

JHARKHAND MINERAL AREA DEVELOPMENT AUTHORITY ACT 2000

05 206ö 65 fee-tx 1 986 arftr#gm, w 98? 3itfrq f986 O G -f?STft- • /5/ z J' 2-•a-o-! Ö G FIT , / S/ 2/ qaz-r./vtafi- THE BIHAR I[MINERAL AR DEVELOPMENT AUTHORITY-ACTA986 (Act 9- An Act to provide for thé growth'and development of i [Mineral Areas in the• •State ånd for matters ancillary thereto. BE-it epaöted by.the .LegiSlature of the' Stäte of Bihar inthe thirtyseventh year .47* : of the Republic of India aSfollows:— CHAPTER •349 Pfe/imihafry 1. Short title; eitént and obmménéemen•i.●— (1) thié Act mây be called thb Bihar Development-Aüthprjty•Adt., 1986; 40 (2) ft extends to•the Bihår; 49 (3) It shall. come -into förOe on Süch date and in such äreaS as the State 49 Government may, by HQtification in the' Official Gazétie, appoint. 50 Notifjca'tion 50 [3- fio 9-018/91— -45Z fro 50 50 { FÄ?r.199ä 1992 (50 55001 f<7iö1 •I-f05(8å (Ga) 1261-76 , f<ääci988 2, Defini.tiöns. = -In this Abt unlésSs the context (1) Tarnenity' includés road, water-supply, stréqt sewe-rage, public works., hbuging édÜäfiöhäLAeaJth:. 52 s äiidäMédiéât öömm-unity and öther convéniences ås.thé State ißazette, specify to be ari åmehity.for the•pürposey oFtfiIS•Äct ; (2) under-section.5 Of thiSAöt; (3); 'Building:Operåtion' includes-erection Or part thereof, roofing pr of any part of a: bütidifi\$öäfhäyopen_ space, any matérial alteration: ot enlargement of alferåtion Of a buildihg as is liReiy. to affect sanitary arrangements or material affect jis securiyy olr. the ' bPääing or any.étréefpg• land nöt•• belonging to.the-oyycuex• 1. SubS. by Act' 24 Of 1992 (4) • I [Mineral Development Area' means any area declared to bee I [MI Development. Ärea under sub-section (1) bf section a of this Aöt;• (5) 'Court' méäns.aprincipal•Civjf Coun Original)Üfisdictioh ahd iÅclu, any åther civil court empowered 'by •the •Governmäht tcj•péüprn' funktionsoft.he,,court_ under.this Act within the-peöuhjaty and Iddal]in of its jurisdiction•; (6) 'Development' with its-grammatt&al-variätbns means the carrying.-o•u-t building, engineer.inö, quarry-ing--for . building materials or Ott •operations•in-cjr-öVerör of any materiäl.-éha:nx ih--ähy• biji/ding .or land .and inclüdes. redevelopment and lay-putifr subdivisipn_Qf ahyland and..tto.develop' shall be construed adöordiä-Gl • (7) 'Development. Plant. méåhs the draft Development Plan and Delvölpment Élan prepared uhder this Act; (8) 'Engineéring•Operåtjns'• Include. the fQtmatjón or läying ör rdads 6F.mean\$ ot .access to a road o•r.laYlng out of supply. draiöäge•. elécthcit•y; gas, trpneportatipn and other serVjcö;• (é) • • 'Government! hieahs the State Góverrimeht; (10) 'Land' shall- häve fhé meaning as assigned to i! IWseet-jon-3•6fri, Acquis.i!ion Abt, .1894 (Ac.t ! of. 1894) arid Includgé béhefit.to;üs . Ian'd •ahd• thé. Garth •ot: anything attached to:-thé-éår-th,• (11) 'I-ocal autho?ity" méåhs any Munjcipål 'Corporation oti.Egga%QdSg constituted under Örrissa:Muniöipal Act, Act VII of 1922) or Pahchayaf Act, 1948 (Bihar Act VII.Öf 194.8). Qr åny a.reå to Which•this Act åp•pliéd ; (.12) 'Local Newspaper'.. means heWspå>eÉ. tepogriise.d_ Góverhment published or .ciråulated.withln (13) iMéans of access' includés anypqad or •or Public, for vehiclé\$ o? pedéstrläriS; . (.14) 'Occupier!'includes. teh.ahtsi (b) ån owner in. occupation of, or otbérwJse •using his land; (c) •a Fent-free tenänt.Qf ariy land; (d) a licensee in occupatioh of åny land; lessee or sub-lesséor any •.(f) - any person, who is liable to pay•to the kind. of] payment för the •use coristrüction' meanS Such. ...bé.. iiaëöribed fo be State Göveröment;- - nieans-å mprtgágée in.possession; d -:Seihg i9 to' -eothöF ••pngæ arid ngly; , •final•4 ut•tljiy. Land jut body nd O. Iti Ran? . State premium for any land whether on his own account•or oh account of, o on behalf of or for the benefit of any other person or as an agent, trustee, güardian or receiver for. any. other person or .for any rpligious or charitable Institution or who would so receive the rent or premiuni if t' e land. were let to tenant arid includes the Head -of a Góverhmeht Department, General ,Månage.r of a Railway; the Secretary or other Principal oi company in respect of properties-undeötheir-re:spective.control;;. (.17..) 'Prescribed' means-prescrijbed--by rules or•reguiations rriade under this Act; (18) 'Prescri.bgdAuthoritY' .mean•g th@äüfförity prescrijbed under this Act; (19) 'Publip Place' meahs anyplace or building Which is Open to the use•and epjoyyriönt of twe public whether is.acfually used or enjåyed b.y •the púbii.Q or•not, and whethéF-thæenti-y4s-iå6ulated by ahy chårée. orneti (20) IRegulqtion' meariS a regylatiörp made. under this by the 1 (Mineral] Aréå Development •Authotity- ion!ng åhd .t'hb reguiatipns rtiädä.\$•pai.t ot a ÅJäh'; (21) a rulö madö Linder this Äct by..the State .Gqvérnment: (22)- •'Söhéfiie' means a development schemé qnd includes •a ptnor plans to'dätber. •with the descriptive matiérs,, if.gpy, •relating to.such a spheme; (8) Words •and. expressions not defined. uhder this Act• shall häve .the meån!hg asin the indian Mines Act, 1923, 1 [the Bihar and Orissa Municipal •Äct, and the Bihar Agricultural P?odugé Markets.Äct, Igbo.] I ((24JCommodityJ means

any commodity. produced or extracted Chemically or mechanically or with the help of tools and equipment driven manually or by power other than the agricultural products specified in the Ijs! to be prepared under clause (ii) of section 901A Abt;- (25) 'Market Area.' means any area which may be declared under Section 90JA of this Act; (26) 'Factory or Production Centre' means any place or area where production or extraction of any (27)'. 'Fee' means the amount chargeable under section 90A of this Act; (28) 'CLiöähöe': means a licence granted under ofr this Act: "I CHAPTER 3. Declaration of the 1 | Mineral Development the Constitution and ny of the Development Authority. — (1) it- ie- by notification in the or contiguous areas in be a q [Mineral Development Area 'for the purpose of this Act. (2) • The Appve Said notification shall define the liqifé. FthE are tö--which- it- ielätÉS. 9übS. by : - u LI I YOU L '-i = • --4 (3) The Government may, by notification thereafter alter the limits of the area, so as to include therein or exclude therefrom such areas as may' be specified. } öi:- the notification. Notification [_441 i = • 4. Power to withdraw Mineral Development Area from operation — (1) The Government may, by notification; withdraw from the operation- this Act: of the r. el. eüanf provisions of this Act Whole år a pari • of any I t Mineral Development: •; Area declared. lheréündéi. • (2) When. a. hötiföätlon • s'ébiiöriin téSept of any. area — - Act • and- Éulås-ânä • réalaliöns, drdefS, "Wite • dtiâhS • árid • poWérS : iSSLjéd;.. • made . • conferred to.. apply t -the said'áre•á: (b) the concerned frame- déteFrinIngühat bofion of . • of the f.uhd'öf thé Äüthötiy • shall Vest in thé 'Govérhrent'•ä.hd • ih'e local authority/authorities concerned • and in: what manner the: prperties and liabilities of the authority shall be • b. etween the Government and the local Authority/authorities and Öh . the scheme being notified the fund. properties and liabilities. of: thé•: - • Authority shall vest and be • apportioned. accordingly

5. Constitution of Mih-eFaf-Áál béuelöpmeni. Authority for Mineral. \$06h as may be after [Mineral Development Area. — Development. Area. as notified under. section 3(1), the Shall...by notification In the Official Gazette with from such. date as the Government. shall in this behalf establish Area Development Authority. (hereafter referred Authority) for [Mineral Development Pitáhf 'Aöä. (a)-\$4. Authority; Shaif be body-torppráté with perpetual. successions a Qd a subject to such restriction. bVäFüh-Üär; this Act Or. any other laws use or be used in its corporate name or agree bidis. poSé of property, moveable Or. éhtér.: into contracts proper or expedient for the efficient Performance of. — ZäTäFtEäütfiör. itS4Solé established under Shäfi-consult Of the off-Office TfférnberS (a)É-A Chairnán shall be a person to be appointed by the (6) "3Æ.Té_6hhiéal_ nieniber to be appointed by the Government. (c) The Chief-Town. Planner of the Government; 1. -SubS.- by A Secs. 6-7] Bihar Act, 198b 3-py 1 [(d)The Divisional Commissioner concerned with the Mineral Area Development Authority and the District Magistrate of- the District declared as Mineral Area Development Authority under sub-Section (1) of section 3.] (e) Three members of the Bihar, Legislative Assembly from [Mineral Development Legislative Assembly in the manner prescribed; Two members nominated by the State Government of which one shall be Scheduled Caste and one shall be Scheduled Tribes; 1 [(g)Two representatives the Ministry of Central Government dealing with. - tiorf-:-' ties the the. ned the era I e rai by I ent tity d or ts (h) o. (j) Mines and Minerals.] A representative of the Town and Country Planning Organisation of the Government of India; Two representatives the the. inteiaáts. in the I [Mineral Development Area to be nominated by the Central Government; -Not. fiore fháh two representatives of bodies in the [Mineral Development Area to be nominated by the Government; : Secretary Urban Development Department shall be ex-officio: member; and (l) Managing Director of the: Authority, who shall be a whole time Government officer, appointed by the Government. (4) The Managing Director and the Technical member shall be whole time officers of the Authority. (5) The Managing Director Shall be the Chief Executive Officer of the Authority. 6' Appointment of Secretary to the Authority. The Government shall appoint a Government officer as the Secretary. to the Authority. shaJl not be member of- Authority. The Secretary shall exercise such powers and perform such duties as may be prescribed by; regulationS delegated to him by the Authority. 71, Term of office. and conditions. off service of. the Chairman. and the members. of the Authority.— (1) The term of office of the Chairman and the members of the Authority shall be of three years and the term of office of service shall be prescribed under rules and they shall be entitled to receive such salaries and allowances as may be fixed by Government. (2) The Government may, if the Chairman and any member of the Authority elected by Assembly in the prescribed manner and his or her consultation with the Government: have effect thereof. So created shall be filled by fresh appointment/nomination by the

•Göverhmént. (4) The Chairman any member of the Authority may resign his membership by giving notice in writing to the Government and on such resignation: being accepted by the Government, he shall cease to be a member of the Authority

1. Subé. by-net äöf 1992. .1 Ili! and powers of the [Mineral Area Development Authority. *A (f) Subject to the provisions of this Act and the rules framed thereunder and any directions which the. Government may. issue in this regard, the functions of lhé AuthoFjtySha'l be and it shall•have Power •to -z (a)' carry •out a survey of the [Mineral Development Area and-prepare repqrtS on the surveys so earried. out; •iJi.: (b) - éFépare an existing- Gnd ü.-se niäp and süch öther maps as may be neccessary for the- plan; prepare a development plan of thé 1 [Mineial- Development Areq and to enforce and execute it; (d) guide, assist, 'advide, direct, supervise and •co-ordinate development activities •of all department and agencies operating within the [Mineral. Development Area; (e) suggest priorities-to-Governme7Tt-DgpaFtrpent 'än&öther dönc'erned (g) (h) developmeht agen•ciÉS with reä.rd..•tä -d_eVplopmeht schemes undertakån by •ågéhpilé Op.eiätjyë Wjthjh 'the. ItMinéral Development: Aréå: underfaké or. bause to be undertaken •executori Of projects and schemes •jn the 1 (Miheral : supéryiSe ånd qö--Qrdirrafe'the execution of piojécCs and schemes by othek•agencies oÉeratihg in the_ } [Minerå! DéVelopment.Areaå; providé for the development of infrastructure facilities inciuding roads, edupation, welfare of Scheduled Caste and Sdhedüled Tribe, -water suppl.)i, electricity, dräiha-ge, •etc; :také such steps as may be necés\$ary to prevent the sinking pfiowns in the [Mineral Development Area; bring: bqék.into an-apprbétlåte use öf land under •derelict Mines; . e?ggrci\$e engrrötirnentål. .contrål und prévânt Pblütjon Eau-séd by •dr arisjng öüt.'of mihipg%öÅerationhs; (k) •take Suöh•stepS äSmay be necesSaryto Prevént and to remove nvisance •åfféctjng pybljc health; .r:égülåte the disposal of.éewage, rub>ish and majntain public convenjences, withjhlthe •T[.MinéFål. DUveropniUnt Area; needs of minirrgJagencie«s arid the- péOålé in •the. ! [Mine:råf.-Deüälöpmé-åt öommunity• facilities, maintaih sänitåÜiöri, heålt?ånd edué@.tronal faöiliti>.ånd promote health, aund WeLfgr.e of the public in •the' aréa= (n) take such steps:as . may •be •nece\$q•iy and €e.xp-ædie•-ht to- preVent %the•• arid piöVide fordhe proper treatmént orthe sick; the and maintenance o.f hcfsp_itals gnd appointment of. medical staffin •the ltMineral .1.- Subs'. by Act-.24 '1992. sees. -Bihar 1986 7. (o) . perform any other function which is supplémentålj. jpcjdental or consequential tö any oi .the function aforesaid or which may be prescribed. [(-lå) For the Purposés of performing.the.fu•nctions mentioned in sub- section .(1) it shall be lawful for any Officer of the Authority= o (iii) (iv) -ment• neral• rned neht• tmes the the ad.s, ater in ' or ce s, to •enter JööÖ-üÄöfi ähYTåhd to-rfiäké -sürvey and or to take I.level of sueh-land; •to-dig-orbore •into the sub-soil; • to make 'levels- and böün<aries by planting . mark* an4 cutting trencheS; to cut down ånd cleåF.åway an.y part of. any standing crop, fence Or jungle where:the fury.ey:camot be completed, .levéls cannot be taken and:bundarteszcantratbé-.marké.d-otherwiSe; to examine woÉk\$ under construption and-to aspertain the course. of. .or other: Vtiities?:] (2) Area Development-Avthority may alSo.süQb powers as may be neöessary or é*Pédiérpt. för the purpose of carryjn5 out. its functions undethhiS Act. Y. Meeiing of the •Thé authoFity Shali When necéssåryand•at least six times ina year. aesuch times arid places aéthe Chairman may determine in. this behalf and shall observé.such pFQcedür.e. ag.' Fria-y be prescribed in •regard td the trånsåctjons ot its businéss or suet! meetings. Chairman br in his-absence any member chpsefi by-•.the,. members- frorri amöngst:.themselves shall pieside at a meeting of the-Aåtbohty

10. Constitution of 'Censyltatiye ahd .The Government shall, •0öhéltltütē āüāFSuifātI Vē ähd Cöp7dihātïā •oåröm[.ftee-for the puiöösé ot advising t.i.j.e. 2[Miner.al :-AFeā on 'the• preparation . of the Develpprient• .Plah, • -eo:pr.dinätinā: prog?århmés •Q.f-Vārious develöpmēt. ..the Developmen.f Area do: öĒdināte the öve-ratl functioninā' ot suet-i déve!opmentage.nciey of the Development Flān. (2).. The - Consultative ahd ••of the following members: — (a). • The. Chairman of thö2[Miriérāl Äréā shall be the Chairman -ex officio; (b) All other member.s•of. [Miner.äl Area (cFEngineer•in-Chtefj Road•/Büildihg by him; (d) •Engineer-in-Chief, P.H.E.D. •or apy. Chief Engineer authorise&bTiTirn; (e) Director of Industries; (f) Director of Agriculture; - T. bY.Act 24.014992——.:—— 2. Sub. by ibid. 8- (g) (l) jhar-MiaeFaLAr-ea-L)e-vaop-qer-IL-nucr Chief Conservator of Forests; Chief Engjneér, State Housing Board; Director of Education, Director of. Primary Education, Directok:é.df •Secohdāry Education and-Députy Cāmmis'sioper; Director of Health Services]; Māximun-vthréö -représéntativéS öf•theelāb-our union, recognised by thib -.Gover.nment,--relatjng to -labour-of the [Mineral —D-äüé16pment, to bé i:öläühátédby thé-GQVötiiüätijZ Chāirman of the concerned Zila Parishad — ek-off(cio; (m)

