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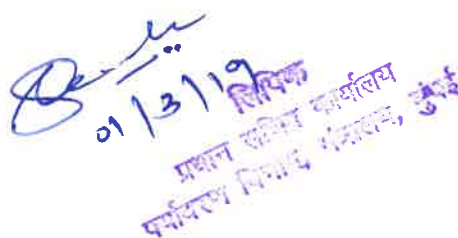
**PRESIDENT, NAVI MUMBAI**

Prakash Baviskar

Ref. No. MCHI/PRES/18-19/160

March 1, 2019

To,  
**Shri Anil Diggikar (I.A.S.)**  
Principal Secretary  
Environment Department  
Govt. of Maharashtra  
217, Annex Bldg., Mantralaya,  
Mumbai - 400 032



**Sub. : Consideration of proposals involving violation of EIA Notification, 2006 amended till date.**

**Ref. : 1) Report of the committee on Assessment for Environmental Damage and Estimation of Remediation Cost, as per the letter by SEIAA, Mumbai, vide no. SEIAA-2018/CR-150/SEIAA, dated 30.01.2009, entitled "An approach for Assessment for Environmental Damage and Estimation of Remediation Costs for Building Construction Projects initiated without obtaining mandatory Environmental Clearance (Violation Case)"**

**2) Our earlier representation dated 19.02.2019**

**3) Meeting with Principal Secretary Environment and Hon. Chairman SEAC to Hon. Chairman SEIAA.**

Respected Sir,

CREDAI-MCHI Thank You for the curtesy extended to us by giving an appointed on 27.02.2019 to discuss on the subject matter.

We had explained our concern about the exorbitant cost towards economic benefits accrued due to violation at the rate of Ready Reckoner cost of construction under violation in item No. V of the format required to be prepared for remediation plan and natural and community resource augmentation plan.

1. It was pointed out that the project specific cost of remediation measures are already included in recurring and non-recurring cost in the said template. However, the economic benefits accrued due to speedily implementing the project on account of "opportunity cost" and "competitive advantage" has been considered at 10% of Ready reckoner cost.
2. It was submitted that there can hardly be any additional benefits due to implementation of the project one year in advance. (considering time taken for environmental clearance as one year) in terms of opportunity cost and competitive advantage, in view of the facts that the activity of residential building considered as violation for non-procuring environmental clearance, was always permissible activity as per the zoning master plan

with adequate infrastructure availability. Looking at the market rates of previous 10 years it is seen that the Sale Rates has marginally increased year on year. Therefore, one year early selling of flats may actually fetch a lesser value. Thus, the economic benefits as suggested in terms of opportunity cost due to project implementation in advance by one year without obtaining E.C. has incurred hardly any economic benefits.

3. It was also discussed during the meeting that this cost shall also include an amount penalty so as to be deterrent for not undertaking such violation in future. It is respectfully submitted that in Bombay Municipal Corporation Act as well as in Service Tax Act, there exists an upper CAP of penalty for condonation of any violation, under that act.
4. It was suggested in the meeting that the penalty amount/economic benefits shall not be linked with Ready Reckoner cost. Instead it should be linked with "Cost of Construction". This was not accepted by the Committee, and Hon. Authorities directed to suggest % based on Ready Reckoner Rates.
5. It was further pleaded in the meeting that the Ready Reckoner cost of the constructed flats covers the Construction cost, Land cost, Capital cost and Profits. Moreover, Ready Reckoner rates consider only FSI areas of the flats, and do not cover Non-FSI areas. However, Environmental clearance stipulates FSI + Non FSI areas. Hence, if the Ready Reckoner rates baseline is to be used, the same shall be applied only for FSI area. Moreover, Ready Reckoner rates of that year, when first CC (Commencement) was issued by MCGM, shall be considered.
6. It was discussed that any penalty proposed to be imposed has to be commensurate with the Notional Profit & considering 10% Profit on Ready Reckoner value and penalty at 5% on this profit, the **quantum of reasonable penalty works out to 0.5% of RR Value subject to maximum cap of Rs. 2 crores. This penalty based on RR rates shall be computed only "FSI areas under violation, excluding Non FSI areas and considering the year of first CC (Commencement) for that building under violation.**

