such conditions as the State Government may think fit to impose.]

22. Accounts and Audit.— (*1*) The Metropolitan Authority shall keep accounts in such form and in such manner as it may by regulations made in this behalf determine.

(*2*) The accounts of the Metropolitan Authority shall be audited by the Chief Auditor, Local Fund Accounts [2][or by any other auditor appointed by the State Government from time to time].

(*3*) The audit shall be made in such manner as may be determined by regulations.

(*4*) The auditor shall submit his audit report to the Metropolitan Authority and shall forward a copy thereof to the State Government.

23. Budget.— (*1*) [3][The Member-Secretary] of the Authority shall prepare, every year, in such form and at such time as may be prescribed, an annual budget estimate in respect of the financial year next ensuing showing the estimated receipts and disbursements of the Metropolitan Authority and shall submit it to the Metropolitan Authority for approval.

(*2*) [4][The Member-Secretary] shall forward to the State Government copies of the budget estimate so prepared by him and the budget as approved by the Metropolitan Authority.

24. Annual Report.— The Metropolitan Authority shall prepare after the end of each year (ending on the 31st day of March), a report of its activities during the previous year and submit it to the State Government before the 30 day of November and the State Government shall cause a copy of such report to be laid before the State Legislature.

[5]**[24A. Operations of Authority not to be carried out at a loss.—** The Metropolitan Authority shall not and shall not be required to carry out any of its operation under this Act at a loss. Any deficit in the [6][Mumbai Metropolitan Region Development Fund] in any financial year shall be made good by the Authority not later than those of the next succeeding financial year].

CHAPTER VI

POWERS OF TAXATION

25. Power to levy a cess on buildings and lands.— (*1*) The State Government may, upon a request received from the Metropolitan Authority by notification in the *Official Gazette*, levy a cess on buildings and lands in [7][the Mumbai Metropolitan Region] or any part thereof, at such rate not exceeding five per centum, as may be determined by the State Government, of the ratable value of the property :

Provided that all buildings or parts thereof, which are erected before the 1st day of April 1960, and the lands on which they are erected, shall be exempt from the payment of the cess.

(*2*) Such cess may be levied at different rates for different areas and for different classes of properties.

1 Section 21B was inserted by Mah. 29 of 1976, s. 17.

2 These words were inserted, by Mah. 29 of 1976, s. 18.

3 These words were substituted for the words “the Financial Adviser” by Mah. 39 of 1989, s. 7.

4 These words were substituted for the words “the Financial Adviser” by Mah. 39 of 1989, s. 7.

5 Section 24A was inserted by Mah. 29 of 1976, s. 20.

6 These words were substituted for the word “Bombay Metropolitan Region Development Fund” by Mah. 25 of 1996, s. 2, Schedule, entry (*2*), sub-entry 13.

7 These words were substituted for the words “Bombay Metropolitan Region” by Mah. 25 of 1996, s. 2, Schedule, entry (*2*), sub-entry 14.

(*3*) The cess shall be collected by the local authority within whose areas the properties are situated as if the cess were a property tax levied by it under the law governing that local authority and shall first be credited to the Consolidated Fund of the State, after deducting such portion thereof as may be prescribed as collection charges.

(*4*) The State Government shall after the appropriation made by the State Legislature by law in this behalf, pay to the Authority, from time to time, from out of the proceeds of the cess sums equivalent to the net amount of the cess credited to the Consolidated Fund of the State for being utilised by the Authority for the purposes of this Act.

(*5*) Notwithstanding anything contained in the Bombay Rents, Hotel and Lodging House Rates Control Act, 1947 (Bom LVII of 1947 spect of any premises situated in the

Metropolitan Region, be entitled to make any increase in the rent of the said premises on account of the payment by him of the cess levied under this section.

26. Power of Metropolitan Authority to levy betterment charges.— (*1*) Where, in the opinion of the Metropolitan Authority as a consequence of any development project or scheme having been executed by the Metropolitan Authority in any area, the value of any land in that area has increased or will increase, the Metropolitan Authority shall be entitled to levy upon the owner of the land or any person having an interest therein, a betterment charge in respect of the increase in value of the land resulting from the execution of the development project or scheme.

