

Circular File

(3)

BRIHANMUMBAI MAHANAGARPALIKA
No. : AC/Estates/13441/A.E. (Imp)/ A.O. Soc. of 10.10.2016

C I R C U L A R

Sub: Revised procedural guidelines for Redevelopment of Municipal tenanted properties Under modified D.C.R. 33 (7) of 1991.

Ref: 1) Earlier Policy Circular issued vide no. AC/Estates/2165/ A.E.-II dtd: 05-05-2012.
2) Policy approved by Hon. M.C. u/no. MGC/F/868 dtd.8.8.2016

The Estate Dept. of MCGM is receiving number of redevelopment proposals of Municipal tenanted / acquired properties as per provision of modified regulation 33 (7) of DCR 1991. As per D.C.R. 33 (7) buildings of the Corporation constructed prior to 30.09.1969 can be redeveloped / reconstructed with FSI 3.00 on the gross plot area or the area required for rehabilitation of tenants plus incentive FSI, whichever is more as per the Appendix-III modified regulation 33(7) of D.C. Regulations 1991. FSI permissible in the CRZ areas will be as per the MOEF notification of the year 2011 and subsequent modification which ever is applicable. Estate Dept. has issued policy guidelines earlier as referred above to deal such type of proposals. In order to streamline the procedure further additional guidelines /clarification/ simplification of procedure is required and therefore, it is felt necessary to issue revised guidelines for submission / processing of such proposals.

Accordingly revised guideline are prepared which are as under :

A) Basic requisitions for proposals under D.C.R. 33 (7)

The redevelopment proposal shall be submitted by the Architect of Society to A.O. (Society) for scrutiny along with the documents as per the check list enclosed in the MCGM format-1. The proposal will not be accepted in dispatch without scrutiny.

a) **A.O. (Society) of Estate dept.** to scrutinize following documents at the time of submission of proposal. Certified copies of the documents submitted by the Architect shall be verified by A.O.(Society) from the original documents and endorsement to that effect shall also be made on the certified copies submitted.

i) Formation of proposed society.

As far as the redevelopment of tenanted properties is concerned the proposed society formed by the tenants will have to submit its title / name along with its registration details, the number of residential / tenants shall not be less than 10 numbers. If the society is not registered, registration of the Society should be completed within 90 days of the issuance of the LOI & in any case before issuance of the NOC to C.C to rehab building and undertaking to that effect shall be submitted by proposed society. In case of MCGM properties having only commercial tenements/ tenants, such properties will not be permitted for development by forming society of tenants.

ii) Certified copy of the General Body Resolution (GBR) for Appointment of Chief Promoter / members of Executive Committee. (In the MCGM format No. 2).

iii) Certified copy of the Resolution of General Body Meeting (GBM) of proposed society stating the appointment of Architect and Developer for the proposed redevelopment (In the MCGM format - 3).

- iv) Copy of appointment letter of Developer and Architect by the society and acceptance letter from the Developer and Architect.
- v) Original individual consents of the tenants along with a certified Xerox copy (*In the MCGM format enclosed as format- 4*). (for ensuring 70% consents)
- vi) Copy of registered Development Agreement executed with society by Developer.
- vii) Statement of list of tenants / occupants along with the carpet area occupied and existing user duly signed by the Secretary and Chairman of the Society. (format-5)
- viii) Unique Identification Number (U.I.D.) / Aadhar Card or copy of any other documents such as rent receipt, Pan card etc. of the tenants. If UID is not submitted at the time of submission of the proposal, copy of the application made for obtaining UID shall be submitted.
- ix) Additional Information of the developer as per circular issued under No. A.C./Estate/14887/A.E.(imp)-II dtd 11.02.2013 shall be submitted.
- x) Certified copy of Demand Register from concerned ward showing details of all tenants shall be submitted.

The scrutiny report on these documents shall be forwarded by A.O. (Society) Estate Departments to the concerned A.E. (Imp.) for scrutiny/verification of Technical Documents.

b) A.E. (Imp) to scrutinize following documents at the time of submission of proposal.

