
**MUMBAI METROPOLITAN REGION SPECIFIED COMMODITIES
MARKETS (REGULATION OF LOCATION) (ENACTMENT OF
BYE-LAWS WITH RETROSPECTIVE EFFECT TO PROVIDE FOR
LEVY AND COLLECTION OF THE REGISTRATION FEE AND
MARKET FEE AND VALIDATION AND CONTINUANCE) ACT,
1997**

24 of 1997

[25th April, 1997]

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An Act to enact bye-laws with retrospective effect to provide for levy and collection of the registration fee and the market fee under the provisions of the Mumbai Metropolitan Region Specified Commodities Markets (Regulation of Location) Act, 1983 and to make certain validating provisions. Whereas the Governor of Maharashtra promulgated the Bombay Metropolitan Region Specified Commodities (Regulation of Location) (Enactment of bye-laws with retrospective effect to provide for levy and collection of the Registration fee and Market fee and Validation) Ordinance, 1996 (Mah. Ord XVI of 1996) (hereinafter referred to as "the said Ordinance"), on the 10th October 1996; And whereas thereafter the winter session of the State Legislature was convened on the 9th December 1996 and the Mumbai Metropolitan Region Specified

Commodities Markets (Regulation of Location) (Enactment of bye-laws with retrospective effect to provide for levy and collection of the Registration fee and Market fee and Validation) Bill, 1996 (L.A.Bill No.XLVIII of 1996), for converting the said Ordinance into an Act of the State Legislature was introduced in the Legislative Assembly on the 9th December 1996, but it could not be passed during the said session which prorogued on the 20th December 1996. And whereas as provided under Article 213(2)(a) of the Constitution of India, the said Ordinance would have ceased to operate after the 19th January 1997, on which date the period of six weeks from the date of re-assembly of the State Legislature was to expire. And whereas it was expedient to take immediate action to continue the operation of the provisions of the said Ordinance by law. And whereas both Houses of the State Legislature were not in session and the Governor of Maharashtra was satisfied that circumstances existed which rendered it necessary for him to take immediate action to continue the operation of the provisions of the said Ordinance, and therefore, promulgated the Mumbai Metropolitan Region Specified Commodities Markets (Regulation of Location) (Enactment of bye-laws with retrospective effect to provide for levy and collection of the Registration fee and Market fee and Validation and Continuance) Ordinance, 1997 (Mah. Ord III of 1997) on 17th January 1997; And whereas it is expedient to replace the Mumbai Metropolitan Region Specified Commodities Markets (Regulation of Location) (Enactment of bye-laws with retrospective effect to provide for levy and collection of the Registration fee and Market fee and Validation and Continuance) Ordinance, 1997 (Mah.Ord III of 1997), by an Act State Legislature, it is hereby enacted in the Forty-eighth Year of the Republic of India, as follows:-

1. Short title and commencement (1) This Act may be called the Mumbai Metropolitan Region specified Commodities Markets (Regulation of Location) (Enactment of bye-laws with retrospective effect to provide for levy and collection of the Registration fee and Market fee and Validation and Continuance) Act, 1997 (2) It shall be deemed to have come into force on the 10th October 1996
2. Enactment of bye-laws with retrospective effect to levy and collect registration and market fees. The following bye-laws to provide for levy and collection of the registration fee and the market fee for common services, amenities and facilities provided or arranged within the area of the Bombay Metropolitan Region Iron and Steel Market Committee, kalamboli, Navi Mumbai (hereinafter referred to as "the said Market

Committee") and the market yard, during the period commencing on the 1st February 1988, and ending on the 23rd April 1995, shall be deemed to be duly and validly made by the said Market Committee under section 69 read with subsection(3) of section 5 and section 34 of the Mumbai Metropolitan Region Specified Commodities Markets (Regulation of Location) Act, 1983 Mah.XL 11 of 1983, on the 1st February 1988, namely :-

1. Title, Commencement and Application :-

(1) These bye-laws may be called the Bombay Metropolitan Region Iron and Steel Market Committee, Kalamboli, Navi Mumbai (Levy and Collection of Registration Fee and Market Fee) Bye-laws, 1988

(2) They shall come into force on the 1st February 1988.

(3) They shall apply for the levy and collection of the registration fee and market fee, for the period commencing from the 1st February 1988 and expiring on the 23rd April 1995.

2. Definition :-

In these bye-laws, unless the context otherwise requires -

(a) "Act" means the Mumbai Metropolitan Region Specified commodities Markets (Regulation of Location) Act, 1983

(b) "Market Committee" means the Bombay Metropolitan Region Iron and Steel Market Committee, Kalamboli, Navi Mumbai, constituted under section 4 of the Act.

3. Registration fee :-

(1) An application for Registration with the Market Committee, shall be made by the traders lawfully engaged in the specified trade within the market area, to the Chief Executive Officer of the Market Committee.

(2) A registration fee of rupees 100 till the 31st December 1990, and thereafter of rupees 200 , per application, shall be charged for such registration.

4. Levy and collection of market fee :-

(1) There shall be levied and collected, from every person carrying on specified trade in iron and steel and holding any premises whether as a lessee or otherwise in the market yard, on the basis of the area of the plot, shop, office premises, godown or

open space, a fee at the rate specified in the Table below, per annum, for the common services, amenities, and facilities provided by the Market Committee.

Serial No.	Area	Market Fee Per Square Meter
1.	Upto 5,000 Square Meters	Rupees 9.00
2.	5,001 To 1,00,000 Square Meters	Rupees 7.50
3.	Above 1,00,001 Square Meters	Rupees 6.00

(2) If the market fees levied and demanded are not paid within the period specified for making such payment, the Chief Executive Officer of the Market Committee may also charge such delayed payment charges, as may be decided by him.

(3) Validation of fees levied and collected by Market Committee Notwithstanding anything contained in the Mumbai Metropolitan Specified Commodities Markets (Regulation of Location) Act, 1983 (Mah XLII of 1983) or in any judgement, decree or order of any Court, any registration fee or market fee levied and collected including any action (taken or things done) in pursuance of such levy and collection, by the said Market Committee acting or purporting to act under the provisions of the said Act, during the period commencing on the 1st February 1988 and ending on the 23rd April 1995, in so far as it is in accordance with the bye-laws 3 and 4 of the bye-laws made under section 2 of this Act, shall be deemed to be and shall be deemed always to have been validly levied and collected in accordance with law as if the said bye-laws 3 and 4 had been continuously in force at all material times and accordingly,

(a) all actions, proceedings or things done or taken by the said Market Committee, or any of its officers or servants in connection with the levy and collection of such fees shall, for all purposes, be deemed to be and have always been done or taken in accordance with the provisions of the said Act;

(b) no suit or other proceedings shall be maintainable or continued in any Court, against the said Market Committee or any of its officers or servants for the refund of the registration fee or market fee so levied and collected;

(c) no Court or any other authority shall enforce any decree or order directing the refund of any registration fee or market fee.

(4) Repeal of Mah. Ord. III of 1997

(1) The Bombay Metropolitan Region Specified Commodities Markets (Regulation of Location) (Enactment of bye-laws with retrospective effect to provide for levy and collection of Registration fee and Market fee and Validation and Continuance) Ordinance, 1997 (Mah. Ord. III of 1997), is hereby repealed.

(2) Notwithstanding such repeal, anything done or any action taken under the said Ordinance shall be deemed to have been done, taken or issued, as the case may be, under the corresponding provisions of this Act.