(*2*) Such betterment charge shall be an amount not exceeding one-half of the amount by which the value of the land on the completion of the execution of the development project or scheme, estimated as if the land were clear of buildings, exceeds the value of the land immediately before such execution estimated in like manner :

Provided that, in levying betterment charge on any land, the Metropolitan Authority shall have regard to the extent and nature of benefit accruing to the land from the development project or scheme and such other factors as may be laid down by rules made in this behalf.

(*3*) No betterment contribution shall be payable by the Government, the Authority or other local authority in respect of any land which is the property of the Government, the Authority or other local authority or by any public institution in respect of any land belonging to such institution. if, and so long as, such land is used for a public charitable or religious purpose.

27. Assessment of betterment charge by the Metropolitan Authority.— (*1*) When it appears to the Metropolitan Authority that any particular development project or scheme is sufficiently advanced to enable the amount of the betterment charge to be determined, the Metropolitan Authority may, by an order made in this behalf, declare that for the purpose of determining the betterment charge the execution of the development project or scheme shall be deemed to have been completed and shall thereupon give notice in writing to the owner of the land or any person having an interest therein that the Metropolitan Authority proposes to assess the amount of the betterment charge in respect of the land under the last preceding section.

(*2*) The Metropolitan Authority shall then assess the amount of betterment charge payable by the person concerned after giving such person a reasonable opportunity to be heard and such person shall, within three months from the date of receipt of the notice in writing of such assessment from the Metropolitan Authority, inform the Metropolitan Authority by a declaration in writing that he accepts the assessment or dissents from it.

(*3*) When the assessment proposed by the Metropolitan Authority is accepted by the person concerned within the period specified in sub-section (*2*) such assessment shall be final.

(*4*) If the person concerned dissents from the assessment or fails to give the Metropolitan Authority the information required by sub-section (*2*) within the period specified therein, the matter shall be determined by arbitrators in the manner provided in the next following section.

28. Settlement of betterment charge by arbitrators.— (*1*) For the determination of the matter referred to in sub-section (*4*) of the last preceding section, the State Government shall appoint three

arbitrators of whom one shall be a City Civil Court Judge or District Judge or who has been such judge and two others shall possess such technical qualifications as may be prescribed.

(*2*) The arbitrators shall follow such procedure as may be prescribed.

(*3*) The arbitrators shall, for purpose of determining any matter referred to them have the same powers as are vested in a Civil Court under the Code of Civil Procedure, 1908 (V of 1908), when trying a suit, in respect of the following matters, namely :—

(*a*) summoning and enforcing the attendance of any person and examining him on oath ;

(*b*) requiring the discovery and production of any document ;

(*c*) receiving evidence on affidavits ;

(*d*) requisitioning any public record from any Court or office ;

(*e*) issuing commissions for examination of witnesses.

(*4*) In the event of any difference of opinion among the arbitrators, the decision of the majority shall prevail and that decision shall be the award of the arbitrators.

(*5*) If any arbitrator dies, resigns or is removed under sub-section (*6*) or refuses or neglects, in the opinion of the State Government, to perform his duties, or becomes incapable of performing the same, then the State Government shall forthwith appoint another fit person to take the place of such arbitrator.

(*6*) If the State Government is satisfied after such inquiry as it thinks fit-

(*a*) that an arbitrator has misconducted himself, the State Government may remove him from his office;

(*b*) that the award of the arbitrators has been improperly procured or that any arbitrator has misconducted himself in connection with such award, the State Government may set aside the award.

(*7*) An award which has not been set aside by the State Government under clause (*b*) of sub-section (*6*) shall be final and shall not be questioned in any Court.

(*8*) The provisions of the Arbitration Act, 1940 (X of 1940), shall not apply to arbitration under this section.

29. Payment of betterment charge.— (*1*) The betterment charge levied under this Act shall be payable in such number of instalments and each instalment shall be payable at such time and in such manner as may be fixed by rules.

(*2*) Any arrear of betterment charge shall bear interest at the prescribed rate and shall be recoverable as an arrear of land revenue.

30. Betterment charge a first charge on land.— (*1*) Any person liable to the payment of betterment charge may, at his option instead of making a payment thereof to the Metropolitan Authority, execute an agreement with the Authority to leave the said payment outstanding as a charge on his interest in the land, subject to the payment in perpetuity of interest at the prescribed rate, the first annual payment of such interest being made at such time and in such manner as may be fixed by the rules :

Provided that, within a period of ten years from the date on which the first payment of interest is made by any person, he may, at any time, pay the betterment charge in full in a lump sum and thereupon the agreement executed by him shall stand terminated and the charge created by him on his interest in the land shall also stand released.