- i) Plot area certificate certified by Architect and undertaking of the Society / Developer to that effect.
- ii) Plane Table Survey Plan showing the details of existing structures and other features with plot boundary certified by the scheme Architect.
- iii) Total Station Survey Plan Showing the plot under reference with structures and the adjoining prominent features, buildings, Road, Nalla, Electric Lines, Municipal properties etc. certified by the Scheme Architect.
- iv) Superimposed Plane Table Survey Plan on C.S. boundaries and D.P Reservations showing distinctly the existing structures within scheme and scheme boundaries on the said plan. Structures existing prior to 1940 or / and prior to 30.09.1969 and the structures between 30.09.1969 to 1-1-2000 shall be shown in colors namely, red , green and yellow respectively, duly certified by the Architect on record.
- v) Authentic documents, such as copy of survey sheet duly certified by the /scheme Architect, Assessment Record which will be verified and certified as per site inspection on record or other supporting documents such as acquisition award, True Extract from SLR, extract of demand register, Electrol Roll, Rent receipts prior to 30.09.1969 etc to prove existence of structure prior to 30.09.1969 which is to be confirmed by A.E.(Imp.).
- vi) Plans of existing structures showing the names of tenants along with user and carpet area within the tenements.
- vii) D.P. Remarks as per sanctioned Revised D.P of 1991 along with remarks of draft DP 2034 OR Sanctioned Revised D.P. of 2034. (both issued within 1 year)
- viii) P.R. Card & True extract of last one year.

- ix) A.E. (Survey) remarks for the structures with reference to survey sheets prior to 1969 along with other remarks in a standard pro-forma as per EODB.
- x) A.E. Traffic remarks prior to 1 year.
- xi) Remarks from MMRDA regarding Monorail/ Metro lines etc. if applicable.
- xii) A.E. T.P. remarks, if plot under reference falls under Town planning scheme.
- xiii) Specific remarks of any other authority if it is mentioned in D.P. remarks.
- xiv) Floor plans of existing building.
- xv) Developers credential to prove that he is not blacklisted / debarred from undertaking the project.

S.E.(Imp.) / A.E.(Imp) shall scrutinize the above documents and submit their scrutiny report with specific remarks with respect to existence of the tenanted Structure prior to year 1940 and/or 30.09.1969, applicability of DCR 33(7) to the Scheme plot and D. P. Reservation point of view to A.C.(Estates) for obtaining sanction to accept the proposal as in (d) below.

c) Acceptance of proposal alongwith original consents as per draft Annexure-II submitted by the Society/Developer:

The proposed Society formed by the tenants will have to submit their redevelopment proposal along with consents of minimum 70% tenants of the said property. out of which minimum 75% consents (of 70%) shall be of principle tenants and remaining 25% of original consents shall be of the legal heir transfer cases / sub tenants transfer cases which shall be in process at ward level. However the application for such transfer cases shall be made by the Society / Developer prior to date of submission of proposal.

In order to complete transfer cases in time it is proposed to recover Security Deposit of Rs. 50,000/- per tenants whose transfer cases are pending subject to maximum Rs. 25,00,000/-. On compliance of the same the security deposit will be adjusted with the amount of capitalized value to be paid or with other premiums due in the proposal. However interest on the deposit amount will not be paid.

If the Society/Developer fails to get the legal heir transfer cases / sub tenants transfer cases approved from MCGM and thereafter to Establish minimum 70% consent of Principal Tenants, to the scheme, including such transfer cases **as mentioned above**, before Consent Verification Committee meeting, then the deposit paid as above will be forfeited and the proposal will be recorded.

d) Payment of scrutiny fees for the proposal:-

A.O. (Soc) / S.E. (Estates) / A.E.(Imp.) shall submit a combined report on compliances of (a), (b) and (c) above for obtaining prior sanction of Assistant Commissioner (Estates), to accept the proposal by recovering the scrutiny fees as under only when minimum 70% of the consents of total tenants as mentioned above are submitted.