We therefore request your authority to amend the clause no. V(3) of the template for calculation of cost of remediation and natural and community resource plan as under

Economic benefits accrued due to violation –

Sr. No.	Description	Details	Amount
03		<b>0.5% of ready reckoner cost of construction (FSI area) under violation, based on the year</b>	

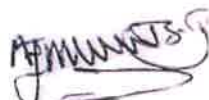
	Economic benefits accrued due to violation.	in which first CC (Commencement) is granted, if it is already occupied (fully or partially) or in reasonably advance stage of construction (more than 50%) subject to <b>Maximum cap of Rs. 2 crores.</b>	
		0.25% of ready reckoner cost of construction (FSI area) under violation, based on the year in which first CC (Commencement) is granted, if no occupation is given in violation construction and the construction under violation is still not in advance stage of construction (less than 50%) <b>Maximum cap of Rs. 1 crores.</b>	
		Incremental cost of Rs. 10 lakhs for each EC violation by PP or its directors observed at other projects in last 3 years.	

Thanking you,

Your sincerely,  
For CREDAI-MCHI



**Nayan A. Shah**  
President



**Bandish Ajmera**  
Hon. Secretary



**Sanjiv S. Chaudhary MRICS**  
Chief Operating Officer

## Service Tax Late Return Filing Fee

Where the return prescribed under rule 7 is furnished after the date prescribed for submission of such return, the person liable to furnish the said return shall pay to the credit of the Central Government, for the period of delay of:

- (i) fifteen days from the date prescribed for submission of such return, an amount of five hundred rupees;
- (ii) beyond fifteen days but not later than thirty days from the date prescribed for submission of such return, an amount of one thousand rupees; and
- (iii) beyond thirty days from the date prescribed for submission of such return an amount of one thousand rupees plus one hundred rupees for every day from the thirty first day till the date of furnishing the said return:

Provided the total amount payable in terms of this rule shall not exceed the amount specified in Sec. 70 of the Act.

It is clear from the above that above penalty is subject to maximum specified in section 70. Section 70(1) Specify the maximum Penalty of Rs. 2,000/- in respect of return filed up to 31st March 2011. This amount of Maximum Penalty is been increased to Rs. 20,000/- (Twenty Thousand only) w.e.f. 01.04.2011.

As per Section 71 (C) of the Finance Act 2011 (8 of 2011) Applicable from 1st April Unless Otherwise specified there was an amendment in Sub Section (1) of section 70 which is as follows:-

*'in Section 70 (1) of the Finance Act, 1994, for the words "two thousand rupees", the words "twenty thousand rupees" shall be substituted'.*

After Considering the above amendment the Maximum Penalty for Late Filing of Service Tax Return is been increased to 20000/- (Twenty Thousand) w.e.f. 08.04.2011 from earlier 2000/- (Two Thousand).

<sup>1</sup>[Provided that no by-law shall be modified or repealed in part only by the <sup>2</sup>[State] Government] if, within the period aforesaid the Corporation have objected to a modification or partial repeal thereof.]

(3) The '[modification or] repeal of a by-law under sub-section (2) shall take effect from such date as the <sup>2</sup>[State] Government] shall in the said notification direct or, if no such date is specified from the date of the publication of the said notification in the <sup>3</sup>[Official Gazette], except as to anything done or suffered or omitted to be done before such date.

(4) The said notification shall also be published in the local newspapers.

<sup>6</sup>[(5) The powers conferred by this section on the <sup>7</sup>[State] Government, shall, in relation to any by-law made under clause(s) of section 461, be powers of the Central Government.]

## CHAPTER XVIII PENALTIES

<sup>1</sup>[471. Certain offences punishable with fine.