Representatives of the following Wnsffies/DeÅnmentS: (i) Railways; (ii) Tourism-arid Civil Aviation; (iii) (iv) Reg(pnal ähd•Uibäi DäVålöpmenP; (V) Mines Safety; Nötiöåtiöh 3/1 fä; 1'-1043/84— •f012-Sozto-üb 1-1.9..1991.— (Adi(S7fkfr4R9, 1966) (3) •The Gonsültative and Co-ordination- CQFhrnittee• may •mezeasnfte---as;,- znecessary•-ahd at •least.four•.times •in tirhes•, and. i. Subs. r •FS'éc•s. 11-14] Bihâr Minéra Area Development Authority Acta 1986 [9 1. Chairman may determine in .this behalf and shall observe such procedure&as may \$ Bepréscribed in regard to the trånSACTION• of its business pf such meetings. I I. Temporary •asgocjation 6f•• with the.. Authority. -and Consultative and Co-ordination Committee "for •particular purpöses.— The Authority and the Consultative and Co-ordinatipn Cpmmittee may assoGiate with themselVes in such manner- äfidTörSffdhVü?poSéSäS fiiäy be pFéécibed,-ähd äny person whos-e in-pecfor.rning any of their_fünc.t.iané-détihéd under this Act. •12. Staff of the Äuthöity.= (1) Subjeöt to such cpntrol and restrictions as maybe prescribed by the rule, the Authöitly -may appöint suöh members or other officers and émployees (including experts for-technical works) as may be necessary for the efficient performahcé •of its fünc.t.iané-détihéd under this Act. •12. Staff of the Äuthöity.= (1) Subjeöt to such cpntrol and restrictions as maybe prescribed by the rule, the Authöitly -may appöint suöh members or other officers and émployees (including experts for-technical works) as may be necessary for the efficient performahcé •of its fünc.t.iané-détihéd under this Act. •12. Staff of the Äuthöity.= (1) Subjeöt to such cpntrol and restrictions as maybe prescribed by the rule, the Authöitly -may appöint suöh members or other officers and émployees (including experts for-technical works) as may be necessary for the efficient performahcé •of its fünc.t.iané-détihéd under this Act. •12. 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Staff of the Äuthöity.= (1) Subjeöt to such cpntrol and restrictions as maybe prescribed by the rule, the Authöitly -may appöint

CHAPTER IVO Deve/oÅmentPlan (1) As soon as mäy bet after'the declaratiöf fhe 16. Development-Pfan. 1 [Mineral Development Area Onder section.3, Author(ty shall, nöt later than two y.ears.of such declaration or within such time as the Govehment may from time• •tÖtime extend and subrect to such directions ag may be is'su•ed by the GoVernment, prepare and' submif to the Govehment å Development Plän for whole of the [Mjoeral. DeVeloprpeQt Area Or ahy of its part9,, (2):T.he Devélopmeht•Plän shall (a) défirVthgvarioüS zones into which Develöp•meng. Aréa .is to be dividedfför purpd"é of dev.elopment arid indicate-the mqnnér:jn whieh [landin each zone is• proposed td be d?véloped ähdthe stages by which äny:...süe.h developmént sfiaJl be carried out, (b) setvé as. a bäsic •pattern 'of. which the development schqmes are to. be•prepared. fqr äé•hlåY be neqeSsary, iidjcatej define •andiptoujdæfdr — '-AkeäS—r-eséried. .agricåltui•et. publiö .and •.9ernirpublic open. {spaces, PJå9Ütöundngqr4enS and othet

recreational; (v) Sés, green belt and ÖÖfriprehenSiv=e::• länd allocatipn.. areas Or.. -réSidentiâf,-comrn.ercial; industr.ia!• and other purpose\$,• för present and (ivy-Major •road.S •and street improvements; A?éas resérved. fpr-ÄüblC buildings and inqtitutions. ancP•f0fr-nÉWüvic deVelöpmnt'b (vi) Areas for future developmént.and expänsioh and for new höusing: 1. subs. by Act 24 of 1992. Biha(Mineral Area..Däv-elop.menL Authority Acti 1986 16] [11 fhé two lime eht; thé Efal .thé b' of ine't': S, ci (vii) Water-supplya drainage, sewerage; sewage disposal'.and other públic utilities, ämenities and services including electriöjty and gas; (Viji) Propo•fals .fgsflQ0d control and 'prevention of water. •an4 air pollution control : (ix) Filling up or reclamation of low lying; swarnpy. or utihealthy areas alid levelind up of lands: (x) Proposal\$ for. je-.deye@pment and-impnvehent—d.existing built •up (xi) Preservation, consetvation and dey.elopment of areas bf Qätural scenery and Candscape; • '(xii) Preservation 'of features, structures or places of historical, industrial, archteclural and scientific interest and .educqtional value; (xiii)lProvisiön. for the badflâyout •ot obsolete • developmént and slüm areas. and •relocation of population; (xiv) Detailed Weyelopment •of: specific :aféäs for miners, _ establishing ihdusfrjes, ciy:il ärnenjtieS, educationa and qultural.fäcilitiäs; (xv) Préservation of •eroSüon,. provision för afforestation or: refoFmation, improvement and ré-develoömenl, •water. front areas. rivers arid-takésr (xvi) Proposals for irrigation and wor:ks and other of. water-supply;• (xvii) Preservatibn of sites for new townships and other large-scale developmént proj ects which are required to be undertäken fpr tfie.pr.oper develöpmént of the 1 [Mineral DeVelopment towhs; (wiii) PtoVision öf ancillary industries deVelöpmnt.through ééfäblshmgnt pj industrial eStates and industrial areas, institutiäri for sati\$factory Ahd efficient qeVeioprnnt- Of infrastrupfure; (kik) höusipg •etc. ; (xx) Shifting . of. ihdustiy• ân4/or from oyer-pppufatiönl. •induStrially qoogésted areäs and indicatifig thå•déosity pf. the cöncentration of inqustry and ötheq econpmjcaptivitfes tQ be aitoWed ih:any ahea; (xxi) Regulations Withiri ea•cfi ZQne. the.location,; storeys.ah.d-size and number of..buildinäs - -Z. qi-yards and cputrs •ahd Qther .open•spaces S.trüctur.es änd land; (xiii) Such other måtters as incidental- to or emerging.from. theabävet éFFaTiÖdicate the stgges Éhäh\$épqsa19 . Tre proposed out. together with the (5) The Development Plan-shall designate land and subjeât for iäny públic PütpoSe and in Darticülâi bÜiWiffo-ut: prejudice' -tq•ihe iprov[sioh of— India: : the State alid the •löcäl öther authority establishöd •by law and public utility CofidérhS;. • 1. Subs.-. bYÆcta-TT9523 Séds. fl-14] Bihar Minéra Area Deveippment Authority Act, 1986 [9 ß 'Chairman may determine in.this behalf and shall observe such procedure&as may Be prescribed in regard to the transaction of its business of such meetings

11. Temporary •asgocjatio.n pérSöns with the. Authority. -and Consultative and Co-ordination Committee 'for •particular puhposes.= The Authority and the Consultative and Co-o?dinatipn Committee may associate with themselfes in such •manneffähdTööSWdfiVülpöSäéäS ttiiy be piescribed, -ähffäny person whose assistance-o-r-ädviee-they-may-eonsidei•necessary. in-p.ector.ming any ot under this Aöt

12. Staff of the Äuthority.— (1) Subjebt to such centrol and restrictions as maybe prescr,ibed by the rule, the Authötny -riäY appoint süOh members or other officers and employees (including ogperts for technical •works) as may be n.eecessary for the efficient performahcé •of itäfüctions and may determine their designations •arid-grades. be entitled .tq recejyé •furidS bf •thé •Authority •suqh, salér.jés ärid süch aJloWäncéSi Shall bé•äoverned by suäh Cohditionis of Serfice-aS may be •determirié by FegUlâtions :thiSfihäIfc• **CHAPTER •Ill. Preparation d present (and use map, 13. Preparation of pre•geht länd--üsé-ma•p and register; SAS** Soon as may. be the Authoiity shall no.t later than six monthS after•jts constitution orwtthtin such time as.the Government •may, from-time to time ektend, -prepare a:present Land Wsg Map (herein-after ca!led the map) and Land Usu Register takihg the-whöle%ärea o? part théreof at a. time irithe•förm to•bé préscribed. indica.tihg.-thd every piece of land in the I [Mineral DeVelopmUnt Area. (1)- -Aftéiæthe .14. Notice thé map prbpäriöñ of.the map andthé regiStér,'thé.ÄuthOt.iyy publicnoticé of-the präpäriation of the map and Yegiéter and/ör:thé .pläcé or.plaées w.hää böpies. of the •s.arné may bé inspéétéd,• invitinö bbj•ecfions ih.wiitiné fröfiT:äny pörsotfwith respéét to thé map •and register within' .30 days of.the publiöätiöfi•öf\$üch n.otice: (2) AftéFthé exp!ry oflthe päriod méritionéd jn sub-section I(S). ah•offiær designated by; •the Authdrity•.ör• a-Committee aP>pifited: purpose shall, after qlloving•a reasonable. all the persons; who häVe filed the bbj\$tions-r make-a r.epörto-thésAutfrörit.y. (3) The Au•thority shall ConsideHthb (2) and may make Such modjficatiöns in •thé map Or reé.iSféööÜ.both•aS it conside.?s. properdrdd-a-dopt-tffé- mäh-andt the (4) may. be, . AuthoFitS/ shafl Publish a public notice of the map ahd tFe r.eöister and the. pläcé or places where-cäÄiés• Of the ga-mä-rnay-E inspédted and-Shell

submit copies of the map and register. to the Government. (5) A copy of such notice shall. also be published in the Official Gazette. The publication of the copy of the public notice in the Official Gazette in respect of the 1. subs. by Act 24 of 1992. 1. /A.Q.S.P.Q.. Bihar Mineral Area Development Authority Act 1986 16] [11 kings find two time the State of Bihar (vii) Water-supply drainage, sewerage; sewage disposal' and other public utilities, amenities and services including electricity and gas; (viii) Provisions for control and prevention of air pollution control; (ix) Filling up or reclamation of low lying, swampy. or unhealthy areas and leveling up of lands: (x) Provisions for and-immovable—existing built up (xi) Preservation, conservation and development of areas of natural scenery and landscape; (xii) Preservation of features, structures or places of historical, industrial, architectural and scientific interest and educational value: (xiii) Provision for the improvement of the environment of the State; (xiv) Detailed development specific areas for coal, minerals, establishing industries, civil amenities, educational and cultural facilities; (xv) Preservation of erosion, Provision for afforestation and reforestation, improvement and re-development, Water front areas of rivers (xvi) Proposals for irrigation and works and Other water supply; (xvii) Preservation of sites for new townships and other large-scale development projects which are required to be undertaken for the proper development of the State [Mineral Development Areas]; (xviii) Provision of ancillary industries development through establishment of industrial estates and industrial areas; institutions for satisfactory and efficient development of infrastructure; (xi*) Infrastructure for health, housing etc.; (xx) Shifting of industry and/or from over-populated areas to industrially congested areas and indicating the density of the concentration of industry and other economic activities to be in any area; (xxi) Regulations to regulate within each zone the location, size and number of buildings and other open-space structures and land; Such other matters as incidental to or emerging from (4) The Development Plan shall designate land and for any public purpose and in particular for the benefit of the provision for the purposes of the Union of India: the State and the local authorities or any other authority established by law and public utility; (iii) (iv) Act, 1986 dealing with the areas of backward, layout or obsolete development and Slum Areas and provisions for re-location of population to open space, parks and securing the use of the land in the manner specified in the Development Plan; any of the matters as referred to in sub-section (3); and the Draft Development Plan. particular include:- (a) Recommendations to regarding directions to be issued to the concerned local authorities in the [Mineral Development Areas]; Area and the different departments of the Government, if any, in respect of enforcement and implementation of the proposals contained in the draft. (b) A report indicating the priorities and works included in the Development Plan the phasing of the programme of development.

17. Preparation of the plan and Sanction thereof* Development Plan/Master Plan for the Mineral Development Area. If thereof has already been approved and notified by the State Government under the provisions of the Bihar Town Planning and the Act 35 of 1951. or any other law for the time being in force in the State before the commencement of this Act, the Development Plan/Master Plan already approved and notified by the Government shall be deemed to have been prepared by the Authority and sanctioned by the Government under the relevant provision of the Act till such time as the Government (Ministry). Development Authority: modifies the Development Plan or prepares a fresh Development Plan.

18. Power of Government. to require the Development Plan. in respect of the [Mineral Development Area]. Notwithstanding anything contained in section 6; the Government may, by notification, require the Authority to prepare and submit to the Government before a fixed date a Draft Development Plan in respect of the [Mineral Development Area]. 19. Power of Government in case of Authority to prepare Development Plan. = (1) Where by virtue of the foregoing provisions of this Act the Development Plan is required to be prepared or within the period specified or within which the Government has Development Plan has been prepared or repeated (b) If at any time the Government is satisfied that the steps necessary to modify the Government may direct the Chief Town Planner to prepare the Development Plan. (2) After the preparation of the Development Plan, the Chief Town Planner shall submit the Development Plan to the Government and shall follow the procedure and

exercise the powers of the Authority under sections 202-222 of this Act: I.-Subs.-by-Act 24 of 1992:— the Government may with Development 20-22] Bihar Mineral Area Development Authority Act, 1986 -113 (3) • Any expense incurred under this section in connection with the preparation of the Development Plan for the [Mineral Development Area shall be paid by the Authority 20. Approval of the Government to the publication of notice of preparation of Development Plan— As soon as practicable, after the Development Plan has been submitted to the Government prescribed rules the Government shall direct the Authority to make such modifications in the Development Plan as the Government thinks fit and thereupon the Authority shall make these modifications

21. Public notice of the preparation of the Development Plan.— (1) After modifications, if any, directed by the Government, have been made, the Authority shall publish the public notice in the Official Gazette and in one or more local newspapers; of the preparation of the Development Plan and the place places where the same may be filed in view of objections from any person with respect to the Development Plan. Within a period of sixty days. (2) The notice of preparation of the Development Plan as provided under 2: sub-section, (T) above shall not vitiate anything contained in the Land Acquisition Act, 1854 be deemed to be a declaration duly made in pursuance of the said Act. (3) After the expiry of the period intended in sub-section (1) above, the Government shall appoint a Committee consisting of the Technical Member and not more than two of its other members, to consider the objections filed under of the Section 2] (1 and report on them within such time as the Authority may fix in this behalf. (4) The Committee so appointed shall have power to do any other matter which such co-opted person shall have a right to take part in the discussion of the matter. Committee relevant to the point have a right to vote at and shall not to be a member for the purpose. Hence. The Committee so appointed shall afford a reasonable opportunity of being heard to any person, including representatives of Government Departments, or local authorities, who has filed any objection, and who has made a request to be heard. (6) As soon as may be, after the receipt, but not later than the time prescribed by the Authority for the consideration or report of the Committee and may make such modifications in the Development Plan as it may deem fit. The Development Plan with or without modification together with the report of the Committee shall be submitted to the Government. As soon as may be, the Development Plan, together with the report of the Committee, may within six months either approve the Development Plan or may acquiesce in it with such modifications as it may deem fit. The Authority may modify the Plan or reprepare a fresh Plan in accordance with such directions as the Government may issue in this behalf: 1. Subs. by Act 24 of 1992. 11. 14 j Bihar Mineral Area Development Authority Act. 1986 [Secs. 11 to 23. Coming into operation. of the Development Plan. (1) Immediately after the Development Plan has been approved by the Government, the Authority shall publish a public notice in the Official Gazette and in a local newspaper of the Development Plan and the places, or places where copies of the Development Plan may be inspected. (2) The publication of the notice in the Official Gazette of the approval of the Development Plan shall, notwithstanding anything contained in the Land Acquisition Act, 1854 be a declaration duly made under section 2 of the Development Plan into operation from the date of publication of the aforesaid notice in the Official Gazette. (4) After the coming into operation of the Development Plan, such Development Plans mentioned under section 25 of this Act shall stand modified or altered to the extent the proposals in these Development Plans are inconsistent with the Development Plan brought into effect under this Act. 24: Modification and review of Development (1) At any time after the date on which the Plan for the Mineral Area Development Authority comes into operation; and at least once in every 10 years after the Authority may and if so directed by the Government, shall, after carrying out such surveys as may be considered necessary or directed by the Government the Development Plan and make such modifications in the Development Plan as may be considered necessary and submit to the draft modified Development Plan for approval. (2) The Provisions of Sections 21, 22 and 23 shall mutatis mutandis apply to such a Development Plan