Revised scrutiny fees:

- i) For Gross plot area upto 2000 sq.mtr. - Rs. 50,000/-
- ii) For Gross plot area from 2001 sq.mtr. to 4000 sq.mtr. - Rs. 1,00,000/-
- iii) Above 4000 sq.mtr - Rs. 2,00,000/-

The 10% amount of scrutiny charges is increased every year from issued of these

e) Remarks of User Department in case of Reservations / Designations :

If the proposed site is affected by any reservation / designation; immediately on receipt of the redevelopment proposal Head of user dept equivalent to Ch. Eng. shall be informed to submit their remarks within one month. If the remarks of user dept are not received till such time considering their deemed NOC, the proposal will be processed further as per the provision in clause no. 7 of the D.C.R 33(7) and no conditions / requirements over and above of the provision of D.C. regulations will be considered and proposal will be processed further as per the decision of Technical Committee.

If the HOD of user dept or Chief Engineer offer remarks in which they insists more areas in lieu of reservation than as required under DCR, then the same will be put up before the Technical Scrutiny Committee (TSC) in which the user dept. will also be asked to attend the TSC meeting, the decision of Technical Committee will be followed.

B) Scrutiny Of the proposal by Dy. Ch. Eng (Improvement)

As soon as the proposal is received by the A.C. (Estate) office, after initial scrutiny the same will be forwarded to the Dy. Ch. Eng. (Improvement) for the technical scrutiny. Dy. Ch. Eng. (Improvement) will put up the report to the DMC (Imp) through A.C. (Estate) 's office as regards the benefits to the MCGM for processing the proposals as per D.C. Regulation 33(7) Vis-a-vis 33(9).

A decision of processing the proposal as per D.C. Regulation 33(7) or 33(9) will be taken at the level of AMC (In-charge of Estate Dept.). If it is decided to process the proposal as per DCR 33(7) then proposal shall be processed further by A.C.(Estate) . If it is decided to process the proposal as per D.C.R.33(9) , Society will be directed by the A.C. (Estate)'s office to approach to the office of Dy. Ch. Eng. (B.P.) City to submit the proposal being the Nodal Officer for processing DCR 33(9) proposals. At the same time the proposals submitted with the A.C. (Estate)'s Office shall be recorded. However the A.C. (Estate)'s intimation to the society to approach to the office of Dy. Ch. Eng. (B.P.) City shall not be construed as the NOC from the Estate's Department. Sub. Eng. / Asst. Eng. (Improvement) shall preserve the copy of such technical scrutiny reports.

C) Inventory and Tenancy Verification:-

If the proposal is decided to be processed under DCR 33(7) then A.C.(Estate)'s office shall call the Inventory & Tenancy Verification from the concerned Asst. Comm. of wards office. For carrying out inventory and tenancy verification, 15 days prior notice shall be given by A. O. (Estate) of ward to the society and in turn society shall circulate the same to all members and display a notice to the members of the society on their notice board.

Inventory and Tenancy verification shall be carried out at the same time as one activity.

Inventory of tenants/ Occupants shall be carried out by concerned Astt. Com. of the ward along with the A.O.(Estate), S.E.(Maint) / A.E. (Maint.), Rent supervisor (R.S.) & Rent Collector (R.C.)

L) Intimation of Disapproval (IOD) :-

Society / Developer will then approach the office of Dy. Chief Eng. (B.P.) City for obtaining the IOD. Once the IOD is issued, society / Developer will make an application to the A.C.(Estate) office for the issuance of NOC to CC for rehab / Composite building / sale building. A specific condition regarding payment of balance 60% Capitalized Value before asking NOC to CC to sale building or before expiry of project period whichever is earlier and balance 20% Capitalized Value before asking NOC to O.C to sale building or before expiry of project period whichever is earlier shall be incorporated in the IOD. B.P City office shall preserve all the correspondence related to issuance of Intimation of Disapproval (IOD).