Whoever—

(a) contravenes any provision of any of the sections, sub-sections or clauses mentioned in the first column of the following table, or of any regulation made thereunder; or

(b) fails to comply with any requisition lawfully made upon him under any of the said sections, sub-sections or clauses,

shall be punished, for each such offence, with fine which may extend to the amount mentioned in that behalf in the third column of the said table <sup>9</sup>[Subject, however, to a minimum fine which shall not be less than fine mentioned in the fourth column of the said table.]

*Explanation.*—The entries in the second column of the said table headed "Subject" are not intended as definitions of the offences described in the sections, sub-sections and clauses mentioned in the first column, or even as abstracts of those sections, sub-sections and clauses,

1. This proviso was substituted for the original proviso by Bom. 5 of 1905.
2. The words "Provincial Government" were substituted for the words "Governor-in-Council" by the Adaptation of Indian Laws Order in Council.
3. This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.
4. These words were inserted by Bom. 5 of 1905, s. 75(a).
5. The words "Official Gazette" were substituted for the words "Bombay Government Gazette" by the Adaptation of Indian Laws Order in Council.
6. This sub-section was inserted by the Adaptation of Indian Laws Order in Council.
7. This word was substituted for the word "Provincial" by the Adaptation of Laws Order, 1950.
8. Section 471 was substituted for the original section by Bom. 5 of 1905, s. 58.
9. These words were inserted by Mah. 21 of 1989, s. 54(a).



but are inserted merely as references to, the subjects of the sections, sub-sections and clauses, the numbers of which are given in the first column.

<sup>1</sup> [Sr. No.]	Section, sub-section or clause	Subject	Fine which may be imposed	Minimum fine which shall be imposed
(1)	(2)	(3)	(4)	(5)
1.	Section 149	Notice to be given of transfer of title	Two thousand rupees	Five hundred rupees
2.	Section 150	Requisition to produce instrument of transfer	Two thousand rupees	Five hundred rupees
3.	Section 152	Notice to be given of the erection of new building, etc.	Two thousand rupees	Five hundred rupees
4.	Section 191A, sub-section (3)	Return to be forwarded by an owner or person in charge of a dog.	One thousand rupees	Two hundred fifty rupees
5.	Section 191H	Return to be submitted by person liable to theatre tax.	Two thousand and Five hundred rupees	Five hundred rupees
6.	Section 223, sub-section (1)	Building, etc., not to be erected without permission over drains.	Five thousand rupees	One thousand rupees
7.	Section 229	Connections, with municipal drains, etc., not to be made except in conformity with section 227 or 228.	Five thousand rupees	One thousand rupees
8.	Section 229A, sub-section (1)	Buildings, etc., not to be erected without permission over drains	Five thousand rupees	One thousand rupees
9.	Section 230A	Owner of land to allow others to carry drains through the land.	Two thousand and Five hundred rupees	Five hundred rupees
10.	Section 231	Requisition to enforce drainage of undrained premises situated within a hundred feet of a municipal drain	Two thousand and Five hundred rupees	Five hundred rupees
11.	Section 232	Requisition to enforce drainage of undrained premises not situated within a hundred feet of a municipal drain.	Two thousand and Five hundred rupees	Five hundred rupees
12.	Section 233, sub-section (1), clause (b)	Direction limiting use of drain or notice requiring the construction of a distinct drain.	Two thousand and Five hundred rupees	Five hundred rupees