(*2*) Every payment due from any person in respect of a betterment charge and every charge referred to in sub-section (*1*) shall notwithstanding anything contained in any other law for the time being in force but subject to the payment of any dues of the Government, or of any local authority, be the first charge upon the interest of such person in such land.

CHAPTER VII

APPLICATION OF WITH OR WITHOUT MODIFICATIONS OR EXEMPTION FROM CERTAIN ENACTMENTS TO THE METROPOLITAN AUTHORITY.

31. Application of certain enactments to the Authority with certain modification, etc.— The enactments mentioned in Schedule II shall apply, with or without modifications, or shall not apply to the Metropolitan Authority, or shall be amended, to the extent and in the manner mentioned in that Schedule.

CHAPTER VIII

32. Power of State Government to acquire land.— (*1*) Where, on any representation from the Metropolitan Authority, it appears to the State Government that, in order to enable the Authority to discharge any of its functions or to exercise any of its powers or to carry out any of its projects or schemes or development programmes, [1][or to provide any amenity by itself or through any recognised agency] it is necessary that any land in any part of the Metropolitan Region should be acquired, the State Government may acquire the land by publishing in the *Official Gazette* a notification to the effect that the State Government has decided to acquire the land in pursuance of this section :

Provided that, before publishing such notification, the State Government shall by notice published in the *Official Gazette* and served in the prescribed manner, call upon the owner of, or any other person who, in the opinion of that Government, may be interested in such land to show cause, why it should not be acquired, and after considering the cause if any, shown by the owner or any other person interested in the land, the State Government may pass such order as it deems fit.

[2][*Explanation*.— For the purposes of this Chapter "recognised agency" means any Department of the Central Government or the State Government or a local authority or a Government Company as defined in section 617 of the Companies Act, 1956 (I of 1956) or any other Corporation or Government undertaking established by or under any law for the time being in force].

(*2*) The acquisition of land for any purpose mentioned in sub-section (*1*) shall be deemed to be a public purpose [3][and the acquisition of any land for such purpose shall in all cases be made in accordance with the relevant provisions of this Chapter].

(*3*) When a notification as aforesaid is published in the *Official Gazette*, the land shall, on and from the date on which the notification is so published, vest absolutely in the State Government free from all encumbrances.

33. Power of State Government to require person in possession of land to surrender or deliver possession thereof to State Government, etc.— (*1*) Subject to the provisions of section 43, where any land is vested in the State Government under sub-section (*3*) of section 32, the State Government may, by notice in writing, order any person who may be in possession of the land to surrender or deliver possession thereof to the State Government or any person duly authorised by it in this behalf within thirty days of the service of the notice.

(*2*) If any person fails or refuses to comply with an order under sub-section (*1*), the State Government may take possession of the land and may for that purpose use such force as may be reasonably necessary.

(*3*) Where any land is taken possession of as aforesaid, the State Government shall make that land available to the Metropolitan Authority for the purpose of discharging its functions and exercising its

1 These words were inserted by Mah. 31 of 1987, s. 2(*a*).

2 This *Explanation* was added by Mah. 31 of 1987, s. 2(*b*).

3 These words were inserted by Mah. 26 of 1975, s. 6.

powers [1][or to the recognised agency for providing an amenity for which the land is acquired, as the case may be].

34. Right to receive an amount for acquisition.— Every person having any interest in any land acquired under this Chapter shall be entitled to receive from the State Government an amount as provided hereafter in this Chapter.

LANDS IN MUNICIPAL AREAS

35. Basis for determination of amount for acquisition of lands in municipal areas.— (*1*) Where any land (including any building thereon) is acquired and vested in the State Government under this Chapter and it is situated in [2][Brihan Mumbai] or any area within the jurisdiction of any municipal council in the Metropolitan Region, the State Government shall pay for such acquisition an amount, which shall be determined in accordance with the provisions of this section.

(*2*) Where the amount has been determined with the concurrence of the Authority, by agreement between the State Government and the person to whom it is payable, it shall be determined and paid in accordance with such agreement.

(*3*) Where no such agreement can be reached, the amount payable in respect of any land acquired shall be an amount equal to one hundred times, the net average monthly income actually derived from such land, during the period of five consecutive years immediately preceding the date of publication of the notification referred to in section 32, as may be determined by the Competent Authority.