M) NOC to C.C. for Rehab :-

A.C.(Estate) office shall issue the NOC's to CC for rehab building on compliance of Annexure II / LOI conditions and on recovery of Capitalized value as per the policy in force in that respect. P.R. Card shall be insisted in favor of MCGM before granting NOC to C.C for Rehab. It shall be also confirmed that the arrangement for transit accommodation has been made by the Society / Developer for the tenants before granting NOC to C.C. to rehab. Asst. Engineer (Imp) of A.C.(Estate)'s Office shall preserve all the correspondence related to issuance of NOC to CC to rehab.

N) NOC to C.C. for Sale :-

A.C.(Estate) office shall issue the NOC's to CC for Sale building on compliance of Annexure II / LOI conditions and on recovery of Capitalized value as per the policy in force in that respect. Capitalized value for 60% of the surplus built up area shall be recovered as per the SD RR rates prevailing on the date of making payments prior to issuance of N.O.C. to C.C. for sale components.

In case of planning constraint if NOC to CC for sale components is alongwith rehab granted, capitalized value for 60% of the surplus built up area shall be recovered before granting such NOC's simultaneously.

In case of composite buildings capitalized value for 60% of surplus built up area shall be recovered before granting NOC to C.C. in addition to the earlier capitalized value for 20% surplus built up area recovered at the time of LOI. A copy of the agreement to lease shall be executed before asking NOC to C.C. for sale. For the calculation of the capitalized value SDRR rates prevailing on such sanctions shall be applicable.

If there is delay in making the payment of capitalized value the simple interest at the rate of 18% per annum will be applicable and the same shall be recovered before granting the NOC to C.C. A.E. (imp) shall process the proposal for issuing NOC to C.C at various stages and also will monitor the compliance of various conditions in the LOI and progress of the project as per project period. Asst. Eng. of A.C.(Estate)'s Office shall preserve all the correspondence related to issuance of NOC to CC to sale components.

O) NOC to O.C. :-

E.E.(B.P.) city office can process the proposal for issuance of O.C. to rehab bldg. / wing without insisting NOC to O.C. for rehab bldg. / wing from Estate office. However A.O. (Society) / A.E. (Imp) will inform to E.E. (B.P.) City office for compliance of the conditions of Annexure-II and LOI before issuance of O.C. for rehab building / wing bldg. NOC to C.C. for sale component building / wing shall not be issued without NOC of A.C.(Estate) office.

Committee / Corporation. Dy. Ch. Eng (Improvement) will then forward the file papers to the A.C. (Estate) 's office for issuance of L.O.I. Admn. Officer (Society) shall preserve the copies of D.L to M.S.

I) Letter of Intent (LOI) :-

A.O. (Soc.)/ A.E. (Imp) shall process the proposal for issuance of LOI and the same shall be issued under the signature of A.C. (Estate) on recovery of **20% capitalized Value or surplus built up area as per the SD RR rates prevailing on the date of making payments prior to issuance of LOI and security deposit for the faithful completion of rehabilitation components within the project period. A condition regarding payment of balance 60% Capitalized Value before asking NOC to CC to sale building or before expiry of project period whichever is earlier and balance 20% Capitalized Value before asking NOC to O.C to sale building or before expiry of project period, whichever is earlier shall be incorporated in the LOI.** Administrative Officer (Society) of A.C.(Estate)'s Office shall preserve all the correspondence related to issuance of Letter of Intent (LOI).

Revalidation of Letter of Intent will be dealt as per the policy approved by Hon. M.C. in the year 2010 and further modification if any.

J) Vacating of dilapidated building :-

Developer has to vacate the dilapidated buildings categorized C-1 and C2 -A as per the Structural Auditor's report immediately on receipt of LOI (not more than one month in any case) by providing transit accommodation to the tenants by offering rent or by providing transit camp, 11 months rent in advance and post dated cheques for remaining period as per the project period.