1. Table was substituted by Mah. 24 of 2006, s. 3 (w.e.f. 18-7-2006).

Sr. No.	Section, sub-section or clause	Subject	Fine which may be imposed	Minimum fine which shall be imposed
(1)	(2)	(3)	(4)	(5)
13.	Section 233A, clause (b)	Drains for sole use of properties to be maintained in good repair, etc. by owner or occupier of the property.	Two thousand and Five hundred rupees	Five hundred rupees
14.	Section 234	New buildings not to be erected without drains.	Fine not to be exceed five thousand rupees	....
15.	Section 235	Excrementitious matter not to be passed into cesspool.	Five thousand rupees	One thousand rupees
16.	Section 236	Owners of drains to allow use thereof, or joint ownership therein, to others.	Two thousand and five hundred rupees	Fifty hundred rupees
17.	Section 240	Drains not to pass beneath buildings.	Ten thousand rupees	Two thousand rupees
18.	Section 241	Provisions as to position of cesspools.	Ten thousand rupees	Two thousand rupees
19.	Section 243, sub-section (2)	Requisition to cover or ventilate drain or cesspool.	Two thousand and five hundred rupees	Five hundred rupees
20.	Section 246A, sub-section (1)	Water closets and privies not to be constructed without permission or in contravention of terms prescribed.	Ten thousand rupees	Two thousand rupees
21.	Section 247	Buildings newly erected or re-erected to be provided with water closet and other accommodation.	Ten thousand rupees	Two thousand rupees
22.	Section 248, sub-section (1)	Requisition to enforce provision of privy accommodation, etc.	Ten thousand rupees	Two thousand rupees
23.	Section 249	Requisition to provide privy accommodation for factories, etc.	Ten thousand rupees	Five thousand rupees
24.	Section 249A	Requisition respecting unhealthy privies.	Ten thousand rupees	Two thousand rupees
25.	Section 250, sub-section (1).	Provisions as to privies	Two thousand rupees	Five hundred rupees

1. Table was substituted by Mah. 24 of 2006, s. 3 (w.e.f. 18-7-2006).

Sr. No.	Section, sub-section or clause	Subject	Fine which may be imposed	Minimum fine which shall be imposed
(1)	(2)	(3)	(4)	(5)
26.	Section 251, proviso.	Provisions as to water closets	Two thousand rupees	Five hundred rupees
27.	Section 251A	Provisions as to privies and water-closets	Ten thousand rupees	Two thousand and five hundred rupees
28.	Section 251B	Provisions as to use of places for bathing or washing clothes or domestic utensils.	Two thousand and five hundred rupees	Five hundred rupees
29.	Section 257	Requisition to effect sanitary repairs etc.	Two thousand and five hundred rupees	Five hundred rupees
30.	Section 259A, sub-sections (1) and (4).	Provisions as to employment of licensed plumber and use of work	Ten thousand rupees	Two thousand rupees
31.	Section 259A, sub-sections (2) and (3)	Licensed plumber to give and sign certificate.	Two thousand and five hundred rupees	Five hundred rupees
32.	Section 268, sub-section (1)	Building, etc., not to be erected over water main without permission.	Five thousand rupees	One thousand rupees
33.	Section 269, sub-section (3)	Water not to be carried away from public water supply for sale, and not to be carried in cask, etc., without permission.	Five thousand rupees	Five hundred rupees
34.	Section 270, sub-section (2)	Public water supply set apart for particular purpose not to be used for other purpose.	Five thousand rupees	One thousand rupees
35.	Section 270A	Premises not to be occupied without Commissioner's certificate in respect of adequate water supply.	Ten thousand rupees	Two thousand rupees
36.	Section 271, sub-section (2)	Requisition to obtain private water supply and to provide supply and distributing pipes, etc.	Ten thousand rupees	Two thousand rupees

1. Table was substituted by Mah. 24 of 2006, s. 3 (w.e.f. 18-7-2006).



'[Sr. No.	Section, sub-section or clause	Subject	Fine which may be imposed	Minimum fine which shall be imposed
(1)	(2)	(3)	(4)	(5)
37.	Section 272, sub-section (1)	Provisions as to making and renewing of connections with municipal water works.	Ten thousand rupees	Two thousand rupees
38.	Section 272, sub-section (5)	Provision as to unauthorised connections with municipal water works, etc.	Two thousand and five hundred rupees	Five hundred rupees
39.	Section 274	Requisition to provide cistern and putting of means of access to any cistern.	Two thousand and five hundred rupees	Five hundred rupees
40.	Section 274A	Requisition to provide for keeping cisterns locked	Two thousand and five hundred rupees	Five hundred rupees
41.	Section 275	Supply or distributing pipes, etc., to be kept in efficient repair by owner or occupier of premises.	Two thousand and five hundred rupees	One thousand rupees
42.	Section 278, sub-section (2)	Requisition to remedy defect in meter (supply or distributing pipes), etc.	Five thousand rupees	Five hundred rupees
43.	Section 280	Conditions as to use of water not to be contravened.	Five thousand rupees	One thousand rupees
44.	Section 282	Prohibition of fraudulent and unauthorised use of water	Five thousand rupees	One thousand rupees
45.	Section 287B sub-section (1)	Work under Chapter X to be done by licensed plumber	Ten thousand rupees	Two thousand rupees
46.	Section 287B sub-section (2)	Name of licensed plumber to be furnished.	One thousand rupees	Two hundred and fifty rupees
47.	Section 297, sub-section (3)	Construction of building, within the regular line of street without permission.	Twenty-five thousand rupees	Five thousand rupees
48.	Section 304, sub-section (1)	Land not to be appropriated for building and private streets not to be laid out until expiration of notice nor otherwise than in accordance with Commissioner's direction.	Twenty-five thousand rupees	Five thousand rupees