(*4*) The net average monthly income referred to in sub-section (*3*) shall be calculated in the manner and in accordance with the principles set out in Schedule III.

(*5*) The Competent Authority shall after holding an inquiry in the prescribed manner determine in accordance with the provisions of sub-section (*4*) the net average monthly income actually derived from the land. The Competent Authority shall then publish a notice in a conspicuous place on the land and serve it in the prescribed manner and calling upon the owner of the land and every person interested therein to intimate to it before a date specified in the notice whether such owner or person agrees to the net average monthly income actually derived from the land as determined by the Competent Authority. If such owner or person does not agree, he may intimate to the Competent Authority before the specified date what amount he claims to be such net average monthly income.

(*6*) Any person who does not agree to the net average monthly income as determined by the Competent Authority under sub-section (*5*) and the amount for acquisition to be paid on that basis and claims a sum in excess of that amount may prefer an appeal to the Tribunal, within thirty days from the date specified in the notice referred to in sub-section (*5*).

(*7*) On appeal, the Tribunal shall, after hearing the appellant, determine the net average income and the amount to be paid on that basis and its determination shall be final and shall not be questioned in any Court.

36. Apportionment of amount for acquisition.— (*1*) Where the owner of the land and the owner of the building thereon are different persons or several persons claim to be interested in the amount for acquisition determined under the last preceding section, the Competent Authority shall determine the persons who in its opinion are entitled to receive the same and the sum payable to each of them.

(*2*) If any dispute arises as to the apportionment of the amount or any part thereof, or as to the persons to whom the same or any part thereof is payable, the Competent Authority may refer the dispute to the decision of the Tribunal; and the Tribunal in deciding any such dispute shall follow the provisions of Part III of the Land Acquisition Act, 1894 (1 of 1894).

1 These words were added by Mah. 31 of 1987, s. 3.

2 These words were substituted for the words "Greater Bombay" by Mah. 25 of 1996, s. 2, Schedule, entry (*2*), sub-entry 15.

37. Payment of amount for acquisition or deposit the same in Court.— (*1*) After the amount for acquisition has been determined, the Competent Authority shall, on behalf of the State Government, tender payment of, and pay the amount to the persons entitled thereto.

(*2*) If the persons entitled to the amount do not consent to receive it, or if there be any dispute as to the title to receive the same or as to the apportionment of it, the Competent Authority shall deposit the amount in 1[Brihan Mumbai], in the Bombay City Civil Court and in any other municipal area in the Court of the District Judge, and that Court shall deal with the amount so deposited in the manner laid down in sections 32 and 33 of the Land Acquisition Act, 1894 (I of 1894).

38. Powers of Competent Authority in relation to determination of the amount for acquisitions, etc.— (*1*) The Competent Authority may, for the purpose of determining the amount for acquisition or apportionment thereof, require by order any person to furnish such relevant information in his possession as may be specified in the order.

(*2*) The Competent Authority shall, while holding an inquiry under section 35, have all the powers of a Civil Court while trying a suit under the Code of Civil Procedure, 1908 (V of 1908), in respect of the following matters, namely :—

(*a*) summoning and enforcing the attendance of any person and examining him on oath;

(*b*) requiring the discovery and production of any document ;

(*c*) receiving evidence on affidavit ;

(*d*) requisitioning any public record from any Court or office ;

(*e*) issuing commissions for examination of witnesses.

39. Payment of interest.— When the amount for acquisition is not paid or deposited on or before taking possession of the land, the Competent Authority on behalf of the State Government shall pay the amount determined with interest thereon, from the time of so taking possession until the amount shall have been so paid or deposited, at the rate of 4 per cent. per annum for the first six months and thereafter at the rate of 9 per cent. per annum.

40. Appointment of Competent Authorities.— The State Government may, by notification in the *Official Gazette*, appoint an officer who is holding or has held an office, which in its opinion is not lower in rank than that of Deputy Collector or Executive Engineer, to be a Competent Authority for the purposes of the foregoing provisions of this Chapter, and one or more such officers may be appointed for the whole of any municipal area or areas or any part thereof.

41. Appointment of Tribunal.— The State Government may, by notification in the *Official Gazette*, constitute a Tribunal consisting of the President (being a person who is holding or has held any judicial office not lower in rank than that of City Civil Court Judge or District Judge for a period of not less than five years) and a person who is holding or has held an office not below the rank of Deputy Director of Town Planning and a person who is holding or has held office not below the rank of Superintending Engineer to Government.