In case of non co-operation of tenant to vacate even after providing rent/transit accommodation same shall be brought to the notice of Asstt. Comm. of ward with proofs of providing alternate accommodation, in such cases Asstt. Comm. of Ward to initiate action on non co-operative tenants as per the guidelines given in Hon. Court order in W.P. No. 1135 of 2014 in respect of dilapidated buildings. Also action under section 105 B of MMC Act for cancellation of tenancy will be initiated by Asstt. Commissioner of Ward. The Developer has to repair the buildings as per the report of Structure Auditor till the time it gets vacated in case of C2 A buildings.

Also to provide propping and to take all safely measures, the Developer / Society will be solely responsible to take all safely measures, vacate and repair of the dilapidated buildings once the LOI is issued. In case of failure to take necessary action in respect of dilapidated building, LOI issued will be cancelled.

K) Project Period.

Project period for the redevelopment of Municipal Tenanted buildings will be as under

Sr. No.	Area	Period	Rehab Building Completion	Penalty for delay
i)	Below 2000 Sq. mtr.	3 years	2 years	0.30% of S.D.R.R. of plot area per month
ii)	Between 2001 to 4000 sq. mtr.	4 years	2 ½ years	
iii)	More than 4000 sq. mtr.	5 years	3 years	

If the sale building is not completed and project is not completed in stipulated time period then 0.15% of S.D.R.R. of plot area per month will be levied.

report, proposal shall be recorded and the scrutiny charges / security deposits as mentioned herein above shall be forfeited. The said recorded proposal will not be considered thereafter and if necessary 70% consent are achieved in future, Developers have to submit a fresh proposal to Estate Department. As regard the transfer cases, attornment cases, split-up cases, same shall be initiated and finalized by the concerned ward office.

In all cases A.C. (Estate)'s office shall follow the circular under no. AC/Estates/ 25046 / A.E.-II of 15.10.2012 issued in respect of cancellation of proposal for inordinate delay scrupulously. Annexure II shall be issued after the sanction of D.M.C. (Improvement) by the A.C.(Estate)'s office. Administrative Officer (Society) of A.C.(Estate)'s Office shall preserve all the correspondence related to Annexure II.

Annexure II will not be issued unless it is confirmed that minimum 70% consents are in-favor of developer appointed by society. These 70% consents will not include any pending transfer /attornment cases. Transfer / attornment of cases, if any, of the tenants over and above 70% shall be completed before asking NOC to CC for rehab (Format of Annexure-II attached as format- 9).

F) Annexure I and III :-

On receipt of Annexure I and III, A.E. (Improvement) shall forward the proposal to Dy. Ch. Eng. (Improvement) through A.C.(Estate) for further technical scrutiny. A.C.(Estate)'s Office shall preserve copies of Annexure I and Annexure III.

G) Technical Scrutiny Committee :-

Dy. Ch. Eng. (Improvements) shall scrutinize the proposal from D.C. regulation's point of view and submit the same before the technical scrutiny committee for the sanction of Committee.

The Technical Scrutiny Committee (TSC) shall comprise of following members :-

- | | |
|---|--------------------|
| 1) A.M.C. (In charge of Estate Department) | - Chairman |
| 2) D.M.C. (Improvement) | - Member |
| 3) Asst. Comm. (Estate) | - Member |
| 4) Chief Eng. (D.P.) | - Member |
| 5) Law Officer | - Member |
| 6) Dy. Ch. Eng. (Imp) | - Member Secretary |
| 7) Ex. Eng. (Estate)/Asst. Eng. (Imp) | - Member |
| 8) Head of user dept.
(in case of reservation / Designation) | - Member |

The committee will take the decisions as regards the approval of the scheme in case of 33(7) and if the scheme is feasible in 33(9) developer will be directed to approach B.P. dept for submission of scheme. Dy.Ch. (Imp) will prepare the minutes of Technical scrutiny Committee Meeting. Sub. Eng. / Asst. Eng. (Imp.) shall preserve the copy of such Technical scrutiny minutes.