1. Table was substituted by Mah. 24 of 2006, s. 3 (w.e.f. 18-7-2006).

Sr. No.	Section, sub-section or clause	Subject	Fine which may be imposed	Minimum fine which shall be imposed
(1)	(2)	(3)	(4)	(5)
49.	Section 305	Requisition as to levelling and draining of private streets.	Five thousand rupees	One thousand rupees
50.	Section 308, sub-section (1)	Prohibition of projections upon streets, etc.	Ten thousand rupees	Two thousand rupees
51.	Section 308, sub-section (2)	Requisition to remove the same.	Ten thousand rupees	Two thousand rupees
52.	Section 309, sub-section (1)	Requisition to remove or alter projections, etc., made before Act III of 1872 came into force.	Ten thousand rupees	Two thousand rupees
53.	Section 311	Ground floor doors, etc., not to open outwards on street.	One thousand rupees	Two hundred rupees
54.	Section 312 sub-section (1)	Prohibition of structures or fixtures causing obstruction in streets.	Ten thousand rupees	Two thousand rupees
55.	Section 313, sub-section (1)	Prohibition of deposits, etc., of things in streets.	Two thousand rupees	Two hundred and fifty rupees
56.	Section 313A	Prohibition of hawking articles for sale in a public place or street without a licence.	Two thousand and five hundred rupees	Five hundred rupees
57.	Section 313B	Prohibition in a public place or street, of use of skill in handicraft or in rendering services without licence.	Two thousand and five hundred rupees	Five hundred rupees
58.	Section 315	Requisition to remove structures or fixtures erected or set up before section 312 came into force.	Five thousand rupees	One thousand rupees
59.	Section 316, sub-section (1)	Prohibition of the tethering of animals in public streets.	One thousand rupees	Two hundred rupees
60.	Section 319, sub-section (2)	Direction to close street in which work is in progress.	Two thousand and five hundred rupees	Five hundred rupees
61.	Section 321, sub-section (2)	Shoring-timber fence, etc., employed to secure public safety while Municipal works are in progress, not to be removed.	Two thousand and five hundred rupees	Five hundred rupees