25. Minor Changes in the Development Plan.— At any time after the date on which the Development Plan is published, the [Mineral Area Development Authority may, with the prior approval of the Government, make such minor changes in the Development Plan as may be considered necessary by the Government. (1) The Provisions of Sections 21, 22 and 23 shall mutatis mutandis apply to such a Development Plan

arjéing :otit implementation .of•ttie ptöpb\$ais.in the Plan c. Provrdrd that all such. •charges år-e in the that. åll such •chå.ngéä..aie• 26. Modifications and changes-in.ihe-D.e.v.eIdpment Plan tubé piåced on the table. oflhe Ho use •iri •the •S•tåfe; 4-Älhincidific?tiQh\$• and •Ochanges made in the Develöpmnt Plärféhal' bd•pléped on of -Æl-mödifféations and chahges• of the-develpmmerrt-pfan-afterapprovat-ofthå •G over.nment shall• be placed bn tile-table of both •Höüées of the-State LéöiSfätqré in ensuing session. 2i. Power-to acquire land, uilder•the Land Acquisition Act, •TåÖ4.LAQY land required, reserved or designated in a Development P..kan or schell)e Shall be 'Jeelned: to be land needed for, å publiip .meaning ..ot.the.Land Acquisition .Actr .1894. (Central Act I of 1894) acquired undef the sajd Act. i. •subs by Act24 of 1992. • ecs:28-29) •Bihår Mineral-A-rea+evelopment-Aüthority-Act,-] 986 CHAPTER V Control of Development and use oi Land [15 i! •28. Use and. developmehrf bf lähd io bélin éonhohnity with Devélc5pmeni klan. — After the coming into operation of any Déveiopmeöf Plan in the I [Mineral Development Area, no person shall use or permit to be.üged any rand or carry out lany developméht. in the Ithäif•hj• conformity -With such SSDevelopment Plan— (i) , •Providedthat the continuance. of the use of any land-förAlpepurpoqe and to thé extent-for •and which it is being used on•the-date Qn which Süch Development Plan comés into operqlion, Inay be allQwed for such perido and upon such terms and. cönditions as may be specified by the regulatiohS made in this behalf. (ii). PFöVidéé fuäher.that åpöly-to-the Coal Mines operation •carried 014! Oildei théörbvsiön of Coal Mlnes Natiånali#äiion Act. 29: Prohibition •of •DéÜerqrne.nt•. : pâyme.hf ...of. !charges pérriiiSSiöi-i. •df this 'Act. td:the :thå'i' 1 [Miheral• Development Area •and subject •.tö thé Årdvision• •refåting.-tQüthé•-. —such •Development cha•rge and other provisiQhé (if-this Act no dpvelöpmnt; itistitu\iorj nent,. chaFge of use. of any.lahd shall Carriéd out .in. •thai saFéä — ment draft)lytö dafé- Arää.t> S udti• hicale atéd the on es te t 1 (a) without obtaihing.a certificate from the Author.ity certifying •fhåt the chakge as leviablé ünder this Act has been paid .or that no such development charge-is leViåle; (b) without 05taTnihg the: Permission in - writing as prpvded for hértinaftér: Provided th@t• no such permission shallbe necessary — 'for carrying .öüt •such woiJ<S for the tnåintenance,. improvement or •othér alter.atjqn bf any Vuilding, •whicffeffect only,the interiör:pflthe • bijilßing•or whi.Qh not, Fhäterially' effect .the .extetnal appp'arari•ce of:the. bui!dihg: fprthe carrying•oÜt.by the-Céfitrål.or the' State Gpyer.hrhent..or.any.. • _ . . local åuthprity •Of! åhy thé or. irrip•rövement of highway, carried out •on. lahd Within the boundqries_ pt such blåhwäY9, coad 'Streat; (iii) for the cart)iinö opt Wy thé Central• or thé State GöiéFrim•ent or any •local autho?.ity of any. works'for the purppsé öf - drains. •gwei\$,- the for that pumpse; (iv) • for•the• excavation (ihdlüding- Wells) made in the •ffdiitiäry-zpursé of agFiéultural öperaions; (V) •for the construction of unmetalled. foad •land solely; for qgricültüral' purposes; Subs. byi -24Ü-1S52' (vi) (vii) Bihar fffhÖhåläÄÄFéäTevetopment-Authority Act, 1986 for normal use of land whicW has been uséd temporarily for othå purposes; in case ot la•ndv normally used. for one purpose and occarsiona(ly• used for any other purpoéo, •fpr the use of larid fff that other Purpose on occasions;. (viii) for use. föiånypurpose incident-abt-othe use ofa building for humåp habitation, or-any land attached to such Ejüildihg; (ix) for other mining however, thå'öd Authority shall be informed of the details of fhé• proposed scherndifi before such operations- åröundertaken.rby. the lessee, , or the mine owner. The Authority shall have the right to suitable modifications .in• the:scheme keeping in view the överåli•; .deVélopinent Of the area

30. PermJSSion :for Déüé!.öphé-nt.— (I) Any pétson Or •déÉartrffént of Central or State Govérnrnent ot •loca! Authqr:ity, a públic sectö undertaking) 'Intending tö parry out åhy any .iånd,.Sfiali.håké application in writing to thé Authority for permissio.n - in •such •få?iii ånd•cöntainitå\$. such..particiuars .and aceompanied. by• suqh dbcument.ånd pJaii\$ prescribed by the rules•or the regulations: • Provided thåt -the •above' Provision 5håll be. effeötiVé •iri those authority is to carry out thé not be •essentiål. tb géEthe map:paéséd - for those areas.where the Authority is not to carry out any scheme. (2) •In the case of a departmerp!_ of: Central •or State Government or.logal quthority intending to cafrý Qvt åny dévefo•pmårit_. Othel : constructions onlany land the concerneq départment or authdrit•y, •as the cåSe may be,.shåil notifyi in the •Authptity.pf its infehtipn tp do so, 6iVing paHiåülers the•r.eof,. at?d accåmpön7éTbVSüöh% document's and plats 4\$.may pre\$cr.jbed by the Government irorh. fö fiche, at•legsti one .mpntWftlöö.to th•ö•.- undertåkirpg of such dévelöÄrhéWf. Wheté •the'AüthoHity héS iajsöd•å.hy Qbjéciïöh- in respekt of. the conformii.ty •df?thp proposé .déveloÄmént either.. due 'to any. •deVelopment pian undér-prepätat!oryr br•t.ö ahy bf.the.buiWJng byeJlaws• in forde at: the time, or düe•to ahy .öfher. •måteriål considéråtionni ühder süb-é.edtiÖn (41thd deåättment or the local authority as.

the :baée may be, iéha(l (a) either-make-neceSsary mbdificatiöH in (he phoPöSal för to meet. the .objegtiohs raised by the Äuthoritytjö? (b) Submit the proposals fop d"évëiöPrhéht togéther with thé öbjéditiönS raisäd Government fff decision.. When -proÉ6Sal\$ia_ d objections have been - •the Government has finálly The Government on :reqéipt of the proposals for development-togethei Witt) 2. the objections of the Authority, shåil in the.Chief. •TöWh• of the State either approve the proposals with or the concerned Department or 4ütho-tity, ag the.cåSé. ina.y=. modifications in the proposgls as they-cons*ißet héöésSary•in thé Cir.cüms The provisions of sub--section •EÜ-äl.-J'Bihår Mih@FäTJ réa Development AuthÖrTtYÄ-ct; 19%. [17 ?rqvied that-the-opérational construtions of the depanments or Central or jåte Government or •local Authority or public .spector undertakings as may be T'öti\$ied by the.Gouer.nment from time to tirnöshall be exempted from the purview Édf .the Authority. (3) On such application being duly madej and on payment of the.developm ente FCharge as .may be assessed •undVt;CfiäPtér-VII — (äL-the.Authpr[ty in..thcfdll.owjcig ±emé.- ng iniJfga ssed (V) manner. (i) granting permission unconditionally; •or. (ii) •granting permission subject to suph condition as it maythinkfit; or (iii) refusing permission; without prejudice to thé generålity Qi Ihe foregoing Auth ority may. iriPööEöohditibns — (i) : to the effect thåtfthe p-eirificiön. • grahtéd: is åhly for a Omitted period .that after the-expiry ofithåt perjöd, thå tana-shall be. re9tored tb• ifs previous -condition or the use : of. thé länd. pérmißtéd•.shall -be discontinued; local ionål qnäY.'- •thé*, tiöh: any thd to (ii) for. reäülatng the-developrnept or use. of. any othénland ufidé? the control .of the'applicant ot.foi thé qarryng qut of.wor.ké any-sVöFp- land as•rnay apééar to-.ih'e• AuthÖrity éxpédieh• pyrposå of the perrnjttéd deVeléprnent. (4) The Authority:in dealing with the appliqa.tiqn for sittmion Shall have regårdtÖ- . (a) the provisions of the Development P.lanjif it has. come (ntö öPé•rationsr (b) consideration. (5) When permission •is qrahted. subject-to -conditiöns •is frpfüsed.'thé {drounds o! imposing such conditipns or Such refusal be recörded in•thé o?déi.é. (6). Any süéh orde! Shall pe communicated within' a.' in the manhér préécibed by regylätiöhs•

31. Appeal against' gråht of permissionsubject.tö (l) Ariy.. applicant •aggrieVéd by ah •or.d.er. the. låét i,permi\$cion. — ; or.i! ho-ordér -is pgS9édö under the .appéål[Withili one month df thé. commünidation fhe expirV6t. the• ÅéFiöd date ih •i the manner and accompanied by such fo the d prescribed. authority. (2) IT-he-preseribed-authdr ity• after •recöivi til opportunity to. thé appellant .and the dismissing thé:ap.peåfo-r allowing the appeal by _ (a) granting permiss/pn unconditionally; Or (b) granting pérmissipn subject to such Ooiditiöhs (c). removing the condition subject to and-impögtng.öther. conditions; 'if any fit within-three' months, -l" -c _ g.e.t•. Authority Act, [S ecg.*32: 32.. Lapse of permission. —Every permission for any development; gråfit8 under this 8ct shall remain in force för two years only from the dåte of siic -permission .regqiye; provided. that•the Authority may on. ao applicqion criad-e4 .thjs. behålf before the expiry of t.hé afoheSaid per.iöd éXtend Süch period in suitåbl cases for another period of one year.. Obligation to äcqu•ire land or on grantiö• permission. in in the läfi - ägOrj.éVéd by an order.jtp appeal_ under 9eqtion 31 hefusing- toqtåtit-peüijssion td -develop the land. •or granting permission subject to conditions, claims — (a) that the land. has become incapable of reasonably. beneficia! usé in thé existing state. or (b) in .æcaSe where permissio-nlo develop the land was conditions that •the •land oanhot bé rendered päpable •of réasonablYä< beneficial use clevelopprnénl in accordanö\$ wth thrbb mpnth. and •in (he rnännéi? pr,ésdiibéd by the rü)é9,• riötiöé (hér.ej.nåftér;; referred to as an apquiSition notiöe)• reqilring the Government to acciuiRéB?tÅ his interest in the land. (2) A. dopy of such•nötioe Shall at the same time be serVed oh tfiö Ä•uthotity:, Affér redeiving-hdtice •Government. person whoshalf' giye reåéoBåblé öppportunityto•the purson intereSted iri serving the acquistjon notice arid the Authority to bp heard and. Shall. submit a•réporl• thereon to the Government. After receiving such repott the Government if satisfied-thåt the conditions.specified :jn (a) or. (6) ot. éläü\$.e (f) are riot fulfilledJ or. if the order appealed •again\$flw.q\$.passed. on- the gröuhd.bf. • ndÜF complying with any proüi.siónS öf ihiS Act; rules or regulationsthat:triäY.. be applicable; Shal! passan ordér réfusing tö confirm-.the•nötioe; (b) if satisfied that the' Cöridition. spécified• iii (a) of clause• •fulfilled regarding-the Jand or. any. part bf the land shall pas9 ah•ötdéi — configm_ing.the notice;- Or (ü) directirpg the Authority to grantsüch Åärmi9siön to glevelo.p-fJjé.låhd •or grant subject .to •subh Cönditi0!1 a? will keep land bapgble.of réasona>y• beheficial use.- (4) If within•the peliodoföhe year ffÖm itie datednrwhieh än ädquisitiön notice 'is served under clause (f) the Government has net passed any order under the,last--- notice-shafl-• •at the that•ægiQd. - confirmation ofr the -notice undér either the - two-.las!-tor.egoing clåüSeS, the Government _shalf proceed to acquire the tahd or thåt Pårt of any land

regarding whjéh {he notice has been confirmed Within one year of_. the acquisition nōtice: 34.fCCōmpēnsation :for •refusal* grant ofr permission.. (1) Where. an-Qlder_in. appeal under subject • to- cond itions-in—ce.rtaj.n. ca ses, IGSéöSJ34-35 j. Bihar MirféFä[Area evelopment Authoriti Act, 1986 | 19 • section 31 refusing to grant permission or gianting permission .subjéct to conditions, _relates tã any•of the -following development: — '(a) the Ire-erection' of a building which has been •destPöYed or demoliSbéU as long as the% cubic contént ot:thé driginal buidlirig is not exceedéd by more than one - tenth; (b) thé of any building- which WQS existenee• on-the dat-ö;• theadäyplopmqnlp!an• relatifig.tö- •the•. area comes-into. operation for the fist• time, so long as the cubic content of the original buildings is not exceeded by more than öne-tenth;- the Cärrying out öh-•lähd üSöfffförZtF-iã purpose of. ägrjcuftuie of ahy (c) thã tote;g ancé4 . lafteY&ä quire ority. Jint.-.ä Ning 2pott (d) building ör other. operation required for that purpose, other than operation for the erection enlargemeht,- improvement or äl.teration of a building.fpr human habitation-or—of-building used—for..thã pürpqse-.of. marketing of .the. Éiéducé of land; whpre.ariy•pact pf äny •wbiéhl ohihe dâta âf catn.,iipg. into opedatiöff.föf thö:.first time öf•ffté deve!oÄmért pt.ân•FQlating •to .thé area, •iG used for g •päitiöüläi• •use foh thãt p.u•rposé of: any Additional pärt of the building•or Jand not exceedíng onetenth.qf-thægubic contént of the.pärt•of thé büi!ding used qn that dâY,..Qr as -the .case may be., on•fbé aréa âf•tbe• land. so used on fhâtdate•; .the oWner may; within thã trtié"ähffiätfféhahner préscribed b.y rules under this 'Abt; claim upon the Authority, -if he has -not •been . served an acquisition notice, or if. •the acquisjtión is not. the f höt.- : niäy) are and fhié- ice sf he Government und er.section.3?, compensation för such-refusal. -or of permiSsion subject to conditiqns; Provided that:.pö compensation. shall be élairö.able if syph r.efusal ör grant-of• _ permjssiohsubjectto coriditiön was basé on any ÄrpviSiön of any; (2) The Oompe!15qtion Shal! be equal (a)' where Ée.rhjsiän i\$.i•efusedl the différéce between the Yalu'é.of-th'éTätfü ag if-the permiss.ion had beén-.gränted and jts ekisting state; wh.érei permiSSjon .is granted ..subjépt• to Göhwitioös, :thé 'differeäde-• •the .våluë.._bf:. th'é Jand as if sthe grangéd_ uncânditiöhäliy. ahd thiä Valljé.öfihe .subjédt to condition\$_. (q) When å clairh i.ecéived by the Aüthority the•Teghniä! MernbäeSEi411r•âfter giving—an-QEOLtunLtUQf. being heard ghe-applicant-rnadexepnff-tQ-the-Aüthörity- (4) Jhe .Au,tborj.ty shall,' after ot the •afo:resaid- ..g -thé (5) If the owner. does not; acöept..the.compensälion and- gi.v.erhötiééiWithin subh be his. .réfü+l.to accept, the maft.éf fQtt15é. ådjudication of the Court •and thé dpçi\$ion. final and be binding cin the owhéi and thé Authörif.y. 35. P.oWer ärld Tiibdifi&âtioh öf) I f it a • Pläfi:.ötepared or under•prepärqtion •prepared and •to any other mate cohsideration that any permissiöri to develop land granted under this Act or am, other law, Should be revoked -riiodifféd' the' Authority may.by or rnodify the permission to suclfeifäQt ae appe.a.fs• to jt•to be-necessary.'" Provided thät:. (a) where- the' to the carrying out ot builß!ng opératjons• (i) Ql_er.ations as Ime-been. previously: carried •(ii) sfiäIIÄb9 (b) -change-of lapw•,• hö such order at. any time after ttje• change •häs taken (2). Whélilöer.frllssi•on• is rävokek or modifté.d niädö.und.et-the last Within the time. and Chö' carrying: perhliss'iöh: ähdt Iri- äceotdäfic•e• with such _ rendered abortive .by• thé -rev\$çåtjon. or shall äfter givingh the appointed .by it in this offeF such' cbmpensäiioh .to. thé öW.hör •ås• it . th.iikS.fit: owhe'f does not accept the cqmpensation., and .give•nōtiée, withjin•• of his refusal to accept} the Authority shall refer' the hiättéF ådjüdicatíon of the Court and •theJdecision•of the Court shall bé final.' and bindinä_ on •the .owner and .thé Authority. för:unäuthorisé déÜelopm.ent or for: use otherwise than'in confor-.m'i,ty.. Wittj:.thé .devélqpm•ents•. — .ti) Any person;w.ho , •.14)'. 'Vin confräventiÖn öfhäy Developinent Plan; .(bj a certificate reéärding Developfment Change under •s.édti6h• (å); petrhiséion. as requ)fe.d under thié Act;' . of any condition Gübjéct to Which such permission-has - been granted; • ot developpment has beén• reüpked under Sedtion• •35; or • in. •pentraVéntjon of the permission which hagTéén modified .under - seetforf•85. _ instånce or at thã iiiStäriée Of any •othe.r Berson & anybody • Ö.r dårjeS ouf•dev.elopment, institutés+ehargeé use of. anirfari&or..büjtdffig Shålf.bö punishable with sinißlé imprisonmentfööä--.téÖrri whidh rriäy; •extänd tösik qr•with a tine which may éxtend föie-n thousandrupeeg or with both:.and. jn _the casu of a dontinuing Öffence with fífie which-.rnay •extéhd to fivehundred repees for everyday duririg which the offence öön.tinues after• the -fii.s.t dotnnilssion in or Ity it lin in binar Minerql Ayeä• Development (2) Any person. who continues to use or allow the use of any land in contravention of the provisions of a Development Plan without having: bééh allowed under section 28,or where.the cbntiouancé of such use has been allQWéd (inder thåfsection, -continues such..use after the period for yvwhich the use häS26äÖD_ allowed or' Without complying with the terms and •conditions