H) D.L. to M.S. :-

DL to MS for seeking the sanction of improvement committee / corporation shall be prepared by the office of Dy. Ch. Eng. (Improvement) on receipt of the sanction of the technical scrutiny committee. The entire file papers shall be routed through A.C.(Estate) for the sanction of D.M.C.(I) / A.M.C. / M.C. On receipt of sanction of A.M.C. / M.C, Dy. Chief Eng. (Improvement) shall issue the DL to A.O. (Committee) for seeking sanction of Improvement

The information of the tenants as required in the format attached in format No shall be collected and signed by all concerned.

A.C. of ward shall verify whether the principal tenant is in the physical possession the tenement or otherwise, photograph of the A.C. of the ward with principal tenant in fr of the room of P.T. shall be taken at the time of tenancy verification. The video recording the entire process shall be made also biometric survey shall also be carried out. (1 MCGM Format enclosed as format No. -7) as is done in case of 33 (10) scheme. The draft inventory list carried out shall be displayed on ward office & society notice board and if any objection is received within 7 days same shall be heard by Asstt. Commissioner of ward and then final inventory shall be sent to Asstt. Commissioner (Estate).

The copies of UID shall also be send along with inventory / tenancy verification report. A.O. Estate of ward shall preserve the inventory and tenancy verification report.

A.C. (Estate) shall send the proposal to Zonal D.M.C. for consent verification thereafter.

D) Consent Verification:-

A.C.(Estate) shall forward the proposal to the zonal D.M.C's for the Consent verification. The A.O. (Estate) of concerned ward, will assist Zonal D.M.C. in Consents verification. Video shooting shall be carried out for the entire process of Consent verification and a CD along with the photographs shall be a part of the Consent verification report. Admn. Officer to D.M.C (Zonal) shall preserve the copy of Consents verification.

The consent verification committee shall verify the consents of Principal Tenants only. The consent verification committee will be as under :-

- | | |
|--------------------------------------|--------------------|
| 1) Zonal D.M.C. | - Chairman |
| 2) Asstt. Commissioner of the ward | - Member |
| 3) Ex. Eng. or A.E. (Maint.) of ward | - Member |
| 3) A.O. (Society) Estate | - Member |
| 4) A.O.(Estate) concerned ward | - Member Secretary |

The consent verification committee should confirm that the Principal Tenants has given the consent for the redevelopment for the society as well as he is aware of developer appointed by the Society and the consent is given willingly. Video shooting shall be carried out for the entire process of Consent verification and a CD along with the photographs shall be a part of the Consent verification report. Zonal D.M.C. shall forward the consent verification report (in the MCGM format enclosed as format No.8) to the A.C.(Estate)'s office for the further scrutiny, Admn. Officer to D.M.C. (Zonal) shall preserve the copy of Consents verification.

E) Annexure-II :-

A.O. (Soc.), A.E. (Improvement) will then prepare a draft of Annexure-II from the factual data after verifying data received from the Society, Developer, Architect, Inventory / Tenancy Verification carried out by Asst. Commissioner of wards and Consent verification report from Zonal DMC and other inputs in the prescribed format and same will be submitted to the Asst. Commissioner (Estates) and DMC (Imp) for approval and issuance of Annexure -II. The proposal for issuance of Annexure II shall be processed only when minimum 70 % of the consent of the principle tenants are in favour of the Society / Developer. If the 70 % consents are not in favour of the Society / Developer as per Zonal DMCs Tenancy / Consent verification

A.C. (Estate) office shall issue the NOC to OC for sale building / portion on compliance of Annexure - II / LOI conditions and on recovery of capitalized value for 20 % surplus built up area as per SD RR rates prevailing on the date of making payment before issuance of NOC to OC to the sale components. It shall also be confirmed from the concerned Assistant Commissioner Ward office that all tenants have been given allotment letters and rehabilitated as per Annexure-II. If any deviation is there a lessors interest shall be recovered on account of transfer of tenements. A.E. (Imp) shall process the proposal for issuing NOC to C.C / O.C. at various stages i.e. for rehab or sale component. Head Clerk (Society) / Sub. Eng. (Improvement) shall preserve all the correspondence related to issuance of NOC to C.C / O.C..

