

**Mumbai Municipal Corporation (Temporary Amendment)  
Act, 2007**

**22 of 2008**

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(First published, after having received the assent of the Governor, in the "Maharashtra Government Gazette "on the 12th May, 2008). An Act to temporarily amend the Mumbai Municipal Corporation Act. WHEREAS it is expedient to temporarily amend the Mumbai Municipal Corporation Act, for the purposes hereinafter appearing; it is hereby enacted in the Fifty-eighth Year of the Republic of India as follows :-

**1. Short Title And Duration :-**

(1) This Act may be called the Mumbai Municipal Corporation (Temporary Amendment) Act, 2007.

(2) It shall remain in force for a period of three years from the date of its publication in the Official Gazette, and shall then expire. Section 7 of the Bombay General Clauses Act, 1904, shall apply upon the expiry of this Act, as if it had then been repealed by a Maharashtra Act.

**2. Temporary Amendment Of Bom. Iii Of 1888 :-**

During the period this Act remains in force, for grant of certificate to occupy the building situated in the area of the Mumbai Municipal Corporation, constructed before the 25th March, 1991 and occupied without obtaining the permission to occupy the building from the Commissioner, the provisions of the Mumbai Municipal Corporation Act, shall apply with the following modifications, namely :-

(i) in section 259A, after sub-section (3), the following sub-section shall be inserted, namely :-

"(3A) Notwithstanding anything contained in sub-section (3), a co-operative housing society or a federation of co-operative housing societies registered under the Maharashtra Co-operative Societies Act, 1960 or any condominium or a company incorporated under the Companies Act, 1956 with limited liability or an association of persons or any ad hoc body formed by the occupants of the building constructed before the 25th March, 1991 and occupied without obtaining the permission to occupy the building from the Commissioner under section 353A, may appoint a licensed plumber who shall inspect and submit to the Commissioner a certificate certifying the work carried out by the earlier plumber. The certificate given by the licenced plumber under this sub-section shall, for all purposes, be deemed to be the certificate given by the licenced plumber under sub-section (3).";

(ii) in section 299, to sub-section (1), the following Explanation shall be added, namely :-

"Explanation. - For the purposes of acquisition of open land lying within the regular line of a public street, and not occupied by a building constructed before the 25th March, 1991 and occupied without obtaining the permission to occupy the building from the Commissioner under section 353A, 'owner' of the said land or building means a co-operative housing society or a federation of co-operative housing societies registered under the Maharashtra Co-operative Societies Act, 1960 or any condominium or a company incorporated under the Companies Act, 1956 with limited liability or an association of persons or any ad hoc body formed by the occupants of the building.";

(iii) in section 353A, after sub-section (1), the following sub-section shall be added, namely :-

"(1A) Notwithstanding anything contained in sub-section (1), a co-operative housing society or a federation of co-operative housing societies registered under the Maharashtra Co-operative Societies Act, 1960 or any condominium or a company incorporated under the Companies Act, 1956 with limited liability or an association of persons or any ad hoc body formed by the occupants of the building constructed before the 25th March 1991 and occupied without obtaining the permission to occupy the building from the Commissioner under section 353A, shall employ a licenced surveyor or person approved by the Commissioner to erect a building or to execute any such work as is described in section 342, who shall

after inspecting the said premises deliver or send or cause to be delivered or send to the Commissioner at his office, notice in writing of such completion accompanied by certificate in Form. "T". The certificate given by the licenced surveyor or person approved by the Commissioner to erect a building or execute any such work as is described in section 342, under this sub-section shall, for all purposes, be deemed to be the certificate given under sub-section (1).".