under •continuanoe of such .is--allowed Shal! be Punishable-. with simple imprisonment for a term not exceeding five years or with a fine which may extend to ten thousand rupees, Or: With. both and, in the case Of a continuing -offence, with a further fine. which may extend to five hundred rupees for every day during which the offence continues after conviction for the first commission of the offence. 37., Power to require stop of unauthorised development . Where any development of land has been or is being as described in section 36, the •Authority no later than the period, not exceeding 90 days after the service of notice to take such steps as may be •notified case.' specified (c) and. (e) •of section 36 to • restore the land to its original condition before the said development • took. place; (b) •in. case specified in clauses (f) of. •secure. compliance . with the •conditions - or. with •the •permission as required; (c) • in case • specified in clause (b) .to pay the . due penalty: charge and such penalty, if any, as may be •prescribed by.- •the .rules. (2) In particular any such notice may, for the purpose aforesaid require— (a) • the demolition / alteration of any building or works; (b) the removal of any building or other operation; or . (c) the discontinuance of any use of land: Provided that the notice requires the discontinuance. •of land, the Authority shall serve a notice •on the occupier also. ..(3) Any person aggrieved by such.. notice may, within • the . in the manner prescribed: (a) apply for permission under section 30 . of this Act • to the • authority, • of the land of any buildings or works or for the continuance of any use of the land; to • Which the notice relates; Or: (b) appeal to the • prescribed Authority: of- no-effect-pending-the-final-determination or application or the appeal. (b) (i) . The provisions of the foregoing sections 30, 31 and 32 apply in •such applications •with such modifications: as may be" necessary. (i) If such permission as aforesaid is granted on the notice shall not take effect, or if such permission is granted for the retention only of buildings or works for the continuance of use of the land, • the notice shall not part of the Mineral Development Authority. If you land but shall have full effect regarding other buildings or works or other parts of the land. (5) The prescribed Authority may dismiss the appeal .or accept the appeal quashing or varying the •notice as it may think fit? (6) If within the period specified in the notice or within such period disposal • of the land. withdrawal of for permission or the appeal under • sub-section (3) the as continues to have effect or the notice is not • complied With; then" Authority may • a prosecute the owner for not complying with the notice • and the discontinuance of any use of land, any other person also who uses the land or causes or permits the land to be used in contravention of the notice; and .(j) in the case of a notice requiring the demolition or alteration of —building or works or carrying out of an building or other operation • itself cause the • restoration of the land to its condition before the development • - to the • conditions of the permission or With the • permission as modified, by taking • such steps as the consider • necessary including the demolition or alteration • of. : any' building or . works or: carrying out of. any building or other' operation : (ii) the Authority may recover the cost • of any expenses incurred by. it • in this behalf from the owner as arrears of land revenue. (7) Any Person prosecuted under clause (a) of sub-section (6) -shall be punishable. With simple imprisonment for a term which may • extend to one year or with a fine which may extend to ten thousand rupees, Or: With. both and, in the case Of a continuing -offence, with a further fine. which may extend to five hundred rupees for every day during which the offence continues after conviction for the first commission of the Offence. power: .to stop unauthorised development.— (1) Where any development of land as described in section 36 is being carried out but has not been completed the Authority may serve. on the owner .and the person carrying out the development a notice requiring the development to be discontinued • from •the time to which service of such . notice has • been served. the provisions of clause (b) to sub- section 37. Section 37: (a) (i) shall • apply with such modifications as may be • necessary . Provided • that provisions of Clause (a) of sub-section (4) of section 37 shall— not apply in spite of the fact that application for permission for development of land is pending in sub-section (1) of section 37, the notice shall • have full effect. (3) Any person, who • continues to carry out the development of land, whether for himself or on behalf of. the owner or any other. person, after such notice has • been Served, Shall be punishable with simple imprisonment for a term • extending to six months; or with a fine to ten thousand rupees or with When the non-compliance is a continuing one. with a further fine of: 'Bihar Mineral Development Authority Act, : 1986- Sec. 39] [23 (9, 8- n it e which may extend to five hundred rupees for every day after the date of the service of the notice during which the non-compliance has continued or continues. (4). If such notice is •not complied with forthwith, the Authority or such officer of the

Authority, who may be authorised in this behalf, may require any police officer to remove such person and all assistants and workmen from the land at any time after the service and police officer shall comply with the requisition, accordingly. (5) After the requisition under sub-section (4) has been complied with, the Authority may, if he thinks fit, depute, by a written order, any officer or employee of the Authority to watch the land in order to ensure that the development is not continued. (6) Where a police officer or an officer or employee of the Authority has been cost of such deputation, he shall be paid by the persons at whose instance such development is being continued. (7) Whomsoever from the persons at whose instance such development is being continued, the Authority may, by a written order, require him to pay the cost of such deputation. (8) If it appears to the Authority that it is expedient in the interests of the land, it may, by a written order, require the persons at whose instance such development is being continued, to take such steps as may be specified in the order for the alteration or removal of any building or works within a period not more than one month, as may be specified therein, after the service of the notice. (9) Any person aggrieved by any such order may appeal to the Authority. If an appeal is filed under the last provisions of clause (4) and sub-section (5) of section 34, the provisions of sub-sections (2) to (5) of section 33 shall apply with such modifications as may be necessary. (10) If any person interested in the land in respect of which a notice is issued with the notice, the land will become incapable of reasonably beneficial use, he may within the period of six months from the date of the notice, apply to the Authority for an acquisition notice requiring the land to be acquired. (11) When a notice is served under the last foregoing sub-section, the provisions of sub-sections (2) to (5) of section 33 shall apply with such modifications as may be necessary. (12) The provisions of sub-sections (2) to (5) of section 33 shall apply with such modifications as may be necessary. (13) Where, the powers with respect to any areas under it, required to be exercised by the Authority, have been exercised by the Government, the Authority may, after the Government has been approved by the Government, prepare one or more development schemes for the area within its jurisdiction or any part thereof; (14) Such schemes may make provision for all or any of the following matters, namely:— (i) Land acquisition and development of land; (ii) the laying out or relaying, or the filling up or reclamation of low-lying lands; (iii) the filling up or reclamation of low-lying lands; (iv) the layout of new streets or roads; (v) the improvement and fitting up of streets; (vi) the construction, alteration and removal of buildings; (vii) the allotment or reservation of land for roads, recreation grounds, schools, markets and public purposes of all kinds; (viii) the undertaking of any work for the improvement of the area, industrial educational and Subsidiary by; Act 24 of 1992 [Sec 42] Bihar Mineral Development Authority Act, 1986 [25 Div. 4] [Mineral Development area; (xiii) flood-control and anti-pollution scheme; (xiv) to prevent the outbreak and spread of epidemic and provisions for sanitation and treatment of the sick establishment and maintenance of hospitals and dispensaries and the appointment of

medical staff in the [Mine@l Area; • .(xv) for hoysino-of• miners and provisio.n for civic amenities; : (kvi) biotectiori:öf objeqt Of. his.för.igal.impprtance.or.t. natuf.pl beäutVånd oflbuildihdSäd!üälly• used for religioås:puipose; (xvii)the. • Safety, •heälthy and : welfarå of përsåns Within thé. minifig •settlements; (xv.iii) thöimpö\$ition of condi!ioriS.ahd r.estri9t!onS in régard•tå thé epen Spåce tö be rhäintained aroÜhd büildiig;årea for Püüibér.; heightånd character of buildings allowed jn specified åreål .the purposes for which buildings Q? "ecified area may or may •not. of plots; the-discontinuance of objåctionable uses of land in any reasonable periods, parking-and •loading ånd. unloading spacé. förüy building and the sizes of pröjeötions.and advertisemenf.siansr- (xj*) .the suspensioh, SQ far fööthé• of.the sdheme, ofany -rule, byelaw, reåulatio.n, riot.if.ieatibn• or;ot.dé?. m.äüe or issued under any Act ofthe State- •the Staté Cégislaiuhe•is• cpmptéhEto •amend.; (xx). qcquisition by. pruchase, échange or • otherwise •of .any. pecessåry..for, -or for. the éxéuti.on •of•the scheme; such .ofher matters .the .•-be.direpfed by: the Goveernmeht. 42. .Contents• of the- Schéin•é. — -T-he scheme particulars as fai as may fhat.•is-tö-såy ownership a_nd of all existinÖ:ÅjÖ.té dävöré&-by thé 11 •i (b) scheme;. thé land. (2) of section 41 •with a g.enerat•indicåtion Of the to be put and the termsand subject td whiCh such land-is-to be put td such uses; a full descptiQQ of all' the details ot the sehërie- ündeF,such •clause of sub-séction (2) •of section .41 •as måy 6.e,applicable; Acta 1986 [Secs. ua-t (d) the laying out-or re-laying out of the larid eithervåcantor already built upon; (e). the filling up or reclamation of low lyng swampy or unhealthy areas •leVelTiiig•up •o! land; (f)' the extent to which ii is pioposéd .tö alter the boundaries of the existind, plots in accordance with •the proposéd schéme; (g) an egtimate.of the théshprneæ&the-net cost to be borne . - ---bytheAuthöriety. •-4-3.--Reconstitution of plöts schemé•. Scheoie 5: plötJ •thösize and shapes of every Feconstit_uted Blot Shåll be determined.f.\$afår •as may be, Ito render it suitable.foÖbüldiiiO wher.e a plot is built upon to ensure that thö -buildings,. as får as pössible, domply.-with the provisions of the scheme as regårds.o•ppn spgces•. (2) För the purpose of-suå-section contain-proposals -z h (a) .to form a final. plot by recorisfi!i.RiQÜ.öt.-ääi ä*isting plot .by aiteration- - the boundaries-of th.é:exlstj.rig: plöt; ff tiÅå.sSåry.i.,;. (b) to för.hi reponstituted Plöt•f.rom an uis(ihg.élot •by or party Of thé adjoihing'lari<él• (e) . pi•ovidéJ with consent ofthe.ownérs, that two or more existing •plots, held separately ot jointly-or. in joint öwner.shiP Shåll; heréåftér with •or. without alteratiQNof böundarie•s, be held in. ownership of their' pärtthers • as a Peconstitüted plot; (d) Ito allot a reconstitutdd plot te any owner dispossessed of land in furthérance of thu schéfnei and (e) • to transfer the ownership Öf an existing plot from one person to another

44. PubliG?tion of scheme:(j as may be •after.•thewherne under . seption• 43 (2). 'hå# been-prepared; the-Authority shall pUblish the s.cheme 'in the .official Gazette' and iri one or mor.e.loeal newspapers sppöifyingtöe plåce or:plåces where copies Qf•the..éamé. may be ihSppctpdi and inyltiné•objebtioh ih •writing fhocn any perSon• with respect f.o the Séheméwithin such:perioé as may be. specified in the-notice;. Provided thåt:éuch Periöd éhå! (.nöf.lbe less- than •two. monthé'fro-rÖ ttje' dåte the notice is published Gäz•ette: Provided further,..that no.süchupu>Jjg notiö?9 undérthis sub-section ih Fespeét. .of the scheme cdverecf:by lhe •scheme had already been acquired and the exébuti-on-ofthe:Ééherne doé\$ not affé•ct the interest of any person/pérsöns. (2) •Simultaneously witti •shall schéme 'to.the• Government drawing' at.tent!0Q of the Governmept, particularly.tö the provision in lhe såhemé, if any, referring •to Section 41, clause (fiv) to sub-section (3) The pubjicqtiön of the scheme as provided under sub-séd.t.iaff (1) of Section. .44. abo,v.Q shall,-. notwithstanding anythirig Land Acquisition Act, 1 804', bé deemed to be.a declaråt-jdn dü!Y madé•under.Sectiont 4 of this Act. of =olly _3ts, For Jers. in heF: dei• thet ces in té 90-+0 Dinar Mineral Area Development Authority.' Act, .1986 45. Power of the .Government to requ!re the Authority to make scheme. (1) Notwith#tahding anything contained in this Act the Government, may, after making• such enquiry as it deerns necessary,• direct.the Authority to mak_e and publish) •iri the•prescribéd röånner,.a• respeét "of any land in regard io which å develöÅment scheme may be made. (2} If the Authority failé to make the.écherne within thiþe months from the date of direction inade- Under subGéöflöti (f) thötGÖVeihméhf may, by notification in the Official'Gazette, appoint an'offieei-.tu-make=and püblsh-and subcni&\$eherne• .foö(hé the.Gouernmeht arid, thereupon the provisions-of the Act shall; as far as may be' aÉplicable, app!y to the making of such scheme. 46.. Power of Government to susperid Füle, byelaw, etc.— (1) Where the Authority has published the schéme in the Official Gazette undér sub-section (1) of: section 44 of .this Act, the Government may, on an application of the Authotity, •by Oder •published in the.Qffißjal_GazåftåsusÅendT to suche*tent only as may be hecésåry •tor thb

