

**BOMBAY QUEEN VICTORIA STATUE SITE, (AND ADJOINING
LAND UTILISATION FOR CONSTRUCTION OF SATELLITE
TELECOMMUNICATIONS EXCHANGE OF THE OVERSEAS
COMMUNICATIONS SERVICE) ACT, 1968**

5 of 1968

[19th March, 1968]

CONTENTS

1. Short title and commencement
2. Vesting of Queen Victoria Statue site at Bombay and adjoining land in Government, and payment of compensation to Municipal Corporation.
3. Use of site and land vested in the State Government for setting up Satellite Telecommunications Exchange of the Overseas Communications Service by Government of India, and changes in Development Plan, Development Control Rules, Building Regulations, etc., for enabling constructions of the Exchanges. Bom III of 1888. of Mah. XXXVII of 1966.
4. Repeal of Man. Ord. I of 1968 and saving. Mah. Ord. I of 1968.

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An Act to make provision for placing the Queen Victoria Statue site at Bombay and certain land adjacent thereto at the disposal of the Government of India for setting up of Satellite Telecommunications Exchange of the Overseas Communications Service and for that purpose to amend the Bombay Municipal Corporation Act and to take power to make certain changes in Development Plan, Development Control Rules, Building Regulations, etc. WHEREAS, by section 89B of the Bombay Municipal Corporation Act, all the estate, right, title and interest of the Government in and to the statue of Her Majesty Queen Victoria and the site thereof in the Esplanade Road at Bombay were vested in the Municipal

Corporation and it was provided that the said statue and the said site thereafter be held by the Corporation in trust as a public monument; AND WHEREAS, the said statue (along with other statues of foreign sovereigns and administrators) has been removed from the said site, on the 12th day of August 1965. AND WHEREAS, the purpose for which the site was vested and the trust was created, no longer exist; AND WHEREAS, it is expedient that the said trust be revoked and extinguished and the said site which is vested in the Corporation therefore be divested from the Corporation and re-vested in the State Government; AND WHEREAS, the said site and certain land adjacent thereto are immediately required for the setting up of Satellite Telecommunications Exchange of the Overseas Communications Service and for participating in the Global Satellite Communications System being set up for carriage of international public communications by the International Telecommunications Satellite Consortium (INTELSAT) consisting of 60 nations (of which India is a member) who are signatories to an agreement for the setting up a global communications satellite system; AND WHEREAS, the said site and land adjacent thereto are most suitable for the said Exchanges, being within the required distance of the Waudby Road Exchange through which the messages and information received, will be distributed throughout India; AND WHEREAS, it is necessary to make immediate provision for placing the said site of the Queen's statue aforesaid and certain land adjacent thereto at the disposal of the Government of India in the Ministry of Communications for the aforesaid purpose, for the immediate commencement of construction of the Exchanges, and also to make consequential and supplemental provisions (including any changes which may be necessary in the Development Plan for Greater Bombay, the Development Control Rules, the Municipal Corporation Building Regulations and in matters related thereto), for enabling the speedy construction and efficient working thereafter of the Exchanges aforesaid; It is hereby enacted in the Twenty-fifth Year of the Republic of India as follows: -

1. Short title and commencement :-

(1) This Act may be called the Bombay Queen Victoria Statue Site, (and Adjoining Land Utilisation for Construction of Satellite Telecommunications Exchange of the Overseas Communications Service) Act, 1968

(2) It shall be deemed to have come into force on the 12th day of January 1968.

2. Vesting of Queen Victoria Statue site at Bombay and adjoining land in Government, and payment of compensation to Municipal Corporation. :-

(1) The statue of Her Majesty Queen Victoria having been removed from the site vested in and held by the Municipal Corporation of Greater Bombay in trust as a public monument, and the site no longer being required for the purpose of estate, right, title and interest of the Corporation in and to the said site shall be and is hereby vested from the Corporation and is hereby revested, without further assurance, in the State Government, free from all rights and liabilities and charges whatsoever affecting the same; and the State Government shall take possession immediately of the said site. In consequence of the revocation and extinguishments of the said trust, section 89B of the Bombay Municipal Corporation Act shall be deleted; and in the proviso of section 92 of the said Act, the words "to the statue of Her Majesty Queen Victoria or " shall be deleted and for the words, figures and letters "or to the sites thereof referred to in section 89B and SECTION 89C" the words, figures and letters "or to the sites thereof referred to in section 89C" shall be substituted.

(2) The land adjacent to the site of the aforesaid statue, more particularly described in the Schedule, shall be and is hereby divested from the Corporation and is hereby vested, without further assurance, in the State Government, free from all rights and liabilities and charges whatsoever, whether of individuals or of the Corporation or of the public, affecting the same. The State Government shall take possession immediately of the said land.

(3) For the site and land so revested or vested in the State Government, such compensation may be paid by that Government as may be agreed upon with the Corporation; and in default of agreement as may be determined by a person appointed by the State Government, who shall determine the compensation in accordance with the principles for determining compensation laid down in the Land Acquisition Act, 1894 , and the provisions of this Act (including provisions for reference to Court and appeal) shall apply thereto mutatis mutandis as if the site and land had been acquired and compensation to be determined under the provisions of the said Act.

3. Use of site and land vested in the State Government for setting up Satellite Telecommunications Exchange of the Overseas Communications Service by Government of India, and changes in Development Plan, Development Control Rules. Building Regulations, etc., for enabling constructions of the Exchanges. Bom III of 1888. of Mah. XXXVII of 1966.

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Notwithstanding anything contained in the Bombay Municipal Corporation Act, or in the Maharashtra regional and town planning Act, 1966 (including any Building Regulations, Development Control Rules or Development Plan made or sanctioned under those Acts) or in any other law for the time being in force, the State Government may allow the use of the aforesaid site and land adjacent thereto for setting up Satellite Telecommunications Exchange of the Overseas Communications Service, and for that purpose may transfer the site and land adjacent thereto to the Government of India on such terms and conditions and imposing such restrictions as it may think fit to impose and the State Government shall have power to remove and land from any reservation made in the Development Plan for Greater Bombay and to relax restrictions as to the floor space index or to fix some other floor space index or to remove or relax any other terms and conditions and restrictions regarding the development control and building rules and regulations, and in respect of matters related thereto, regard being had to the necessity therefore, for enabling the proper and efficient building and working of the said Exchanges.

4. Repeal of Man. Ord. I of 1968 and saving. Mah. Ord. I of 1968. :-

(1) The Bombay Queen Victoria Statue Site, (and Adjoining Land Utilisation for Construction of Satellite Telecommunications Exchange of the Overseas Communications Service) Ordinance, 1968, is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done or taken under this Act.