P) Transfer cases & Allotment of tenements

After completion of Rehab bldg. / wing the society shall inform to the Asstt. Comm. Ward / Asstt. Comm. (Estate) regarding allotment of tenement in Rehab bldg. A.O. (Estate) Ward / Asstt. Commissioner (Ward) will issue the allotment letters (In MCGM format enclosed as format-10) to the existing tenants as per the list of the tenant in Annexure- II as per the circular issued u/no. A.C./Estate/13879/A.E. (Imp)-II /A.O. (Soc) dtd. 13.10.2011 under the signature of Asstt. Commissioner of concerned ward instead of Asstt. Commissioner (Estate) by taking out lottery. The society / developer shall not allot the tenement in Rehab bldg. / Wing without allotment letter issued by the A.O. (Estate) Ward/ A.C. (Ward).

If society / Developer has allotted the Rehab tenement without allotment letter of Asstt. Comm. Ward then concerned A.O. (Estate) Ward shall inspect the Rehab bldg. / wing; & prepare inventory and issue notice under section 105 B of MMC Act to the occupant which are not as per the list of Annexure – II & transfer their tenement by recovering the lessors interest and other charges as per the circular u/No. Estate/13554/Gen of 28/11/2005 or as per revised circular if any. All the transfer case shall be completed by society/ developer before issue of NOC to O.C to rehab bldg. / wing. Administrative Officer (Accounts) and Administrative Officer (Society) of A.C.(Estate)'s Office shall preserve all the correspondence related to transfer cases and allotment respectively.

Q) Recovery of Capitalized value:-

Capitalized value for 20 % of the surplus built up area shall be recovered as per the SD RR rates prevailing on the date of making payments prior to issuance of LOI.

Capitalized value for 60% of surplus built up area as per SD RR rates prevailing on the date of making payments shall be recovered prior to issuance of NOC to CC for sale or the project period, whichever is earlier.

Balance capitalized value for 20 % surplus built up area as per SD RR rates prevailing on the date of making payments shall be recovered prior to issuance of NOC to OC to sale building or the project period, whichever is earlier.

R) Corpus Fund:-

Before issuance of NOC to Occupation Certificate, Developer shall pay the amount of Rs. 1,50,000/- for each residential eligible tenants / occupants and amount of Rs. 3,00,000/- for each Commercial tenants / occupants. Developer shall deposit the said amount in bank account of the society before allotment of Rehab Tenements. The society shall use the amount for Rehab Building maintenance.

S) Leasing of Land :-

On completion of the development, A.O. (society) in consultation with A.E. (Imp.) shall process the proposal for leasing of the land to the society as under :

- i. The land will be leased to the Co-operative Housing society / association initially for the period of 30 years from the date of commencement certificate to Rehab and the same will be renewable for further period of 30 years thereafter at the discretion of the M.C.G.M. The lease will be on terms and conditions decided by the M.C.G.M. and the same shall binding on the society.
- ii. The lease rent shall be Rs. 1/- per sq. mt. subject to minimum of Rs. 1001/- per annum for the entire plot to be given to the Co-Operative housing society.
- iii. That the cost of preparation of lease documents and any other legal charges shall be borne by the society.
- iv. The society / association shall pay non refundable security deposit equal to five years lease rent of the land to the M.C.G.M. or Rs. 1 lakh whichever is higher.
- v. An agreement to lease shall be executed with the societies within 90 days from the issue of NOC to C.C. for rehab and demands for the lease rent shall also be raised immediately. Lease deed shall be executed on receipt of O.C. to the entire projects or on completion of project period whichever is earlier.
- vi. Administrative Officer (Society) of A.C.(Estate)'s Office shall preserve all the correspondence related to Leasing of lands to the societies .

This circular will supersede all other earlier circular in this respect and will come in force from date of issue.