purpoSe•éto: e-áfryiflö _dui •bf _ihe schemé, any rule, byelaw, regulation ; *n'âtifbatiop • rriade•. o? l\$ued; Linder; aiy- law Which the Légi\$!@ture of the State is (2) Any Order issued uridér Süb-SeCtfon (1) Sháll éeaSé to pperate of the scheme being Withdrawn by; thd Authority either own or- uhdér the directipns of.thé qpvernment under section 53. (1) •Whe•ré there iS a •disöuted daim• ás to •the 47, Disputed öuneFship. ownership of any biece of land ihélüded in an area in respect of which the draft scheme has ebeen published ang any entry in the records of .rights régistär relevant tdsuch di9puted clajm•s-is ihaccurate or inconclusive, ah -enquiry may bé held, On a submiséion béing madd by the Authority at äpytitne prié/töthé date of Éübliöat.ion Of thé scheme by such officer aS.the• GöyetQrneQt-m-a.YäPPöint- for the burpos'e of deciding who sháll be d.eemeU to be owner.for. thé pürÖpéepf- . this Act- (2) Such decisión Éha!l not:be •subject to appéaf but it sháll. nb\$déé-raté[as a bar toa regular suit. (3) Such deéis'ion Shail in•fhe event.•of the Civil Court passing-a depr:æwhich. i isoaa•consistent .therpwith, be corrected, modified or Fescinded. in aööordah'q+ Wi.th such tdedre'e•as• may be Piacjtca>lä •áftér. such decree• hås• béeh - (riotide• df the—Äuthority: either byi théti Civil Court:or.by• _p_y ; such decree.- (4) Where such. å. decree of the •Court •is passed.åftqrldmez\$cheme:. hås .beel) published published, such Schérne shall be •deemed tb have bee-th-Süitåbj9ZvåFiéd by such degree. • 4@._ Restrictionq On use and development Of schem•e.— åftéötfié däteül Whip•h .the \$cheme is . }Gazette. und.er sub-section (j) df section 44 of the Aét— (a) No• petqon Shall, withih •the äréa included tin •-fhe=S-ch-emeL ere.ct ..0!.— pr.p.c•eed with'ahy building Wprk, remove, pulldbwn, alter, make•adtfitiüfis, or make.ghy.: substantial repair to Of a-building, æ compound vQäll or any drainage, work or remove any_eafllh-.stone or f. (b) - Bihär.MineraLAr-ea Development A•üthortty Act, 1986 [•.Se•d54 rnäteFialJ or subdivide any Jand or building unless such applied for and obtaihed necessary permission from f.qr.m prescribed; The 'Authölit%• on receipt- öf•suåh applicåtion, shall •at once fliråiShhß applicant with å written acknåwlédgement of itg•receipt and-may, åft? an •enquiry, Or-refuse sych permission Qr grant it subject: I such condi!ioh lit to impoée. Ifthe Authöiii com icaot wit hin-th ree- m 00th s .th -date of such acknowledgenient, fhe applicant sháll be deemed to havt been .grånteß_ SLi&h VerriiåSioh; (c) • if any pöhtqined jn clause (a) o clause the Åuthöriti_mäY dii?å.t gubh person. bj/ notice in Writing -f! stop any work. •iå the prescribét.: •-manner, cestoi? the originåj Condition; ••;u. (d) Any eFpenSe incurred by Sum due tö the Authority uhd?i owner öfthe plöt•. (2) No..pprson shall be OF injury resulting from ä!1Y actiöñ•taken >y.the (1) except in respect ofthé buildingh work begun of the date on which the Authority ppbliShed the.schem•e of section 44 or the Governmént and it shall apply only in such bulding work as has publication of the scheme: Provided that subh Glairn•to compensation •int. the.expéctéd subject to the conditions of any agreement entéred infobätwéen (3) Where under clause (vijj) of sub-section (2). of setfion 41 under •a scheme under section 42. — .(å). •the: purpose tö Which qri}''. • plot-of länd may-not _bé. uséd has. béerj. •specified, such plot •of land Ghall within such périod Of. not less than. one year, .as may be sp•eöified in the •scneme ceåse.iö bã•üsed' for subh pulposes änd. shall be uséd ohfy for:thé purpose specjified in the schemé; (b) thé puipose to whiöñ any existing bUilding may Hot •be •pecified, such building, •shall; within-sueh-ÅeciocLof-no.t.less than 3 years as may. be specified in the. •sohäme, cease to other than •thé pÜFposé sÅéåified (c) . the éurpose to whiéh any plot land with existing b.åildi.ng riåy not bé_ used has been Specified in the scheme •ånd the existence Of such buildings is incönsiStönt• with •the ProviSjons of. he_s-chéine, -such buildings -Fhall• withih Suth years as may be spedified in the scheme-cease tp exist: eep\$. 49252] Bihar Mineral Area-Developmefit-AuEhor-ity-Act, 1986 | 29 Provided that such peiiod shall not be less than reasonable life of the building; no compensation shall be-payable.for any plot of land or building adversely. affected bv:the making of a scheme. (4) Any perspn or persons aggrieved by the decision of the Authority undec ihié sectiån may,.; within. 60 dåys from the date of the decision, appeal to the préScribed authorily and the order--of-the.frescribed. authoiit.y.in,the appeal shall be final. .the (5) The pigvisioos Qf séQtioff36-•sháll-mutatiS in _relatiqn to the unauthorised development qr (-19e linöluded in a development schenié:-- ave• (6) The restrictions imp09öd bVthiS Séötiåh shall cease td operate in the event bed_? to/é•F • 11 nal• je.a the age"; tion fore 45. the be. for he n of the Scheme beihg with4rawn b)) the..Authori'y oh its own motion. or oh the direction df the Govégñment uhder section 50. Where the Authority land. interest of thd•public it is néÉäSSäty-töTff4éftäkä-fötthwith any pf the W&ks lhclüded in a;jSubliö purpöSé. •théAüthority Shal! ltd the .G.öübrhniåhf tb:vest ih•it fhé länd-(.withoåiány builß ing). shöWri (2) If iri thö åhy•tähd is requited foi cårtYing-.ötit anffuqction.of the •Author.jty upder this Act, • it shall be deei-néd to haté:• beec required for

[illegible]

54. Effect of SGHbrne.OQ and aftår-the dáy-on Which a schémeCohlé.S . into f.oreö — (å) . landS required by thé Authority shaf!J •Üniess'it is otherwise detérmifiéd in such Scheme; våstabsölütåly ih {he Authorityfr.ee fröin all encumbr.anqög; (b) .all: rights in lthe reconétituted, Shal! determine arid fhé reconétitutéð Plots shall betorne•éubjécthö tfié•riéhtg• seft!ed by the Authority; (O) -the Authörity"éhall harid ovér p•osSession of the reconstituféð plots to-the owners. to whom théy are: fhé scheme.

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vultfiih the akea- of and partly to the général public, Which Shall be : dösts of-ethe&chernäl déterminé the pidportiön of cohtribütiön to be leviéld pri éäöh plot-used, (g) ällQfied o? resêrved for a public purpose or purposes' of the .AUthOcity. .which partly to the: oWvher or résiderifs Within the å.reä of, thé scheme and partYiä the gérieräl püblio; déterminé the ämount of exemption, il äny, from the payment of. the (h) corptribution that tilay be granted i.n.réspeci öf .plot\$. pr portionS thereof o (j) exclusively used or occupied for religious. oroharitable purpose at the date on' which .publid-pottcé of th? scheme is •publiShed: runde 9éctjon 52 of this Act; estimafe the value .of q.nd the inc/emeht tö accrue -in res>édt_ with thé proVÜSjions •of #ection 70; <älcvlaiö' the pr.oportiä.h.. in Whiöh .the. Ithe-répongtituted. pfQts TnölÜded in bé-l (abje to-eontrib utioh •to the CöSt. .iQ aöéordäfpé :With the proyifions •cåhta;ned. •.in séction 69; öffëüjåfe •the contriäution -td• plot •incrü.&éd in-thÄ.Söfiéfé, (l) • •determirpe.tpe"ahnpuntto be cäée may be.: thé contribution iti accordance With the itai n ed. in. S (rn)-- provide-for- the total Or ihrai_l- a-recohstitu!etr plot or _pduide•. for the: extinction -of lany existing plot in in section 73; (ri) whéöé ä plot iÄ9ubject to-a mortgage-yftfpösséssiorbra• lease, e, decide* . - thé:pt.öportion of compéhsaförtörpayable:to• pontrjbution payable:-by; the mortgageq or knd (he mortgagenor.Jésspr on the othér; 2] (b) Bihar DevelopmeniÄÜthöFity• -estimate With.reference -to claims made before it d byitin the prescribed •mannei, -the compehéation to • of any property or right injuriously affectéddy the makin in accordance with _tb_e prpvisions contained in sectipn 74; which the -works-provided in •thé schem be.cömplefed by the Authorjty:. Frovided that the Authority may make jariations from-the-s-ålueme sübject the condition that any variatori• estimated by it to jnyolve and increase of ten pel cent in the total •cost of the scheme 0Fuxpees •one lakh Whicheve? is lower. shåil require sanction of the•Government: Provided further that the Authority shall make no substantiäl v*.riätion without-«; thé consent-of. the ! råjsed. by the. Owners: éöhtéöriäd.*" (?) The Goveinhléhf År.qscri>ed -the dépidind åÜl'ihé matters Statéd.ün hås or not, •extend frpm to time by a .ndtifidation in-.tlie• Official for deöidind all .the rhatters réfé?red to in Sub-Sectiont'(l). Froni every-decision of the Authority in.matters arising 56. Appeal. out of clau\$és (q). (c). (n) and (o) of .sÜä-sept!on Öf. Sectio•n55 aij appeél\$. shäll .lie wit.hin förty• five dale of the *decision to the prescriböd authority. (b). Any. person •qggriéved. by.the decisi0Q in appeal authority in råatters referred tQ in -s may app.eal•Wjthitl iinéty days ffrom the dpte of decision of the pré\$Cribed authority in äp>eå! to the Distridt Judge within the focal limits of. whQ\$ e_juxisdiction the area inéJuded. in:thé Séhprtlä!\$. Situated, (c) The- .District' uudge •rnåV• tFåå\$för •the the Additional öisiriét Judde föF.diSpösal". • (d) The District Judge or jhg AdditiOnal Disgricf. as..thé_vase-jrmay be,• after making. suph •enquiry, •he •inäy ihihk •may •éjfhër .djreet •the. Authority to récörisider thé •aaccept, .rnodifyt varyfto •or réjécf thé •prbÅos919• df •the Autfidrity ,and shall decidé .åll. Out. of: clauses rbférred•ih td gub:séetiön (1) -above•.. (e) T.hé dééisiqn Öf.-the Diétrict Yfudge •as the case may be,. shaff•be final and. A copy of the shall be' sent fo the Åuthority. of theAüthöiity inclusive). sub-section• (1) of •section 55-shå!l to thetparty cpngérned and any..part_y. å5grÜeved-by suüfæünay&/tthin 60 days fröm the date 'of' communiqation Of the decision)appeq! of Appéål för decision of the qpeat. (b) The provi\$ ions of sections. 5, .12 and-f4 öf .the lhdiah LirnitätüAât, 1963 •shall apply-to appeals-submitted uridenihis section.. 57.. be after the Authority has decid ed all the matters stated in section' 55 (f) , the.Governmentf 'ÄSecs. 58-62] 'Bihar Aöt: 1986 [33 pet • 'hall hout eriQd • ising)peå!•: -ibed oority from. vithin) the shall after rnåking such enquiry as it may thin's fit, appoint a Tribunal .Of. appear (hereinafter referred to as the tribunal) to hear ånd decide appeals arising out of E matters referred to.in•section •56 (2) •.(a).• (2) The Tilbuha[shall 'consist of a Ch?irman and two ASsessoFs. (3) The Chairman shall be the District Jüdge or other•Civil Judge as may be apporntéd of the District Judge. fit and proper persons-as-Aséssors who shall, as far-as-possibte,-häVé knowledge or experience of town plannihg,• valuation-öfrla•nd •or Civil EngihééFing. (b) The Chåirman and Assessors shall be appointed members of the Tribunal for such periöd ås may be required by Such Tribunal •to deciäe•an appeal made against .the• ddöiéion urpder clauses (d) (m) both ihcllJ9iVe) •and aause (p) of sub-sectionh (i) .öfLsUGtioh 55. (6) The • Goverh.ment if it •thihks. fit, reinoye for •.i•ngnpipetépée •or. e misconduct goöd and :éÜfficient• reäsön• a-hy AéséSSör.atppéintétüfidér sübZsection (7) If any Assessor is. removed or dies or refuses OF oeg!ects to act. or bepomes incapable• of•acting, the Chair:nan with the consent•of the State Göü\$Efffi@fifShåil appoint forthwith a fit and proper persoh.fQ take lhe place Of •sd)ch Aså"Qr. 68. PJåce Whére TribÜn•al rnåy sii.—The Tribunal* may. sit. thå headquarters of ttv Chairman or at.any other

place within -the local •lirfiits of .his jurisdiction which he may deem convenient for the.consider.atiop
and decjs.iön• of any matter befoi..é such Tribunal

59. Decision of Questions of law and other Questions — All Questions of law and procedure shall be decided by the Chairman. All to be decided by the Chairman. Powers of Tribunal to decide matters finally; shall, after making Such inquiry as it may think fit, decide the matters arising out of the appeals (both civil and criminal) and clause (p) of section 11 of the Constitution in so far as it respects appeals referred to the tribunal; and may either exercise the Authority or direct it. Where necessary, it may modify (its proposals) of such decisions by the Tribunal. Shall be final and binding on all persons and parties including the Authority. A appeal shall be sent to the Authority. 6. f. Tribunal not to be Court. — Nothing contained in this Act shall be a Court. 62. Of Assessors and payment of the Assessors' expenses — (1) The Chairman and the members of the Tribunal, salaried Government Officers, be entitled to such remuneration either by way of salary or by way of fees partly in one and partly in the other from time to time, decip: Provided that, in exceptional cases where the scheme is a large one or the work involved is and r - Authority Act, 1986 [Secs. 631] the Assessor even if they are salaried Government Officers to receive such special salary or remuneration as the Government may; by order, decide from time to time: (2) The salary of the Chairman of the Tribunal or an Assessor who is a salaried Government Officer, and any remuneration payable under sub-section (1) of this section and all expenses incidental to the working of the Tribunal shall, unless the Government otherwise directs, be defrayed out of the funds of added-to-the cost of the scheme: — (1) Where no Decision of Authority to be final in certain matters. appeal has been made under Section 56, the decision of the Authority shall be final and binding on the parties. (2) Where an appeal has been made under Section 56 and a copy of the decision in appeal is received by the Authority it shall then where necessary, make variation in the scheme with such also rectify such errors or commissions, if any as may have been brought to its notice after publication of public notice of the together with a copy of its decision and a copy of the decision in appeal to the Government

64. Power of Authority to evict summarily.— (1) No person shall transfer of Property Act, 1882 (Act of 1882) the Code of Civil Procedure, 1908 (Act 5 of 1908). or any other law for the time being in force the Authority or any person appointed by the Authority may summarily evict any person occupying such land which he occupies under the Scheme on and after the day on which the scheme comes into force. (2) If the Authority is opposed or impeded in exercising such person taking possession of the District Magistrate. shall; at the request of the Authority, enforce the eviction of such person or of possession of Authority. (1) on and after the day: on which. a 65. Power to enforce Scheme. scheme has been notified the Authority may after giving the prescribed notice and in accordance with the provisions of (a) remove, pull down, or alter any building or other work or area included in it: such as or in the erection of which or carrying out of which any provision of the scheme has not been complied with; (b) execute any work which it is the duty of any person to execute under the scheme, in any case, where it appears to the Authority that delay in the execution of the work would prejudice the efficiency of the operation of the scheme. (2) Any expenses incurred by the Authority under this section may be recovered from the person in default or from its owner of existing plot in the manner provided for the recovery of sums due to the Authority under the provisions of this Act. (3) If any question arises as to the matter shall be referred to the Government or any officer authorised by the Government in this section 66-69, Bihar Mineral Development Authority Act, 1986 [55 of 1986] the following provisions shall apply: the law in force in the State and the decision of Government or of the officers concerned shall be final and conclusive and binding on all persons. 66, Power to vary on ground of error, irregularity or informality, after the Scheme has come into force; the Authority may if the scheme is defective on account of an error, irregularity or informality or that the scheme needs to be modified the Authority shall, by notification in the Official Gazette, prepare and publish draft of such variation in the prescribed manner. (2) The draft variation published under sub-section (1) shall state every amendment proposed to be made in the scheme and if any such amendment relates to a matter specified in any of the sub-clauses or sub-section (2) of section 41, the draft variation shall also contain such other particulars as may be prescribed. (3) The draft variation shall be open to the inspection of the

publishing the office of the Authority during Office Hours. (4) Not more than one month from the date of the publication of the draft Variation; any person affected thereby may communicate Objections to the Authority. (5) After receiving the objections under sub-section (4), the Authority shall after making such enquiry as it may think fit, notify the variation, with or without modification by notification in the Official Gazette. (6) From the date of the notification of the variation with or without modifications, such variation shall take effect as if it were incorporated in the scheme. 67. Power to vary development Scheme. — A development scheme may, at any time be varied by a subsequent scheme made and published in accordance with this Act; provided that when a scheme is so varied, the provisions of this Act shall, so far as may be applicable, apply thereto. Chapter V. Making of Subsequent Scheme, and the Date thereof. Scheme shall, for the purpose of sections 68 and 69, be deemed to have been notified on the date of its publication. 68. Apportionment of Schemes. Where a scheme has been notified, the Government may, in each case determine:— 69. Cost of Scheme. — The cost of a development (a) all sums payable by the Authority under the provision of — a specific Act, excluding from (b) all sums spent or estimated to be spent and in the execution of the scheme, the scheme being made on the date the Scheme is published by a public notice under section 52; (c) all sums payable as compensation for land reserved for public purpose or purposes of the Authority which is solely beneficial to the owner or residents within the area of the Scheme. (d) [70-3 such portion of the sums payable as compensation for land reserved (allotted for any public purpose or purposes of the Authority which is beneficial partly to the owners or residents within the area of the Scheme as may be determined by the Government; (e) the benefit accruing to the owners or residents within the area of the Scheme from such reservation or allotment; (f) all legal expenses incurred by the Authority in the making and execution of the Scheme; - expenses incurred by the Authority from establishment for preparation and implementation of scheme, which should not exceed more than 15 per cent of the total estimated cost of the scheme; (g) the amount incurred by the Authority as interest payable on the borrowings and loans taken by the Authority for preparation and (h) the amount by which the value of the plots included of such schemes being estimated at its market value on the date of the scheme under section 44 with all the buildings and works thereon and without reference to improvements other than improvements due to the alteration of the site, the total of the values of the plots included in the final scheme exceeds the total of the values of the existing plots, each of such plots being estimated in the manner provided in sub-section (1) then the amount of such excess deducted in arriving at the costs of the scheme, as defined in sub-section (1).