LANDS IN RURAL AREA

42. Basis for determination of amount for acquisition of lands in rural areas and other procedure.— (1) Where any land (including any building thereon) is acquired and vested in the State Government under this Chapter and it is situated in any part of the Metropolitan Region, excluding [2][Brihan Mumbai] and any area within the jurisdiction of any municipal council (in this Chapter referred to as "a rural area"), the State Government shall pay for such acquisition an amount, which shall be determined in accordance with provisions of this section.

1 These words were substituted for the words "Greater Bombay" by Mah. 25 of 1996, s.2, Schedule, entry (*2*), sub-entry 16.

2 These words were substituted for the words "Greater Bombay" by Mah. 25 of 1996, s. 2, Schedule, entry (*2*), sub-entry 17.

(*2*) Where the amount has been determined, with the concurrence of the Authority, by agreement between the State Government and the person to whom it is payable, it shall be determined and paid in accordance with such agreement.

(*3*) Where no such agreement can be reached, the State Government shall refer the case to the Collector, who shall determine the amount for acquisition in accordance with the principles for determining compensation laid down in the Land Acquisition Act, 1894 (I of 1894), and the provisions of that Act (including provisions for reference to Court and appeal) shall apply thereto *mutatis mutandis* as if the land has been acquired and compensation had to be determined, apportioned and paid under the provisions of that Act, subject to the modifications that references in sections 23 and 24 of that Act to the date of publication of the notification under section 4, sub-section (*1*), were references to the date on which the notice under the proviso to sub-section (*1*) of section 32 is published and the references to the time or date of the publication of the declaration under section 6 were references to the date of publication of the notification under sub-section (*3*) he *Official Gazette*.

Explanation.—In this section, "Collector" means the Collector of a District, and includes any officers specially appointed by the State Government or by the Commissioner to perform the functions of a Collector under the Land Acquisition Act, 1894 (I of 1894).

ALTERNATIVE ACCOMMODATION

43. Alternative accommodation to occupiers of residential premises where any acquired building is to be demolished.— Where any building is acquired under this Chapter and is vested in the Authority and is proposed to be demolished, it shall be the duty of the Authority, before evicting the occupiers, to provide such alternative accommodation, at such place and of such nature and size, as the Authority may deem fit, and on such terms and conditions as the Authority may determine, only to those persons who are occupiers of residential premises in the building, either as an owner or tenants, and who are actually residing in the building at the time of their eviction. If any occupier fails to accept and occupy the alternative accommodation allotted to him, within 45 days from the date of allotment, the responsibility of the Authority to provide him with such accommodation shall cease. The decision of the Authority as regards any matter contained in this section shall be final and shall not be questioned in any Court.

Explanation.-[1][I] In this section, "building" means a house or tenement or tenements let or intended to be let or occupied separately, but does not include any building which is unauthorised or which is a temporary building as defined in clause (*sb*) of section 3 of [2][the Mumbai Municipal Corporation Act (Bom. III of 1888)].

[3][*Explanation II*.-Where any building acquired under this Chapter is vested in a recognised agency, all references to the Authority in this section shall be construed as references to the agency concerned].

CHAPTER IX

MISCELLANEOUS

44. Recovery of moneys due to the Authority as arrears of land revenue.— (*1*) Where any sum (not being rent payable in respect of any Metropolitan Authority premises) payable to the Authority, whether under any agreement, express or implied or otherwise, howsoever, is not paid on or before the due date—

(*a*) and the claim is not disputed, the person duly authorised by the Authority shall send to the Collector a certificate under his hand indicating therein the sum which is due to the Authority or is

1 The existing *Explanation* has been renumbered as *Explanation I* and *Explanation II* was added by Mah. 3 of 1987, s. 4. 2 These words were substituted for the words "the Bombay Municipal Corporation Act" by Mah. 25 of 1996, s. 2. Schedule, entry (*2*), sub-entry 18.