1. Table was substituted by Mah. 24 of 2006, s. 3 (w.e.f. 18-7-2006).

<sup>1</sup> /Sr. No.	Section, sub-section or clause	Subject	Fine which may be imposed	Minimum fine which shall be imposed
(1)	(2)	(3)	(4)	(5)
94.	Section 372, clauses (a), (b), (c), (d), (e) and (f).	Provision as to removal of refuse.	Two thousand and five hundred rupees	Five hundred rupees
95.	Section 372, clause (g),	Provision as to removal and skinning of carcasses.	Five thousand rupees	One thousand rupees
96.	Section 375	Requisition to cleanse and lime wash building.	Five thousand rupees	One thousand rupees
97.	Section 375A	Requisition to remove building materials, etc., from any premises.	Five thousand rupees	One thousand rupees
98.	Section 376	Prohibition of nuisance, in unoccupied or abandoned premises.	Five thousand rupees	One thousand rupees
99.	Section 377	Requisition to cleanse, etc., neglected premises.	Five thousand rupees	One thousand rupees
100.	Section 377A, sub-sections (1) and (2)	Requisition to abate nuisance or to prevent recurrence due to leakage in the roofs of buildings.	Two thousand and five hundred rupees	Five hundred rupees
101.	Section 378, sub-section (2)	Provision as to buildings unfit for human habitation.	Five thousand rupees	One thousand rupees
102.	Section 379	Owner or occupier of a house within seven days of receipt of notice, to give statement of accommodation.	Five thousand rupees	One thousand rupees
103.	Section 379A, sub-section (1)	Requisition by Metropolitan Magistrate to abate overcrowding.	Two thousand rupees	Four hundred rupees
104.	Section 379A, sub-section (3)	Requisition by owner pursuant to order under sub-section (1).	Two thousand rupees	Four hundred rupees
105.	Section 380	Requisition to remove or alter insanitary huts.	Two thousand and five hundred rupees	Five hundred rupees
106.	Section 381	Requisition to fill in pools, etc., which are a nuisance.	Ten thousand rupees	Two thousand rupees

1. Table was substituted by Mah. 24 of 2006, s. 3 (w.e.f. 18-7-2006).

<sup>1</sup> [Sr. No.	Section, sub-section or clause	Subject	Fine which may be imposed	Minimum fine which shall be imposed
(1)	(2)	(3)	(4)	(5)
107.	Section 381A, sub-section (1)	Digging or constructing well, etc., without permission.	Five thousand rupees	Two thousand rupees
108.	Section 381A, sub-section (2)	Requisition to fill in or demolish well, etc.	Ten thousand rupees	Two thousand rupees
109.	Section 381B	Prohibitions of mosquito breeding in collection of water on any land.	Ten thousand rupees	Two thousand rupees
110.	Section 382	Requisition to discontinue dangerous quarrying	Ten thousand rupees	Two thousand rupees
111.	Section 383, sub-section (1)	Requisition to remove or trim trees, shrubs or hedges.	One thousand rupees	Two hundred rupees
112.	Section 384, sub-section (1)	Prohibitions as to keeping of animals.	Two thousand and five hundred rupees.	Five hundred rupees
113.	Section 384A	Requisition to discontinue, etc., stabling animals or storing grains, etc., in dwelling house.	Two thousand and five hundred rupees	Five hundred rupees
114.	Section 385, sub-section (2)	Prompt notice to be given to Health Department for removal of carcasses of dead animals without authorisation of the Commissioner.	One thousand rupees	One hundred rupees
115.	Section 388, clauses (e), (f) and (g)	Prohibition of bathing, etc., contrary to order or regulation.	Five thousand rupees	Two hundred and fifty rupees
116.	Section 390, sub-section (1)	Factory, etc., not to be newly established or worked without permission.	Fifty thousand rupees	Ten thousand rupees
117.	Section 390, sub-section (3)	Prohibition of continuous or resumption of working of factory, etc., after revocation of written permission for its establishment.	Fifty thousand rupees	Ten thousand rupees
118.	Section 392, sub-section (1)	Requisition for sanitary regulation of factories.	Twenty-five thousand rupees	Five thousand rupees