70. Calculation of increment. For the purpose of this Act, the increment shall be deemed to be the amount by which on the date of the publication of the scheme under section 44, the market value (if any) of the land referred to in the improvements contemplated in the scheme. On the assumption that the scheme has been completed, would exceed on the same date the market value of the same land, as estimated with reference to such improvement: (a) provided that in estimating such 'other works in the course of erection' on such land, the plot shall not be taken into consideration. 7.1; Contribution towards post-scheme cost of the scheme met wholly or in part: by a contribution to be levied by the Authority on each plot included in the scheme calculated in proportion to the increment which accrues in respect of such plot. 5. Such contribution shall exceed the increment estimated by the Authority to accrue in respect of each plot: (b) Where a plot is subject to a mortgage with possession thereof, the Authority shall, in the case of a mortgagee or lessor on the other hand, shall pay such contribution, respectively. Secs: 72-75) Bihar Mineral Area- Development No such contribution shall be levied on a plot for a public purpose or purposes of the Authority, for the benefit of the owners of the area of the contribution levied on plot, allotted or reserved for a (d) purpose of the Authority which is beneficial partly to the owners or residents within or to the general public estimated to accrue to the general public from such use, shall be primarily liable for the payment of the contribution leviable in respect of such plot.

72. **Certain amount to be added to or deducted from.** contribution leviable from perspn.'it— •The amount by which the .total value of reconstituted plots included in •a scheme with thereon allotted to the pers.sans •fäll's short of or exceeds the .total•.ØåltE. of the ekisting plots With all. the as the betädde< to

ötfédü&téd i(dm the cohttibutiön léViäblä Sudh•Ätots beihö ö9tinhätedi at:its• byblication of.fhé schéme under section 44 .arid withdüt: réferehce .toi irnÄrovemént •cöntemp!ated in the scheme other. than impröv_émepts due fo .the alteration• öf its boundailés.-. bf existing tb reconstitut.ed:plpt or extihctiöH Of such right. Apy right ih qn e*isting pldf Wh(ch,• in the opinion' •of the Authority is cåpable of being •transferred wholly or in part without prejudice to the making • of a development scheme.to be a reconStituted •plot shall be so transferred and any riåht in an existing PIO! which ih the opinion ofihe-Äuthohty.i\$ nQt. capåblé Of being so trahSfer;red, shall be e}äinéujshedl provided that, shall not be ttansf.efred from. •qn exis_tiqg plot to reconstituted plpt. W.jthoÜt -the consent of all•thé} such.léas•e:- 74. Cömperjsation. jn• respect of: property: or right.ihju}iously affected by The.owrier of åny property. Or tight which in•jnluriously rnaking of a development scheme Shall, subject 7.5, ifhe makes a. •clajrn before. the Authority: within. •siXtyc dayélöf., the %ret'eipt .•of the nolipé = fro•tffÄüthority,• be .entitl.bd to•obtåin- fheiaof frdcfi the •AuthöiitYüftöfi1 åny person bénéfitéd or such person as the' Authoitiy• may in Bach: •75. Exclusion or limitatiöri•of Casés. compérisätioh Shall be payable in: privafe right of any to be injuriQV\$' y.gffedted- byré.aSQn .åf any provision contained in schemer .if time EITfg-ih forge is pa yable for such injurious effect. (2) Property ora private right not be deemed to be affected by. •regson öfany.provisiån inserted in a devöloperhent scheme w_hLqh-.W-ith ...a •the amenity- of•thé. .in.such scheme-or-åhy part thereof.; impöses• any Condition to fhåMiatters Specified in 1 sleue.u_.l« QLIJJO_ hüe• o) ur hue sesQdW! wed •Ku•uo- aweqos qons•U! •paprilö.vg;æjæ. •eLii.Jö qu-m--qöTüIM åwaqos iuau_19d01QAGP e u/ pauasü! uosÉ31.-Kq pe.10ÉJJE aq 01 pau)aaÖ éq iou 1146'!] e .10 Äüad0Jå (a) snown(ü! qons ojqeÅed s! atü0J uf_5utoq euJ!1 lä•pun 'eweÜÖS .öeu!elüoo Ku e)• uöSéar6q•péwåßé.XjShöwnfL1! oq 01 pe hue JO aq6!j éleA!ld .11! ålqnÅed .åq -'Jeqs. . •sa•seö 20 .U0!snlQX3 . 1.1! hew st uésjäd .q.ons uosjad 'ü!EJqo.01 pail!lüå .t/qpoqinv•. é3!iöLi é,C11 •uo;aq -savi-u 91-1 J!. '92. 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JO áéåd•rid_ öilqnd e pamasaj '0 pauone 'pasn•ioid e wo pa!A31 uönnq!llupo (p) 10.eue SEUMO'ÖLII.JO a 09 öüiëti told qqn_s p.sasödm 10 esod]nd oilqnd e a Qau@lle.tpasn IOW. e uo pe!A31 eq Ijeqs vounq!lluoos qons ON (o) It-låLijdö18A6(j euv 91 -u .•soes s p. uc Secs. 80-84 J Bihar Mineral Area Development AuthQrity Act, 1986 139 (1) *Thé Authority' shall be• 80. •Power of Authority to make agreement. competent to make any agreement with any person, in respect of any.matter which is to be •provided for in the devélopment scheme subject to•the power of ,the and 'üåless it is othérWjSé expressly prbVided thöfein,' stich agréémént shall take effect and after-the-day on which the development söheme comes into foFce. Such' ån -agréemétiöÉfi-åll--fiöt; fn•å-hYüäV-åffect the determinatiörj-öf the rnåkers as stated iO- 9ection:5b-or th'e.-right& of-third-partiesi -but it shall on thå åéi.eem.entl Provided' that, if, any agreement contains any. provision# Which are inconsistent with the scheme qs publiShéd by the Authority under section 44, such an ag•reemént shall be void: Provi<ed further that, if the ågieemph•is modified by ihé Government, either party-Shål[håVe.the option-df-åuoidinå_if-itso.eleåts•. 81. RécoVery of arrears. — Ariy•éühv düe to•theAuthöriity unwer fh2Pr6yi,- Siong: oft,his• Ad!- or. öÜåhy: råüü14!iöfi mädé •chaFge on the plot on •WhiöWit ié düe; the fhe-låhd revenue, if any, due to the Government -thereon .ahd, if it is nQt éåid ön d@hååhd on the •day. on• whiqh it becomes due•or on'the dåY fixéd by the Alithorityj-Sha!l.Pe• recovéable bY_the Authörjty•as.artears of länd revenue

82. Execution of wotks'ih the shall éomplete all the works provided.(p a scheme within thé period préseribed: Provjged that, in b*ceptionaf circumstances on åppJ!cåtiOFj by thé Authority the.Goverfiment-

[illegible]

87. Rate of Development Charge.(1) For the purpose of assessing the development charges, the use of land and building shall be classified under the following main categories:— (i) (iii) (vi) (vii) Industrial. . Commercial. Residential, Agricultural. •Educational. Health and. (v.iii) Drinking. Water Supply. (2) In classifying the use of land and building under any of the categories mentioned which such land and building is to be classified under. (d) The rates of development charge shall be determined by the Pt. Ward use of (and shall be at a rate of which shall be fifty per cent of the cost of developed land

88. Assessment of (1) Any person; carrying out any development or other thing which is necessary whether he has applied for a development permission or not, or who has commenced the carrying out of any such development or has carried out or instituted or proposes to institute such use, shall apply to the Authority in the manner prescribed for the assessment of Development charges payable in respect of (2) Authority shall on such application being made, after serving notice on the person liable to pay the charge, or, if so, the person who has commenced the development or use. (3) The Technical Member shall,

after,giviiiig.a reasöipaffë-oppoütü6iity pf being heard.tÖ the persoh who has: madé ân.âDÂi!cqfiQij who has been.secyed with a notice uridéi sub-séctiQh.(?); (4) After takinö' into considerätiQfi shall assess .the amount' dfv — (a) where permission uridéF for Carrying out the said development, thé Authbrjty •_oTfTDZüToÅment chaFge;- (b)" •-W.Fe7.e•thé applicætori- the. Authority may refuse tcf bãyåble -in réepe•6t thereof, unless it is satisfied that•thggppliöant ha-s•âQ inter-esæ.in the"land sufficient tg Such 'déVeloÉméht. _ofthät- -the applicant iS •able tÖobtaih the ápölicant will - carry out the deVeloprprient wjthih such peiid as theAuthoritycdnsiders appropriate; 42 •Bi.h.a_r •Miner.äl •Aiea Development Åuthority Act, 1986 f Sec<,' (c) . where the applicant relates to the substitutioh or changté of any.uSQ. •AuthoYity refuse to assess the ambunt .of Development_char.gy respect thereof unless it is satisfied thai.the.use will be inStituted with •peHiÖd ag the 1 ["89. Levy of tax on use ot land for•oJhe.rthafi agricultural a-and-residenti; purposes.— (1) The the irovisions of_thi.s Act and Rule framed thereunder the Official GaZättä,• ön Ian • being. uséd. Government c or Industrie purposes with the prior : Provided square- metel annually for åny such länd бүт Such tax Shall not b4 levied on land whidh is subjécl tā Holding•Tak. _ ånd •detéFn%ine athe Fund of .the St.äte -G åv.åFn•mäh? f.iåríi rnqins to be .läiööFd•öWi-i;- åfid bé •bouhdary of. every cöllyäfi/TSitua!ed in' paying thé I [tä* undér section 85 and Shall..Ötouide\ätLleaSt one may: teqüe\$† and at the cost QÉ!.he owner of:any.s uch:dQlliéry •ÄFöViae*ådditiöhål eofihéctio•ris• betwéeH its main and dbwn• by• ör- för any suOh cölliciei. (2) On the application of the owner of.any premises situated in any part Qf the area•of the Authority other thari the colliery, the Authority such:. rules.ås the Government •may make in this behalf, su'ply.waterto Éüéh premises ön such Conditions as may be agreed upon between lthe of such premises: (3) •The Authority may provide.tfie stand. pi'pés or any other.source fö.äriy town, villagöör piace within the är.ea of supÉly.— (a) ..ori its Own notion, ifrit? considers that such >upply is. necessary for the •preservatipn of public health; • ;d'n -a•ppfjqation'from the •citizens of such•area, villaée.or plaöé (c) ön• äppiica.tioh from any'local authority- charged With.åministratloh öf or empoWeréd•to .make pr.ovisidn• ot the supply Qt water to such town/ village or plâce on such •cohdit.ions and in such manner as the Government may prescribe by råléS•rnadé from time•to.timé in this behalf. Fpr Water supply to .its.niains and pipes as mehtioned uhder this sect-m •be •entitled to chär.ge= thé owær•of å •Colliery- ied at:guch.ra.te- Rupeeés [Sixteen per thöusand. gallons subject sto reVision by-the Government from time tö time: (ii) . •the pWn9r ot. Prérhisés supplied at such rates as maybe déte.rmined by tbiybéhqJf, but not exceeding Rupes Tsixteen per •thöüsänd gallbns. • •1. Sdbs. by Sees. •90A-é2)BihåF.Mineral Arda Developmpnt Aütho [90A. Declaration and purpose of Market Area — rnây, by notificatióriin the Official Gazette deqtar.e any. area'. Vernment nd 'ter éct ate be in jne éry the icti ses sale pr tranSäction Of commodities' tikes placé:with .t.heWürpöse to Provide civic amenities; ihfrastructure and marketing facilities •subject to the' followihg conditions: (i) -Matket-feé shålfffé-éhägéåblå 06 sale or transaction of any commodity' at al rate St'te.Govertjrriehf.ih the Official-frå&tte, be -detérrninéd fi.öcn- time time: Providelthat the rafe .so fixed Shall not be more than•one per centum of the • sale valve of the commodity. (ii) The Authority may, with the approval of the State Government, make ä list of such chargeable commodities and may add, arnéndor canoel qny_ of thé•.itéms of list; bYfiöfiticat•iqn -In-thV- Officiat GäLitte : Provided thg! nQ Such •comm6dtty:shqll be ihcjLidéđ. iri.the list! of.chå/geable'- domrnöditrqs undér thjs Att. ori Whiqh.: Mår.kefFee is tharáeablé' Stäte Agtiöullure• Produce Markéts:Act, .1960: (iii) A person br. Cpnrrpérgj.a•i coocern eogaged in •salé,.traqsactiön. dr trade of. cernmoditiés Specified in thé ii>t as-menfiöQéd .be fo. Obtain the payment of fee to be• prescribed : Provided.thatthe rate of the licence fee so fixed shall pot two hundred annually. I [96: B: - (1) Ehe?State-.GovernrneQt shall.; för the cppléetion Of rhår}fef action of cornmod!ties within-the.-rnarkét-äreä;•• pFöVFde för 911. Orde?• o! ASse>srmnt. (1) The -of.~the -drder:. of assessmäht •on. -the applicant: .development charge gnd/ or (2) Such order of offass•essment, .subjéct to thé be final and sháll not bé questionécFin ahý töürt-

92. Appeals against Assessment—If a person is dissatisfied with an assessment made by the prescribed authority, he may, within the prescribed period, appeal to the prescribed authority. The prescribed authority may, if it is satisfied that the assessment is correct, confirm the assessment; or it may, if it is satisfied that the assessment is incorrect, set aside the assessment and make such other assessment as it thinks fit. If the prescribed authority sets aside the assessment and makes another assessment, the person may, within the prescribed period, appeal to the prescribed authority. If the prescribed authority confirms the assessment or makes another assessment, the person may, within the prescribed period, appeal to the prescribed authority. If the prescribed authority sets aside the assessment and makes another assessment, the person may, within the prescribed period, appeal to the prescribed authority. If the prescribed authority confirms the assessment or makes another assessment, the person may, within the prescribed period, appeal to the prescribed authority.

out. or any use is instituted or changed without payment of the amount of the Development charge shall be Gübléöt to prior payment of the land revenue, i; irr.f.he-4and-on-Which • -d-evelöPMétit has been commenced or carried out:of changed and also in any other läÄd in which svdh person has any interest (2) The Development charge shall be recoverable as arrears of land revenue.