3 The existing *Explanation* has been renumbered as *Explanation I* and *Explanation II* was added by Mah. 3 of 1987, s. 4.

claimed by the Authority as the case may be; and thereupon, the Collector shall recover the sum due or claimed as an arrear of land revenue;

(*b*) and the claim is disputed, it shall be referred to a Tribunal constituted by the State Government for the purpose, which shall, after making such inquiry as it thinks fit, and after giving to the person by whom the sum is alleged to be payable a reasonable opportunity of being heard, decide the question ; and the decision of the Tribunal shall be final and shall not be called in question in any Court or before any other authority . Thereupon, the Collector shall recover the sum determined to be due as an arrear of land revenue.

(*2*) The Tribunal shall consist of one person. who is not connected with the Authority or with the person by whom the sum is alleged to be payable.

(*3*) The expenses of the Tribunal shall be borne by the Authority.

(*4*) The procedure to be followed by the Tribunal in deciding questions referred to it shall be such as may be prescribed.

45. Lump sum contribution by the Authority in lieu of taxes Levied by local Authorities.—(*1*) Subject to rules, if any, that may be made under this Act, and regard being had to the fact that the Metropolitan Authority itself provides in the area within the jurisdiction of any local authority or any of the amenities which the local authority provides, then the Authority shall not be liable to pay the taxes including property taxes, if any, but it shall be lawful to the local authority to arrive at an agreement with the Authority, with the prior sanction of the State Government, to receive a lump sum contribution to the local authority in lieu of all or any of the taxes levied or services rendered by the local authority.

(*2*) Where no such agreement as is referred to in sub-section (*2*) can be reached, the matter may be referred to the State Government in such manner as the State Government may determine, and the State Government may, after giving to the local authority or the Authority or both a reasonable opportunity of being heard, decide the amount of such contribution. The decision of the State Government shall be binding on both parties.

46. Deduction from salary or wages to meet claims of the Authority in certain cases.— (*1*) Any person dealing with the Metropolitan Authority may execute an agreement in favour of such Authority providing that his employer shall be competent to deduct from the salary or wages payable to him by the employer, such amount as may be specified in the agreement, and to pay to the Authority the amount so deducted in satisfaction of any debt or demand of the Authority against such person.

(*2*) On the execution of such agreement, the employer shall, if so required by the Authority, by requisition in writing, and so long as the Authority does not intimate that the whole of such debt or demand has been paid, make the deduction in accordance with the agreement, and pay the amount so deducted to the Authority as if it were a part of the salary or wages payable by the employer as required under the Payment of Wages Act, 1936 (IV of 1936) on the day on which the employer makes payment.

(*3*) If, after the receipt of a requisition made under the foregoing sub-section, the employer at any time fails to deduct the amount specified in the requisition from the salary or wages payable to such person or makes a default in remitting the amount deducted to the Authority, the employer shall be personally liable for the payment thereof; and the amount shall be recoverable on behalf of the Authority from the employer as an arrear of land revenue.

(*4*) Nothing contained in this section shall apply to persons employed in any railways (within the meaning of the Constitution) and in mines and oil fields.

[1]**[46A. Control by State Government.—** (*1*) The Metropolitan Authority shall exercise its powers and perform its duties under this Act in accordance with the policy framed and guidelines laid down, from time to time, by the State Government for development of the areas in Metropolitan Region.

1 Sections 46A and 46B were inserted by Mah. 29 of 1976, s. 21.

(*2*) The Authority shall be bound to comply with such directions which may be issued, from time to time, by the State Government for efficient administration of this Act.

(*3*) If, in connection with the exercise of the powers and the performance of the duties of the Authority under this Act, any dispute arises between the Authority and the State Government, the matter shall be decided by the State Government and its decision shall be final.

46B. Power of Authority to call for returns, reports, etc.— The Metropolitan Authority shall have power to call for any return, statement of accounts, report, statistics or other information from any local authority or other authority or person in the Metropolitan Region. which is required by it in the exercise of its powers and the performance of its duties under this Act, or any other law for the time being in force and such authority or person shall be bound to furnish such information.]

[1]**[46C. Power to delegate.—** The Authority may, by resolution, delegate, from time to time, any power (except the power to make regulations) exercisable by it or any function to be discharged or any duty to be performed by it, by or under this Act to the Metropolitan Commissioner or the Executive Committee subject to such terms and conditions as may be specified in such resolution].

47. Officers and other employees of the Metropolitan Authority to be public servants.—Every officer and other employees of the Metropolitan Authority [2][and every member of the[3]* * * * Committees constituted under this Act] shall be deemed to be a public servant within the meaning of section 21 of the Indian Penal Code (XIV of 1860).

