



The Bombay Queen Victoria Statute Site (and Adjoining Land Utilization for
Construction of Satellite Telecommunications Exchanges of the Overseas
Communications Service) Act, 1968

Act 5 of 1968

Keyword(s):
Communication Service, Development Plans

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**THE BOMBAY QUEEN VICTORIA STATUE SITE (AND ADJOINING
LAND UTILIZATION FOR CONSTRUCTION OF SATELLITE TELE-
COMMUNICATIONS EXCHANGES OF THE OVERSEAS COMMUNI-
CATIONS SERVICE) ACT, 1968**

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THE SCHEDULE.

MAHARASHTRA ACT No. V OF 1968¹

[THE BOMBAY QUEEN VICTORIA STATUE SITE (AND ADJOINING LAND UTILIZATION FOR CONSTRUCTION OF SATELLITE TELECOMMUNICATIONS EXCHANGES OF THE OVERSEAS COMMUNICATIONS SERVICE) ACT, 1968

[19th March 1968]

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 Exchanges 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 the Development Plan, Development Control Rules and Building Regulations, etc.

Bom.
III of
1968.

WHEREAS, by section 89B of the Bombay Municipal Corporation Act, all the estate, right, title and interest of 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 shall 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 therefor be divested from the Corporation and revested in the State Government;

AND WHEREAS, the said site and certain land adjacent thereto are immediately required for the setting up of Satellite Telecommunications Exchanges of the Overseas Communications Service for participating in the Global Satellite Communications System being set up for the 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 setting up a global communications satellite system;

AND WHEREAS, the said site and the 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

¹For Statement of Objects and Reasons, see *Maharashtra Government Gazette, 1968 Part V, Extra page 97.*

• 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 Nineteenth Year of the Republic of India as follows:—

Short title
and com-
mencement.

1. (1) This Act may be called The Bombay Queen Victoria statue site (and adjoining land utilization for construction of Satellite Telecommunications Exchanges of the Overseas Communications Service) Act, 1968.

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

Vesting of
Queen
Victoria
statue site
at Bombay
and adjoining
land in
Government,
and payment
of compensa-
tion to
Municipal
Corporation.

2. (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 the trust, the trust aforesaid shall be and is hereby revoked and extinguished; and all the estate, right, title and interest of the Corporation in and to the said site shall be and is hereby divested 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 extinguishment of the said trust, section 89B of the Bombay Municipal Corporation Act shall be deleted; and in the proviso to 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 sections 89B and 89C" the words, figures and letter "or to the site thereof referred to in section 89C" shall be substituted.

Bom.
III of
1888.

(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, 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 that 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.

Bom. III of 1888. Mah. XXX-VII of 1966.

3. 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 the setting up of Satellite Telecommunications Exchanges 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 any land from any reservation made in the Development Plan for Greater Bombay and to relax any 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 therefor, for enabling the proper and efficient building and working of the said Exchanges.

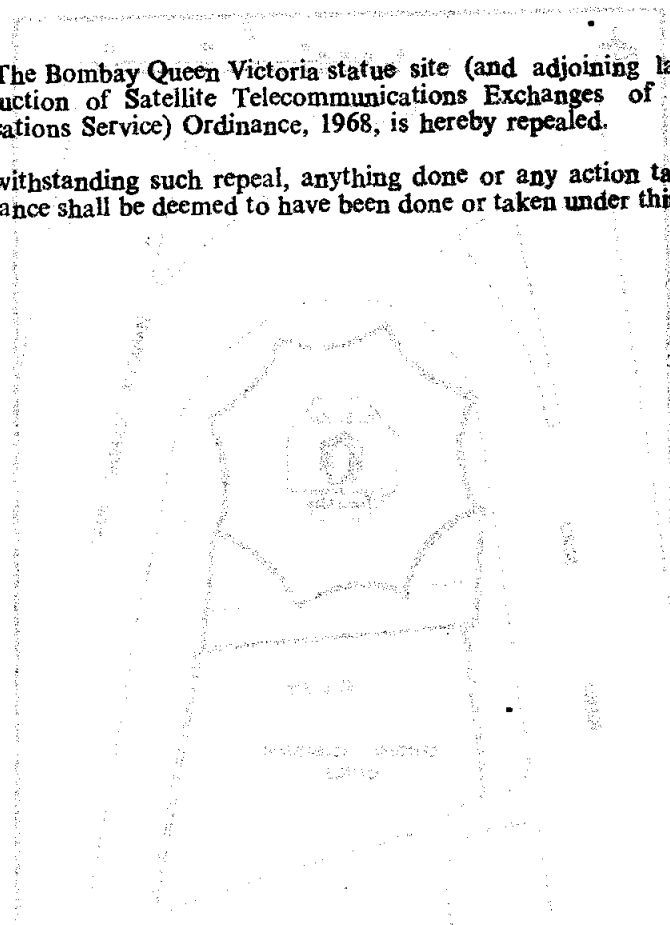
Use of site and land vested in State Government for setting up Satellite Telecommunications Exchanges of the Overseas Communications Service by Government of India, and changes in Development Plan, Development Control Rules, Building Regulations, etc. for enabling construction of the Exchanges.

Mah. Ord. I of 1968.

4. (1) The Bombay Queen Victoria statue site (and adjoining land utilization for construction of Satellite Telecommunications Exchanges of the Overseas Communications Service) Ordinance, 1968, is hereby repealed.

Repeal of Mah. Ord. I of 1968 and saving.

(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.



THE SCHEDULE

Description and plan of the Queen Victoria statue site and land adjacent thereto vested in the State Government under section 2

DESCRIPTION

(a) All that piece or parcel of land comprised in Queen Victoria statue site containing, by admeasurement, 1013 sq. yards i.e. 847 sq. metres or thereabout and bearing Cadestral Survey No. 733 of Fort division and bounded as follows : that is to say, on or towards the South by the public street and beyond it the property of Central Telegraph Office bearing C. S. No. 708, on or towards the West by the Mayo Road, on or towards the East by the Mahatma Gandhi Road (formerly known as Esplanade Road), and on or towards the North by the road junction. The boundaries of the above land are shown in red colour on the plan below.

(b) The portion of public street adjacent to Cadestral Survey No. 733 to its South containing, by admeasurement 391 sq. yds. i.e. 327 sq. metres or thereabout and bounded as follows : that is to say, on or towards the South by C. S. No. 708, on or towards the West by the Mayo Road, on or towards the East by the Mahatma Gandhi Road (formerly known as Esplanade Road) and on or towards the North by C. S. No. 733. The Western, Southern and Eastern boundaries of the above land are shown in blue colour, and Northern boundary thereof is shown in red colour, on the plan below:

PLAN