94. Contribution' •from the MLinicipāl Funds.e•Contribution shall' be made. from Municipal Funds to
ihé •Aljthority•in the manner , (i) • Äfi the LoqaFbodjes-öfthe:areærrpt.if.i.ed unaer sub-secfione)• i
.p.ttthe.Adt Shäll Io thå- • fir#t day of éaéh qijå!i.éi, So •long -as. thé. •AüthÖfity Sum équivalént to half
percentåm. per quarte•r thd actual, quarterly •collection madé öh the• the ånnuäj retable Våluåtiöhl
determined under the• Bihar ahd Orissa Municipal Aétl O.' Act Vli Of 1922).åhdthöPåtna Münidiöål
Öoiporafjon Äcii• i 951• (Bihår•Aåt XII df 1952) and the quantity. df the said actual ciuårferly•collectiöti
stöod would • be the same as on the firs! dáy of the last preceding quarter, provided that if this Act comes
intolforce during a' quårter, the amount of the fjrst• of•sudh .payment ofthe sqm.payable héreünder äs the •
.u•nekpired portjon of the quarter bears to the Whö!e quarter; The payment prefcribéd by. clause (i) Shall
be-made With' priÖöity fo all other payiients the municipality exceÖf•.thQse.refdr.rpd.-toTin Sectiön 67..
ot thé Bihar and Oriséa Municipal Aöt, 1922 (Bland-O. A&t, ••VII of 1922) and .thé local böß.íee shall
submi.t•quårterly returns jn preSciibéd form•to the Authåri.ty Within 30 dāYS frpm thé close of the
Quå•rtér: . If paymen! prescribed by qlaüse (i) cannot, öp!n.jån. Of. the•S.tate • Government, be made
Withöüt increasing maximum .by Sections él, 85, 86 or.86A•ofthe Bihar and Orissa. (B. .and O Act VII of
1922) •and section 89 of fhb Påtna Muniöipål Corpöration Act, 1961, then that maximurh amount may be
increåse_d to such extent as mayr in thé-bPihion Of the State Government be necessary to secüre the due
making of such payment. - from öthéf•funds•. Contributions-Énýå-be-made fr.om _the PanchayaLf.unds,-
agricultur.é market-yards and. other..\$ources.suchas irr.igåtiöff • - •-antFWåtéFtä-k, etö., ag approVed
bYthé •State to-time

CHAPTER VIII Finance Accounts and Audit' (1 The. änd. maintain-its.. pf the Authority. own fñhds to whiCh shall be cféditéd— Eiich we. lion the :tual• tion Act ',flov. oufd that ;uÖh the all in vfi d. 2 al o Bihar Mineral Area .De.velopment Authon (a).. all: rqpqey.r.epeived by the Aljthority froin the-Government by way of :grahls, ön.otherwise; (b). dhäHgeg br bthé? éhÄFdéS ár Cos!s, Fees receiveß by the Authörity under this Act or rule# or regulations. thereündeF; (c) the pyqceeds of of Coäl and •Goke from Tnines; (d) thöÄFöäeedS, of-the (él -Zä[I Sums borhdwed by the Authority under séction 123; (f) . äll receipts in respect of •any- school or institution or work vested in or under-the controt and administration of the Authority. (g) contribution from such Local Authority/Authorities of the area included in the I [Mineral Dgyelopmeht Areaaf_the Author.ity.;-. (h) contribution from Panghayat furids•, agriculture market yärdS and •other. . sou'rcéS' syph as'iriigatiöfftax;• Watertäx; State- Government from timé toiime: (2) The Authority Shäll •réééiüä 'düty •an (ransfe.r.s of.'immovable •Äröp.Gty.in accördance with the p•rovi9ionS hereinaftéi. contained jn this. (i) . The duty• Impoéed by. the lhdian Starhp Act; 1899 (Adt%ll o! 4.899). modifiéd*fröm time :to •apÄl_ication• to:the• on instrumehts of sale, gifts and usufructuary .mortgage) of innrnoyäbl-e property•situated in I [Mineral Development.Area:as declared.:under section 3. of this Act and .executpd on date on which.the provisions of this Act comes into fQrce in. such area, be increased •byg per cent on the yaieu of*the property transferred .by the inStr.UrhmföÖ(T the casé Of the: usufructygfy "cured forth in•the instru•m-eh; (ii) All colleqtjong resulting from the aforesaid incréase.in Stäröp Duty!éhallr after deduqjing if any), pe paid tö_ thé AÜth6Fitry• by. süch time as may be directéd by thé Sfåte-Government. Atl amounts.r.éceivéd by thä.Aüthöfity ftöin anyrotheF.söürce. (4). Thé funds-shäll be applied toward* meeting: (a) •the expenditure jngurréd in the under- thiS Adi', (b) twe éxÄenditure fpr such Other direct. keep in current acéqunt.of thq..St@te-Bankgof lhdia•or .any other. jn this behalf., such -süm oßmöhéýßOäents=fÜfläS-as may be preséribed by the lutes and any moneyin excess Of •shäl[bé invested in such manner as•npay be approved by' thöGo.vernmént. The Government may, make such grants; advancey_gnd. • I-ogrisJCtrre Authority as it may deem necessary. for the •.fuhétions under-, this Act, and äll dtants, loans and advances shall be on' Such terms arid conditions as the Government. may-determin 1•: sG6\$. by Act 24 of 1992. 46) Bihar Minera' Area-DeuelopnmentAuthority•4ct, 1986 [Secs.y I 97. Budget of the Authority.— The Authority shall prepare in sÜch fond at such time every year as may be •prescriböd by-the.rüfes, a budget in resN the

financial year next causing, showing the e*j.mated..recéipts-ääd expendi :för.-tlíé Authority and Sháll?förward •to' the .Government such number__ of COI thereof as may be prescribed by rules

98. Accounts and Audit.=(1) The Authority •shall maintain.broper accou and Other relevant hécördé and prepare an annual:staternent of accountg includ .the balqpcp sheet ir_rsucmtQ.coÉä€thEGöTernmenÜmây es prewr)be. - •Accounts of the Authority shall bé Subject to audit:arinually by-t Accountan•t-Gehe'ral of • the. -State •a_nd. any e*pendjtÜre hitn connection with such audit- shali be éayable by the Authority tō the AqcöÜntar General. (3) The Accöu.ntqntLGeneral•ü.ähj; person appointed• by him •in conraect-io With thé.aüdiiof ádephs-ofthe--AuthoritYSäällTiayöthÖéame right: pfívilé-gé ájil authority •in gon•ne.ötíon audit• ai the, Ac.äouhtaht\$ßeneral GdVérnhíäht-aceoÜhfs and ih párticulär•shall háve the-ridhttrtc derhand -the production of bobks, accounts, cornoected VoucheFs änd pthéi documeht and papers and to irispect the office öf.the.Authoriity. (4) .The accöuhté Of the•AÜfhioity as certified by•thö Accountant-Generaj or, any person •appoipted by him ih this behå!f report thereon sháll.' bé fonnardéd .an•riüaflVfo the Government. 99.' Ahnuäl•Reports. — The Authority shall •prepare every year a repdrt of its activitiés during •tbat.year and submit the report to the Gov.ernrnt in such -förrn. on or beforæsuch.date as mây. be pregcribed by.rules. 100: Pehsion qnd Prov.iderit Fuhds. —.(1) T tie Authority shail.constitute for the.benefit of. its whole time paid members and of its offidétS ahd other. employees, in •such manner 'and Subjeöt•to Subh conditiohS7âS may be prescribed•b.y rules, A-such pensron and proyidentfundsäs it may deem.f(i. • (2) Where ari)i •spch. pensiQn or;provid.ent• fund {has been constituted, the Göverhment the prQVi9ion•06the GQVerhmeht Providefit•Éünd Act, 1925 shall apély to such fund a.s if. it were-a Goyerpnient. Pr.övident Fund. CHAPTER Supplementaiy in •Mi'ce/låneousPröviSjQns .101;• Power of eniry.— (1)'Any• peiSon authoriééd. Authority .in thjs behåli may enter intor across along or ljp•on ånylahd or bÜilding or colliery with or Without assistants or Workmen for the •purpose of — (a) . •constrücting, rnåintaining, repåiring; • and (c) --.ß) reservoirs, maihs, piPesgn4 ocher works up•cjffürider land; _tÄBlnu iritercepting and impounding' any water flowing fröm• ahy:land; .making any enquiry, jnSpedtionl measurement ot survey or taking-leVeIs of such land or buildihgi --.éet.ting pyt- boundaries and intended lines of parts; mákjng such levels, boundaries and lines-by pla•cing parks and cutting •i.f-(ß•_'. • : 'ihär-MiheraFAæa-Development-AÜthuritVAÖÜ.j9é6 IS ecs. •where thä•.ljerson .to be •served is in. a pannership,if the äddteSSéd•töthe partnership at itF principal place of business, idéntify{rq it by the •name or. style under which jt\$bwssinensis carried anand is' eithér&:' (i) sent by registered po\$t, 'OF (ii) déjüered at the säid place of business; any-öthæease;• if thé• döclTttiätiEis=-acfdfésééd to the péöéön to .be served •and (i) oÖtendered to him-. or if >suöh person cainot be found, is affixed on some , conspjcuou9 .part of his last known • or business, oris given or rendered to some adult member qf_ his family qr Is •affixed.-on.some conspicuous pah of the land or bl:jiJ4ÄtgyLighlt-nelatéS, or '(iii). is Sent bYfregi\$ _terqd pds! to that peison. • (2) Ähy•döévmänt whibh örailthÖiisedtb bé Sérvéd-o.n:tfrie owner oc. ocdüpier of. ahy land or buiiding may be qddresSed " the ownéd". oöt' the casé may be of thåt lahd of buiWihg or desqr:ibiög .thåt land dr:büildrriü withöut further: name ordesöriptiop, and shali•be deemed to• bé düly Sérvéd: — (a) •if. döc.üfrlQnt so-addressed,is• sent or deliveréd,in acqordarjöö• With clåwSe (c) of su>-Section (i); or: (b) if the document so Addressed or •a Copy thereof so addressed, is delivered to some person .ön the land or building. (3) wheru a-docurnén•t is served •on .a partnership in 'accordance with this sectiönj the document sháll be deert•ed to be served on each partner. (4) For the pürpose of enåblihg any dpcument tq be•serVed the owner:of any•property; the Secretary to theAuthority orany•otheF officer äüthörised by the Authöritij in this behalfrnäY by.nétice. in the pccupipf (if the broperty :tö.state the name ahd adressé•ofthe owner. théråof. (5). Whére the persoh QP whom döcument iSto be sérVed is minor the service uppn•his äüaédiap or any adult member ofhis fahiilyshall be deemed to Servicé upön thé m.ifiör. • (6) A servant i\$not a tnenbér of the family within •the m.eäning• of this section. •104. Public Notiöe how to bé made known.— Every publc•notice given under this Act. or rules or Fegulations thereunder shall be-in writing b.eärihä the- .sidnaturé of the Seqretary td the Authority or Fuch other officer W_ho may be • •-authorisgd-in-this béhalf by the Äuthoiity; and shall be widely madé known iFithe • locali!yto be effec.teß.théreyby.affikjnü-cöpies thereof-in-conspieuo.ouå påblic places within-the said locality, or by. publishing• the Same by béåt• a. -drum • or by advertisement ima-locöl neWspaper and by such other means •which the Authority thinkS fit. •-1053 Notices, ét.c. -to. fix. reasonable time. — Where any notice, or.der or Other -ööcuméntjssued made under this Act or any •rufe or regulation made thereunder, _time is fixed Some of his nd or -gr';' as ding) 'ånce this I er:of y ttiö Y); tif •nice. rvicä • this

liven J the n thes aces Ir by. •orityk? :ixed Sécé. ö6-i 10] Bihar Mineral. Area Developpment jority Act, Ö86 in this Act or rule or regulations thereunder. •the nÖtice, .order or other documer. shall specify a maximum period.wit.hin..a:mohth.forj döing .the •same: 106. Authentication •of orders' and documehnts of the Authority. — A permissions, orders, decisipn's, notices and other dopuments of the Authorityshåfl be authentibated by the signature of theseC.r=etary.to the Authority or such other officers as tnåy be åüfh6riSed by the Atithotity in this behalf. _ —107. Mod&of• pr.Oöf-öf-i-éCördæof-the-Authbrity.— •gopy of any receipt, application, plan, notice, ordéG entry in•. a register, t:or other document' in ttTé possession of the Aüthority if•dvly Géitifiäd. by-the le'gal keeper thereof; or othér person authorised by the Authority in this behalf, shall be received as priina. fadie evidence' of the existence of the •éntry Or document:ahd Shal! bé admitted. •as revidence of the matters and .trahsäctiohs therein recorded. in. every case WbéFq: arid .tp!'he same been admissible to prÖve such rriät•terst f08.' Restriction •ön' ihe •Of •office_rs and. servants; ot-.the Authority. — No offiöé? oi Servant of any •judicial•propeedjng fff which theAüthörity. is a Pär;iy;. be required •tö•Äti5d-Üée ahy regiSte•r ord.ocument the cqntänts öf whip•cän be proved un4äFffüFGédilig. section. by ä gertified. to-appear. as a.witQéSs io phove thg.riiättér•gahd transäqtions recärded thereiri, unless bypfdeF öfthe CöÜämade (1) •If the persqn committing a*ri •offence 109. Offences by compapies. under- this-Act iF a company,- everypärsön who at the time' the . cömmittéd was incharge öf,'änd was réspohsible fbr, the borihpäriy•for-theöÄh4.Uct of the business of the .comÄany as well as the company. shall be O.eeméd.-t.ö. güilty• of thd. offehcp•and shall be liable to be proceeded against and pgnj\$béd qcöör.dirigty. Provided that nothing contained in this •sub-section persoh liable tö any pühishmentprbvided.iri thif Act, jf hé was comhijtted Without his: knowledge ör thät he éxérCiSed prevent twp commission of such offérice. :ånytfting .do•htained in dffenöe •uhdér .thié Act •has' beeh committed a that •the: bfféncé• has been •tommitted with the iS äitFibutable•tö any négledt on thö part of_ any or othér officers' Of the compa.riy, •Ifiën,, Subh br other. offiéérs shall be -liåble to be püh(stiéd adcor.dingly. Explanation. — For 'the-purpose of this sect!Qt)— a bödy corpor.ate and inclcJdÉS Tiim or other association of individuåls-; and (b). "Director"!..in relation to å fifti mear:is-å partnerin ihe.?firm. 110: Penalty for obstructirig conträctör. •ot-refilöving• •rriätk, etc.-----tf• any •per•Sbh (a) obst-ructsrinterfere-orrqi•sbeha e any person engaged or emplöYéd• by the 4uth6rity or any person with whom the Authority has éritered into a .t31har Mineral Aréa Dev änt Author..iyy •Act, 1986 [SecS. 1' 99 contrabt, inthe performance or executiön by such person of his of anything which he is empowered or required.to do. urider this Apt -removes any; marF set up• level Or direct (b) riécessåh.y.-tö -thå' ékécution of-works authorised .under this •Actror maliciously, wilfully or negligently breaks, injures, opens any lock, chet (c) valve, pipe or other work the Authority, or - üfiläüfü)l]' dbsirücts thé flow of flushes, draws of direct* pr.takes wate (d) tampers with electric and water meters dishonestly to préVent them frorr registering the quantity' SuÄplied. he shali be Éunishabfe with fine which may extend two hundredlrupees (j) oi with imprisonment fQr a term which may•extend to two rriönths; Till T. Sanction Of Presecution. = No prösesutiön föBaFiYofferice pynishablö -ündeÖthis-Act the preyipus 9änOtion Äuthokity or any officer authorised by thé"Aüthörity in _this: behalf: Tl?. Cörh@ö\$itiöntof offenées';..z The:AuthöFity or äny person au!hqrised in this behalf by gener.al pr.-9pecial ördér may, either before or Institu'ion 6fthe pFoceedihgs, •cörhpqund any offenOe made Act. (2) When QffQQC? has been pppmöynded; thé öffénderl if irugustödy ,shafl bé disöcharged ähd .hb fuk-ther proceeding shalfbe•täkep aOaihst 'him in reSpect of the offence compounded-• Magistrate's ..power irnpöse:.pnhanded .pen•altieS.— Notwith- standind ånything contained jn sectioh 29 of thé Cöde of Cr.irriiäfiäl Procedure, 1973, it shall beklawfui for åny cöürt ofa Magistrate of the first clå\$ to. pass any sentence authorised by this Act in exce99 poWer_üper the 9aid seétiö. ff4.- Right to appear by repognjsgd .a.g.entæ.-ÉÜery party töany proceeding before the•.tribyhal constituted under thié Act Shail be entitled to apéear:either in PerSon• ät;by his agönt authorised in Writing in that behalf. f5.ePoWer to compel aitéhdanee of •witnesses. -t For. the pürpose of this Act,• any-brbsqri>ed authority appointed under .the Or an •officej •appo•mted under séötipn (T) •Or enfo-rcé •thé "Qf Witnésses.including. the pãFties jnté/ésté'd an4 'trem to give eVidence and •compel .the• Production of. doqumerits by-thé sanie rneän\$'and, ds far as possible, in the same manriér a\$is piovide< in the casel . of d Civil Coc}Ff by thå Code of Civil Procedure, 1908

16. Jur.isdiction of Courts. — No court inferior-to. thaf of a• Magistrate ortffe~ •:fitsi class •shåj!• t.ry.an offenpq.puhishabJe • Fine. when realiSed to. be paid toe Authöiity:— •AtJ-ftnés realised .in - •.zcontTéötTon with.prösecution under this Act Shall bé paid to the Authority. Every-member and