[4]**[47-A. Co-operation by police.—** The Police Commissioner of Mumbai shall, as far as may be. co-operate by himself and through his subordinates with the Metropolitan Commissioner for carrying into effect and enforcing the provisions of this Act and for the maintenance of good order.]

48. Indemnity.— No suit, prosecution or other legal proceeding shall lie against any member or any officer or other employee of the Metropolitan Authority [5][and any member of [6]* * * * Committees constituted under this Act] for anything done in good faith under this Act.

49. Power to make rules.— (*1*) The power to make all rules under this Act shall be exercisable by the State Government by notification in the *Official Gazette*.

(*2*) Without prejudice to any power to make rules contained elsewhere in this Act, the State Government may make rules consistent with this Act generally to carry out the purposes of this Act.

(*3*) All rules made under this Act shall be subject to the condition of previous publication.

(*4*) Every rule made under this Act shall be laid as soon as may be after it is made before each House of the State Legislature while it is in session for a total period of thirty days which may be comprised in one session or in two successive sessions, and if, before the expiry of the session immediately following, both Houses agree in making any modification in the rule or both Houses agree that the rule should not be made, and notify such decision in the *Official Gazette*, the rule shall from the date of publication of such notification have effect only in such modified form or be of no effect, as the case may be; so however, that any such modification or annulment shall be without prejudice to the validity of anything previously done or omitted to be done under that rule.

50. Power to make regulations.— The Metropolitan Authority may, from time to time, make regulations for all or any of the matters to be provided under this Act by regulations and generally for all other matters for which provision is, in the opinion of the Authority, necessary for the exercise of its powers and the discharge of its functions under this Act.

1 Section 46C was inserted by Mah. 39 of 1989, s. 8.

2 This portion was inserted by Mah. 26 of 1975, s. 7.

3 The words "Functional Boards, other Boards and" were deleted by Mah. 30 of 1983, s. 12. 4 This section was added by Mah. 5 of 2003, s. 4.

5 This portion was inserted by Mah. 26 of 1975, s. 8.

6 The words "Functional Boards, other Boards and" were deleted by Mah. 30 of 1983, s. 13.

51. Effect of provisions inconsistent with other laws.— The provisions of this Act shall have effect notwithstanding anything inconsistent therewith contained in any law governing any local or other authority, in the Maharashtra Regional and Town Planning Act, 1966 (Mah. XXXVII of 1966), or in any other law for the time being in force.

52. Power to remove difficulties.— If any difficulty arises in giving effect to the provisions of this Act, the State Government may as occasion requires, but not later than two years from the date on which the Metropolitan Authority is established, by order, do anything, not inconsistent with the objects and purposes of this Act, which appears to it to be necessary or expedient for the purpose of removing the difficulty.

SCHEDULE I

[*See* clause (*b*) of section 2]

[1][The Mumbai Metropolitan Region] shall comprise the whole of the area of [2][Brihan Mumbai] and the parts of Thana and Kolaba districts within the following boundaries, namely :—

WEST … Arabian Sea.

NORTH … Tansa River.

EAST … Eastern limits of Kalyan and Bhiwandi Talukas, upto the foot hills of Sahyadri in Karjat Taluka.

SOUTH … Patalganga river upto villages Apta and Gulsunde, and then eastern boundary of the following villages of Pen Taluka :—

Dusvi, Koshankhar, Nindarkhar, Navkhar, Kharbeloli. Beloli.

Ambivali, Davansar, Ramraj. Dhavte; and then southern boundary of the following villages of Pen Taluka :—

„Vadgaon, Maleghar, Kandla, Nayagaon and Shilottarlang; and then further southern boundary of the following villages of Alibag Taluka :—

Shahapur, Bhangar, Poyand, Ambeghar, Prigaon, Gan Tarf Parhar, Sagaon, Taloli, Khandala, Veshvi and Alibag.