1. Table was substituted by Mah. 24 of 2006, s. 3 (w.e.f. 18-7-2006).

<sup>1</sup> [Sr. No.	Section, sub-section or clause	Subject	Fine which may be imposed	Minimum fine which shall be imposed
(1)	(2)	(3)	(4)	(5)
119.	Section 393, sub-section (1)	Prohibition of use of steam whistle, etc., without permission.	One thousand rupees	Two hundred rupees
120.	Section 394, sub-section (1) clauses (a) (ii) and (b) to (f)	Certain articles not to be kept and certain trades, processes and operations not to be carried on without licence.	Twenty-five thousand rupees	Five thousand rupees
121.	Section 394, sub-section (6)	Licence to be kept on premises, board to be displayed indicating nature of articles kept or trade carried on and proper labels to be put on licensable articles.	Two thousand and five hundred rupees	Five hundred rupees
122.	Section 395, sub-section (1)	Prohibition of corruption of water by chemicals, etc.	Twenty thousand rupees	Four thousand rupees
123.	Section 397, sub-section (1)	Regulation of washing of clothes by washermen.	Two thousand rupees	Four hundred rupees
124.	Section 401, sub-section (1)	Prohibition of sale in Municipal market without licence.	Two thousand and five hundred rupees	Five hundred rupees
125.	Section 402, sub-section (2)	New private market not to be opened without sanction.	Fifty thousand rupees	Ten thousand rupees
126.	Section 403, sub-section (1)	Private market or slaughter house not to be kept or permitted to be kept open without licence.	Ten thousand rupees	Two thousand rupees
127.	Section 404	Prohibition of sale in unauthorised private markets.	One thousand rupees	Two hundred and fifty rupees
128.	Section 405	Requisition to pave and drain private market, buildings and slaughter houses.	Five thousand rupees	One thousand rupees
129.	Section 406	Regulations framed for markets and slaughter houses.	One thousand rupees	Two hundred and fifty rupees
130.	Section 407A	Removal of cattle, sheep, goats or swine from any municipal slaughter-house market or premises	One thousand rupees	Five hundred rupees.

1. Table was substituted by Mah. 24 of 2006, s. 3 (w.e.f. 18-7-2006).

Sr. No.	Section, sub-section or clause	Subject	Fine which may be imposed	Minimum fine which shall be imposed
(1)	(2)	(3)	(4)	(5)
131.	Section 408, sub-section (2)	Regulations and table of stallage, fees and rents affixed in markets and slaughter houses not to be destroyed or defaced.	Five hundred rupees	One hundred rupees
132.	Section 410, sub-section (1)	Prohibition of sale of animals, etc., except in a market.	Two thousand and five hundred rupees	Five hundred rupees
133.	Section 411	Butchers and persons who sell or supply flesh of animal to be licensed.	Ten thousand rupees	Two thousand rupees
134.	Section 412A	Milk, butter, etc., not to be sold without a licence.	Two thousand and five hundred rupees	Five hundred rupees
135.	Section 421	Information to be given of existence of dangerous disease or continuous pyrexia of unknown origin by medical practitioners.	Five thousand rupees	One thousand rupees
136.	Section 423, sub-section (2)	Prohibition of use for drinking of water likely to cause dangerous disease.	Five thousand rupees	One thousand rupees
137.	Section 424, sub-section (2)	Direction to remove patients to hospital	Five thousand rupees	One thousand rupees
138.	Section 425, sub-section (1)	Requisition to disinfect buildings.	Five thousand rupees	One thousand rupees
139.	Section 426A, sub-section (1).	Second-hand clothing and bedding not to be brought into city without informing the Commissioner and getting them inspected.	Ten thousand rupees	Two thousand rupees
140.	Section 426A, sub-section (4)	Second-hand clothing and bedding brought into city not to be dealt with or disposed of until a certificate by the Commissioner has been given.	Ten thousand rupees	Two thousand rupees
141.	Section 427, sub-section (2)	Where a place for washing of infected articles has been appointed such articles not to be washed at places not so appointed.	Two thousand and five hundred rupees.	Five hundred rupees
142.	Section 427, sub-section (3)	Direction to disinfect or destroy infected articles.	Two thousand and five hundred rupees.	Five hundred rupees