Members and Officers-to be public servants. — éyéufficér änd other employees of the Authority shall be deérhed to&-e a-public meaning Of section 21 of the Indiäh Penal Code.- taken-in good Suit', progetütöön ör otheiilégäl broceedings shall is, in good Obbonq átér / •fiorn •)ees able • - •o_kity ised "tion Act. ihall of lith- nce lind r in this -an. rce Ind the . in nd Illic or od Söcs. 120-126) Bihar Mineral Area Development Authoriyy Act, 986 faith; done or intended to be d0Qe upder.this Act or.any rule or regulatiöhé -rnädt .theFeunder: • 120. Finality of orders.— Save as Otherwise ekpréssly provided in this Act; every•ördér pgssed or direction issued by the Government. order passed.-orno_tice -Issued by the Authority-uhöér .fhfls Act shall bé final ahd shall not be questioned jn any suit.or other _ -12tNaL.idatiön of acts ahd proc•eedings.— (1) No act done or procee4fng taken under this Act shall be questiptvd-öh-.the ground. merely of— (a) any vacancy. in, or any defect in' the constitution of.. thé Coal Area Development Authority; .ör •any person häving éeäéed .to•be ä merqber ; or. assoqiatéd Authority Und&.the provisiöns. *his Act of the•said.\$éötié.n; or... on.. any pe?son, eWhere 'rio •SU6étantia.l. injustice has résulted from suphfai[ürä;. ör (e) any commiss!on, defect or irr.egulärl.y not•affectihéthleä'néritg• ofthe • case. (2) EVery.meéfhg.of thé Authority, •Shall betakeh to haüö •béeh du19.dÖnvehed_ • and to be free from all defects and-irregularities. 122'. Power to may, Qy resol(lfion; direct th?t any power éXerciseable by it ünder .thi\$ Acti rules. or regulatiofis -thö power to prepar.e any. DevelbÄrment P.län or Develoément. Schémé make may also be exér.cised byany local. authö?ity or.- afiy(o.ff.iper of thé Goyernmenj• with' Previous cpnsent theréip, in. such •cages ahd subje_ct to•'üch conditions; if:äny: hay:.be- spe•cified therein. 'i 23. power of Céäl Ar.eä Development The Aüthö?it.y, may from time to.tinié börrpW.at Such period and terms, •as• the'. Government•.may•: Féguire•cj for.ihé purpose of ttpg DéyelbPmenltiPiah or the •maki.nä a Dev_älöbmeht: Scheme. Contrbi b.y the Government. — fhe out Such directiöffS äS iSsued fr.om tiline to of this Äqt. (2)ll.f in, or in •cpnnector) of the - fuijötions by the Authority under this the lm7Äüthöilf6r/arid the GoVéfäiTTent, tbd-Gö-vérnmng.ntih.-guth disPütés-shaltibé fihal. The . .fo:.the 125. •Return and information. Government sych reportJ.retu.rns and other irifofmalidrtä•é. thölGQVéiärnenf•may from •firné fö tirhé requite

26. Efféöt of Save as afuesaidrlhe-prov-iéions-ofrthis Act and, the' rules •and .teäülâtions made thereundér shall have effect notwithstanding anything inconsistentftherewith conta!ned .jn_any-other-la.w.: 1 - 52-1 . Bihar--Miner+Aroa-DevelOpment:Authority Act,.1986 [Secs.j27-.1* Notwithstanding pnything cbtained in any such other law— (a) When. permission Of development in räspect of.any land hap •béé' obtained under,,this Act, such:development shall not •be.de•emed to• be unlawfüliyuifidertakeh or. carriéffout•bY Ye'9Söt1 fact thåt permission, approvål or sanction required under such åther law fpF Such déqeloprment....has. -not.=béen obtained; •this. shåll not, however, be•construed as exemption to permission-being obtained äS •rewiöédLuÅder—such-other laws and-bf payrtiéh# of Such fees and charges as may be prescribed by theöiawsé (b) When permission for such deyelopment. has not been. obtained under this Aqt such development Shall not bé deemed to be "awfully undertaken or carried out by reasotp bhly of the fact that.permission, approval dn •sarictloo• required. u.t)d.ei such. Other. law for subh d évélopmen!-has-beerrobtamed•.- 127: Power to o.wn•er •o? ocöuPieH to éxecute certåin (1)..Jf the. Au.thötity is. (t (S. •tieäessäry. :that• measüres meagures. — -should be takbn för ahy of-lhe purposes speöified. under,this Act 'ih the IIMinéral Development Area or ahy of its Parys arid that the' necesSit.Vfpr such meqsure# is distinctly referable to qny abt• or. cömmi\$ion in •re9pect of his präPiHVö!i the pärt .of the owner-or. occupier of any land OF buildinä,• the" .nÖtice Fpecifying: measures to be taken require suqh ownér or occupier at his own cost— (i) .iö executé within a period to be fixed in the notice; such yvorks whidh the Authority rhay consider necessary for carrying•süch measures into •effect and to maintain ih good .répär.all woiks. so executéd; (ii) • to carry on süch pontinuous.or periodical operåtioos äs. the AuthQCity may direct for carryihö such meäsürés- irito •Uffeöt. (2) •If. the Authority-is ötdöito:.pr.évent qr Ahate nuisancé affectjnå the public health in the l.[Mineral bévéloöment •necessary..fhå(any..öwner or occupier of Janu Qr building in: the [M!rieral DeVeloprhéhtAr.ea,ot any of .its pajts• Should tåke Certain. drderS Wi.thany• Property belotié!nä to him or' irihis possession ot under his management thé Authority may. b}' .nöiiöec requiFé süch-persoñ •to :take a!-hiSöWn Cost. (q).If in any of jhu- caseS referi.éd to in' the•two afoiesaid •sub-sé•öfiörfé,' thå •AuthQrity is Satisfied.thåt irmmédiat remedy. is nécessar-yjthé Aüthority•.rriäY7TOW- reasons. to be riotice specifying the measures to .be:takeri' and' the- estimated cöst•. thereof.. (if •ånyy, de6lare its intention• -of it\$elf. executing and maintaining any such work Or carrying on any such dpératibns Order-at-the-eåSt of such owner •or

occupies. rules. -r (1) The in the Official Gazette; shall make rules within six months to carry Act, (2) In particular and without prejudice to generality of the foregoing rules may provide for all or any of the following matters (a) the functions and powers of the Authority: Sec. 128] Bihar 986 . (b) the term of office and conditions of service of the members of the (c) . the qualification and disqualification for being chosen as, and for being, members, of the (d) the, manner of nomination - of representatives of local authorities under clause (i) of sub-section (8) of section 5; (e) the manner in which and the purposes for which the Authority may ; t. 9S qh . li, ri räl • i is article which fits into the hat i or or Jr. e the for the and such that: this wehr 0) (g) • the provisions of this Act; the restriction in relation to appointment of officer and other employees of the Authority; the time within which the Government is to accord approval any Development Plan and Development scheme; the form and content of the Development Plan and "the Development Order" (k) or (m) . Scheme and preparation 'submitted' and approval of plans, schedules and the manner of publication. of . jhä: notice. (h) to: such and (i) the periodical amendment of Development the period of which such an amendment may be. the form of registration of applications and the be contained in Such register; the form in which any application for permission shall be made, the particular to be furnished in: . the and documents and . shall man. ne. r . of filing, and the fees to be paid . the procedure to be followed in appeals; the manner in which an acquisition notice is to be made; the . the and the procedure to be followed; (6) (Q) (p) (q) - the procedure for the levy of it "on any development or the manner in which Charge (s to be made; the sum, of money the form of the. budget of date on or before which it shall be prepared the that have to be. the form of the annual statement of account and the form of the annual report of the Authority and date on or before which it shall be submitted to the Government; the manner: and the: Constitution of Divided funds for- paid members and employees of the Authority. and the fees for such copies prescribing the matters in respect of which notices, return? and report) • be furnished by the owners and occupiers of land and buildings - • Form of such notices and particulars. to be submitted in them; (W) • providing for the supply of filtered or bottled or other water and sanitation and - of the Area; • of the water - (y - the construction and sanitation of houses; - (z) providing for the prevention of nuisances - affecting the public health committed by any person within the [Mineral Development (za) providing for the disposal of "Waste and the maintenance and: other generally for carrying Act. for providing the health, safety and welfare of the people in the Area; (2b) prescribing the pressure at which water the Authority is to be laid, and the hours during which such pressure is to be maintained; (zc) analysis by a qualified analyst of the Authority and the action to be taken thereon; (zd) management of reservoirs, filter beds and other works: (ze) providing for the supply of water through Stand pipes or any other source [or domestic consumption and for other than: domestic purposes; (zf) providing for the installation, testing of meters for water supply and electricity and for measuring and consumed; (zg) providing for the determination of rates for [tax and the manner for recovery of this tax; (zh) providing for the prevention of epidemic; • disease and the construction of houses. (ii) • the media to be provided for the mines and (he) of the staff; (z) providing for the approval of plans for new buildings, for miners by the Authority. (2k) any other may be prescribed by rules. The Authority may with previous - 129. Power. to make regulations. — approval government, and: the rules made thereunder. Within to carry out the purpose of this Act and, without prejudice to the generality of this may provide for— (a) the time and place of holding and procedure to be followed, meetings of the Authority Consultative and Coordinating Committee of members necessary for the quorum thereof; Subs. by Act 24 of 1992. Do not be or . et. y nt s 1 132]-Bihar (A) Ut of the; Aef. (b) the powers and duties of the officers and employees (c) : salaries, allowances and conditions of service of its officers and employees; (d) terms, and conditions . for otherwise than. in conformity with a Development Plan; Preventing the misuse or contamination of water (f) Of . may be described by rules. 130. • Laying of rules before State Legislature. - and 'regulations made hereof' for • less than the State Legislature • in its first session as soon as maybe, after they are made and shall be subject to such modifications as the Legislature may - in session-

or-thesesstQn-imtme.djateJ),? 1•31. Dissolutio•h of!A Where ethe Gbyer.nmént is satisfied that: the ..the AQthorityz,Was. establi•shée: Act haye.: beén áchievéd So' ás -réödét the thäöéirijári of •thu GQVerhrnént. uonééesSa•ry, thé by ndt\ifiéat.iöh •offiöiai Gazetté, declaré qhat it-ie shall be•-di\$.dlvecl. with. effäctlfrom such däte as. may be qPe.cified in.th hötificätlon; a'!id the Authori.ty Shali be deérhed to be dissolVed acöordingly;.. (?) From the date of deciarätiori urider sub-sectibn (1)— (a) all proper!ies, funds and dLiés whi•ch are vééted iril dr réalisqble by, the Authority shall vest in, or be realisable by; the G.overnmeht; (b)" älf. liabilitieS which aré enforéeäble äääiHst •.thé:Authority shall bé ehf.orceäble by the Góverrimen0 and (c) for:thé purpoép of düés•teferred tQin clause . (a) théfunctiQnS of the be dischärgééd by•the GoÜérnrh•ent;• (1) •AS •from éf ••fhe.. don situ-tiön• of 1:32'. 'Savings. — Äuthö?ity undér• this Act (a) .The bihar•ToWh P.lä.äiing .änä Act, •195.11 (Bihar •Act 35) .195.1).•, The' Bihar Resffiótjops:Qf Uses.öf•.• 1948 -(Thé of Abt 3 Of. -191 Bihat:änd Orissä Mihiriä-\$ptiieMénts• Apr. . i 5äö , (e) Mities •Boård lii'.8f4•9ä6); Bihar' Röäionäl •Develbpmnt Authority (BihaF.Acf4ö'J% tÖ häve effect within the area notified under: Section 30t this-.-A\$E.• (2). The Gram' Pahchayat Samities and Zila Parishäds• constituied•under the:• Bihar-Panchâyat Samities as up •?0th Juné 1970 :who\$e lül'isd.iötiön I [üih4F41 Develppmetit.Atea shall subh pöWérs- and Munctioös- as have been, entrusted to the Authårity:ednstitutdd under this Act-.with effect from the date to bel notified bythe State Governrnehtl. • the •pkövisiohS. of gt]b-Şeäiön (1)— (a) •r subject•tö the scrütiny.lof the 'iéäuitähiéht•s •öf the .ÄüthQrjty äSsésSéd•..-b.y. än offi eer-appoihtedby the State Gover.n.ment,- ev.erysÜc.h. offiöer or' Other; •yilhär Mineral Area •Developmeht•'Authgrjty Act, 1 \$86 [Sec. employees serving with Coal Mines Development Area fiderst.he.yai.iQ quthorities/organisatiohs Et-up under the acts liétedin Sub-Section of.this section immediately before dÄfe öf the constitution Authorityahd•propcfséd bn andfibr* suchdäte be deerned to have been transferréd to and become an officer' {f or , other. -employees of the Authority with! Such desighation as. the Authority may hold•office by the same same and conditions•of service as hÖWÖuld have-held-ifthe-Aüthötiy häd-•fiöft b'éön cotiSCitüted, and shall -öönti(iuetö 80-sö:unlesstahd until such tenure, rémuneration and termé: qna. äll'éred by the AufhoFit)h Provided that by- 9üch an dffieér.ör other emp!oyeés•.: b'éforé the constitutiqn of thé Ävihöiity and .pröpbséd to be rétaihé b' the ÄuthöFity •shall be Wbärhed•löbé sqryiöé•réndéhed und•é/ (b) • ahYthing dgné. (iööluding•äny •appointment, rule, bje-lawSJ .regUlätion of .fö/m mädéi granted or.iSSüed) ufi4ér varidüs.ÄötSiisted ahd-(2) of thiS Sedllotp shqll,.\$öfäiaS. it iS not incomistenf Wittithé PFOvj\$!qpé of this Act continue. in force•and be déeméd to;'havé beén dohe orxtakép uncler.thö' Provisions of this Aqt and until -it is Supérceéd?d •thJng döne or-any action tåkery•uhder the:säid Provisiöhs;. (c) all•deblé, obligations anq• liabilities iqcu•rredJ lälf Contracfs.:éntéred 'intä and •ali matßers and things engaged fo be done by; with or fop thévarious authåritiedorganisationé set up under the äcts listed in sub- sections (1 (2) of this sectjon shall be d.eémed to hqve bäch ihéuiredt entered into engaged to be don; by, With-or fqr theAuthority•; (d) •all prpperties movable and irhmövable än4 all rights, titlé,• andin any prpperty vested -in the authoiitiés/ohganlsäti.ons set up under the acts in söéfion Shall vest in thie Authority and- all properties.iri possession of \$üch authoritiée/organäätions Shäll •be déerhed tö be bue to the Authority; (e) all säit9, prdseqütion, and •othé(legal pio•ceedjpps ihstituted•or which might haye beep Instituted by, for, . sef üÄ'Vhder the subuéeciions• (1), ééctidn may be continued or institütéd by; for äöagäinst,the Author).ty; (f) : •alf surn9 charged -ori a•ny• propérty urider .various• acts listed in sub- {sections. (1), • (2) of}ihis :sectioni or the rule9 or regulatiQhs framed thereunvershallcontinve to be dharged on that property and ihe charge shall. be enforceable by the Authority; {ia!e the Authority comes into existence it will hayethe .sarne•'s -tight as setup-under the äOtS listed sub-sections (1); (2) of this section had in all 'lands wilhin the area notified undér.section 3 of this Act •which were previously' held by-thé aforesaid - varioüs.authöritiesi organisations on lease from the-Stäfé• -Government (oy a ceit\$il period the possession of whjch has beén deliveied to• •fhecafoies•aid aüthdritiäs•/drgäniéafions; 1 us ;the 'the -the as by of, ns n. .11 h s Sec. Bihar Mineral Area Developmé•, Ily Act, 1986 (h) all lands •within the area notified under section 3 of t\ljs Act. held b)) person on leases from the various authårities/organisations set up ur z -guP±Séctjoos (1 of: deed or lease for residential. purpose (and not for commercial .pürp or commercial-cum:resjdential purpose) shall be deemed to'be. Ves in to the the of öne.rüpee pet-square-metre;_ the Äüthåiity-éhäll éÖntinu•e töérjoy.!hö poWérs td realise the varic sources of income _inwterms of levies, •fees, cess, etc: othem empoweféd väriöuS authorities/organisations .set undér the acts listed ünder.sub-sectionhs (1),.(2) offihis:section unc their respec.tivö acts and rules and régulations framed

thereunder- a: the said authorities/organisations were still functioning under the respective statutes until the repeal of the Authority Act. (4) (i) The Bihar Mineral Development Authority Act, 1992, is hereby repealed. (2) Nothing done or any action taken in exercise of the powers by or under the said Ordinance shall be deemed to have been done taken in the exercise conferred by or under this Act, as if it were in force on the day on which such thing or action was done or taken: THE BIHAR MINERAL AREA DEVELOPMENT AUTHORITY-CAMENDMENT ACT, 1992 (Extract) [Bihar Act 243 of 1992] AN ACT TO AMEND THE BIHAR MINERAL AREA DEVELOPMENT AUTHORITY ACT, 1992. Enacted by the State of Bihar in the forty-third year of the Republic of India as follows: CHAPTER I - (1) this Act may be called the Bihar Mineral Development Authority (Amendment) Act, 1992; (2) It extends to the whole of the State of Bihar; (3) It shall come into force on such date as the State Government may, by notification in the Official Gazette, appoint. Section-2 to-10. Inserted in the text at appropriate places. Subs. by Act 24 of 1992.