SCHEDULE II

[*See* section 31]

I. The Bombay Government Premises (Eviction) Act, 1955 (Bom. II of 1956).

The State Government may, by notification in the *Official Gazette*, direct that, from such date, as may be specified therein, the said Act shall apply to premises belonging to, or taken on lease by the Metropolitan Authority as that Act applies in relation to Government premises, subject to the following modifications in the said Act, namely :—

(*a*) in section 2, for clause (*b*), there shall be substituted the following clauses :—

„(*b*) "Authority" means [3][the Mumbai Metropolitan Region Development Authority] established under [4][the Mumbai Metropolitan Region Development Authority Act, 1974 (Mah. IV of 1975)]; and "Authority premises" means any premises belonging to or taken on lease by that Authority;";

(*b*) for section 3, there shall be substituted the following section, namely :—

"3. Appointment of competent authorities.— The State Government may, by notification in the *Official Gazette*, appoint an officer who is holding or has held an office which in its opinion is not lower in rank than that of Deputy Collector or Executive Engineer, to be a Competent Authority for the purposes of this Act and one or more such officers may be appointed for the whole of the Bombay Metropolitan Region or any part thereof.";

(*c*) any reference to "Government premises" in that Act shall be deemed to be references to "Authority premises", and references to the State Government in sections 4, 6 and 9 thereof shall be deemed to be references to "the Authority";

(*d*) in section 6, in sub-section (*1*)—

(*i*) after clause (*b*), there shall be inserted the following word and clause, namely :—

1 These words were substituted for the words "the Bombay Metropolitan Region" by Mah. 25 of 1996, s. 2, Schedule, entry (*2*), sub-entry 19(*a*).

2 These words were substituted for the words "Greater Bombay" by Mah. 25 of 1996, s. 2. sub-entry 19(*b*).

3 These words were substituted for the words "the Bombay Metropolitan Region Development Authority", by Mah. 25 of 1996, s. 2, Schedule, entry (*2*), sub-entry 20(*a*)(*i*).

4 These words were substituted for the words "the Bombay Metropolitan Region Development Authority Act, 1974", by Mah. 25 of 1996, s.2. Schedule, entry (*2*), sub-entry 20(*a*)(*ii*).

"or

(*c*) any employee of the Authority,";

(*ii*) after the words "or, as the case may be, the local authority" there shall be inserted the words "or the Authority,".

II. The Maharashtra Ownership Flats (Regulation of the promotion of construction, sale, management and transfer) Act, 1963 (Mah. XLV of 1963).

The said Act shall not apply to the Metropolitan Authority or to any land or building belonging to or vesting in that Authority.

III. The Maharashtra Regional and Town Planning Act, 1966 (Mah. XXXVII of 1966.)

In the said Act, in section 40, in sub-section (*1*), after clause (*b*), there shall be inserted the following word and clause, namely :—

"or

(*c*) appoint [1][the Mumbai Metropolitan Region Development Authority] established under the [2][the Mumbai Metropolitan Region Development Authority Act, 1974 (Mah. IV of 1975)].".

SCHEDULE III

[*See* sub-section (*4*) of section 35]

Principles for determination of the net average monthly income.

1. The Competent Authority shall first determine the gross rent actually derived by the owner of the land acquired including any building on such land during the period of five consecutive years referred to in sub-section (*3*) of section 35.

2. For such determination the Competent Authority may hold any local inquiry and obtain, if necessary, certified copies of extracts from the property tax assessment books of the local authority concerned showing the rental value of such land.

3. The net average monthly income referred to in sub-section (*4*) of Section 35 shall be sixty per cent, of the average monthly gross rent which shall be one-sixtieth of the gross rent during the five consecutive years as determined by the Competent Authority under paragraph 1.

4. Forty per cent. of the gross monthly rental referred to above shall not be taken into consideration in determining the net average monthly income but shall be deducted in lieu of the expenditure which the owner of the land would normally incur for payment of any property tax to the local authority, for collection charges, income-tax or bad debts as well as for works of repair and maintenance of the buildings, if any, on the land.

5. Where the land or any portion thereof has been unoccupied or the owner has not been in receipt of any rent for the occupation of the land during the whole or any part of the said period of five years, the gross rent shall be taken to be the income which the owner would in fact have derived if the land had been leased out for rent during the said period, and for this purpose the rent actually derived from the land during a period prior or subsequent to the period during which it remained vacant or from similar land in the vicinity shall be taken into accounts.

1 These words were substituted for the words “the Bombay Metropolitan Region Development Authority” by Mah. 25 of 1996, s. 2, Schedule, entry (*2*), sub-entry 20(*b*) (*i*).

2 These words were substituted for the words and figures “the Bombay Metropolitan Region Development Authority Act, 1974”, by Mah. 25 of 1996. s. 2. Schedule, entry (*2*), sub-entry 20(*b*) (*ii*).