1. Table was substituted by Mah. 24 of 2006, s. 3 (w.e.f. 18-7-2006).



<sup>1</sup> /Sr. No.	Section, sub-section or clause	Subject	Fine which may be imposed	Minimum fine which shall be imposed
(1)	(2)	(3)	(4)	(5)
143.	Section 428, sub-section (1)	Persons suffering from dangerous disease not to enter a public conveyance without notifying the same.	One thousand two hundred fifty rupees	Two hundred and fifty rupees
144.	Section 430	Provision as to carriage of persons suffering from dangerous disease in public conveyances.	Ten thousand rupees	Two thousand rupees
145.	Section 431	Public conveyance which has carried a person suffering from dangerous disease to be disinfected.	Ten thousand rupees.	Two thousand rupees
146.	Section 432, sub-section (1)	Infected articles not to be transmitted, etc., without previous disinfection.	Ten thousand rupees.	Two thousand rupees
147.	Section 433, sub-section (1)	Infected building not to be let without being first disinfected.	Ten thousand rupees.	Two thousand rupees
148.	Section 435	Places for the disposal of the dead to be registered.	Five thousand rupees.	One thousand rupees
149.	Section 437	New places for disposal of the dead not to be opened without permission.	Twenty-five thousand rupees	Five thousand rupees
150.	Section 440, sub-section (1)	Prohibition of burials within places of worship and exhumations without permission.	Ten thousand rupees.	Two thousand rupees
151.	Section 441	Acts prohibited in connection with the disposal of the dead.	Five thousand rupees.	One thousand rupees
152.	Section 446, sub-section (1)	Information of birth to be given within seven days.	Two thousand and five hundred rupees	Five hundred rupees
153.	Section 447	Information respecting finding of new-born child to be given.	Two thousand and five hundred rupees	Five hundred rupees
154.	Section 449	Information of death to be given at the time when the corpse of the deceased is disposed of.	Two thousand and five hundred rupees	Five hundred rupees
155.	Section 450, sub-section (1)	Medical practitioner who attended a deceased person to certify the cause of death.	Two thousand and five hundred rupees	Five hundred rupees

1. Table was substituted by Mah. 24 of 2006, s. 3 (w.e.f. 18-7-2006).

Sr. No.	Section, sub-section or clause	Subject	Fine which may be imposed	Minimum fine which shall be imposed
(1)	(2)	(3)	(4)	(5)
156.	Section 457	Obligation to fill up blank schedules and returns.	One thousand rupees	Two hundred rupees
157.	Section 459	Military, naval and police officers and certain others if required, to act as enumerators.	One thousand rupees	Two hundred rupees
158.	Section 469, sub-section (1)	Boards for exhibiting by-laws to be open to inspection.	One thousand rupees	Two hundred rupees
159.	Section 469, sub-section (2)	Boards not to be injured or defaced, etc.	Five hundred rupees	One hundred rupees
160.	Section 479, sub-section (5)	Grantee to be bound to produce licence or written permission.	One thousand rupees	Two hundred rupees
161.	Section 485A, Sub-section (2)	Requisition to furnish information as to nature of interest in any premises.	One thousand rupees	Two hundred rupees
162.	Section 507, sub-section (3)	Occupier of building or land to afford owner facilities for complying with provisions of this Act, etc., after eight days from issue of order by Chief Judge of Small Causes Court.	Ten thousand rupees	Two thousand rupees]

## NOTES

"Sky-sign" : Whether an Advertisement, announcement or direction.

See Case Law below u/s 328(3) of the Act, 1888.

*Municipal Corporation of Greater Bombay & Anr v. Bharat Petroleum Corporation Ltd & Ors*, 2002 (4) SCC 219 : 2002 AIR (SCW) 1554 : 2002 AIR (SC) 1638 : 2002 (3) Supreme 54 : 2002 (3) JT 452 (SC) : 2002 (5) Bom.C.R. 121.

See Case Law below u/s 56 of the Act, 1888.

*Vasant S. Nalk v. Municipal Corporation of Greater Mumbai & Anr*, 2008 All MR (Cri) 2661 : 2008 (4) AIR BOM R 560 : 2008 (3) Mh.L.J. (Cri) 176.

**Business Premises : Licence**

See Case Law below u/s 394 of the MMC Act, 1888.

*Northern Marine Management (India) Pvt. Ltd & Anr v. Municipal Corporation of Greater Mumbai & Ors*, [Judgment delivered by Hon'ble Mr. Justice Bilal Nazki and Hon'ble Mr. A. R. Joshi decided on 9.9.2009 in Criminal Writ Petition No. 239 of 2009 (Unreported)]

1. Table was substituted by Mah. 24 of 2006, s. 3 (w.e.f. 18-7-2006).