Sd/ 31.05.2016
A. O. (Society)

Sd/ 31.05.2016
Asstt. Eng. (Imp)-II

Sd/ 31.05.2016
Asstt. Eng. (Imp)-III

Sd/ 03.06.2016
A.C. (Estate)

Sd/ 06.06.2016
Dy. Ch. Eng. (Imp.)

Sd/ 22.06.2016
Dy. Ch. Eng. (B.P)

Sd/ 11.07.2016
Dy. Ch. Eng. (D.P)

Sd/ 26.07.2016
D.M.C.(Imp)

Sd/ 01.08.2016
A.M.C.(E.S.)

Sd/ 08.08.2016
Municipal Commissioner

No. : AC/Estates/13441/A.E. (Imp)/ A.O. Soc. of 10.10.2016

Copy is submitted for information please.

1. D.M.C. (Imp)
2. D.M.C. (Zone-I)
3. D.M.C. (Zone-II)
4. D.M.C. (Zone-III)
5. D.M.C. (Zone-IV)
6. D.M.C. (Zone-V)
7. D.M.C. (Zone-VI)
8. D.M.C. (Zone-VII)
9. D.M.C. (Education)
10. Chief Engineer (D.P.)
11. Chief Engineer (SWM)
12. Chief Engineer (SWD)
13. Asstt. Commissioner (A-ward)
14. Asstt. Commissioner (B-ward)
15. Asstt. Commissioner (C-ward)
16. Asstt. Commissioner (D-ward)
17. Asstt. Commissioner (E-ward)
18. Asstt. Commissioner (F/South ward)
19. Asstt. Commissioner (F/North ward)
20. Asstt. Commissioner (G/South ward)
21. Asstt. Commissioner (G/North ward)
22. Asstt. Commissioner (H/East ward)
23. Asstt. Commissioner (H/West ward)
24. Asstt. Commissioner (K/East ward)
25. Asstt. Commissioner (K/West ward)
26. Asstt. Commissioner (L-ward)
27. Asstt. Commissioner (M/East ward)
28. Asstt. Commissioner (M/West ward)
29. Asstt. Commissioner (N-ward)
30. Asstt. Commissioner (S-ward)
31. Asstt. Commissioner (T-ward)
32. Asstt. Commissioner (P/South ward)
33. Asstt. Commissioner (P/North ward)
34. Asstt. Commissioner (R/South ward)
35. Asstt. Commissioner (R/North ward)
36. Asstt. Commissioner (R/Central ward)
37. Law Officer
38. Asstt. Engr. (B/F) (_____ ward).

Asstt. Commissioner (Estate)

CHE/DP/22627 (Gen dt/18/10/16)

DyCHE(DP)-I

DyCHE(DP) 3/Cell/Cit

P. note 4 follow

बृहन्मुंबई महानगर पालिका			
प्रमुख अभियंता (विकास नियोजन)			
यांचे कार्यालय			
११	२२	३	४
१	२	५	६
22627			
15 OCT 2016			
22627			
क्र.प्र.अ.वि.नि.	शहर	पूर्व. उप	प. उप
मा.अधि.	टिडीआर	लेखा	आस्था

प्रमुख अभियंता
(विकास नियोजन)

बृहन्मुंबई महानगर पालिका	
उपप्रमुख अभियंता (इ.प्र.) शहर	
यांचे कार्यालय	
दिनांक	19 OCT 2016
उप.अ.इ.प्र.मा.	3285
वेळ 9.0 30 99 92, 9, 2, 2, 8, 4, 4, 30	

कार्यकारी अभियंता (ईभारत प्रस्ताव) शहर १/२/३/विशेष

उप-प्रमुख अभियंता (ई प्र) शहर

कां.अ. (क.प्र.) शहर - १/२/३/वि

क. उपाययोजना साधिली करिता खरिद

बृहन्मुंबई महानगर पालिका	
कार्यकारी अभियंता	
ईभारत प्रस्ताव (शहर) १ यांचे कार्या.	
दिनांक	25 OCT 2016
क्र.प्र.अ.वि.नि.	3982
इ.प्र.मा.	शहर १

A E. (BP) (City) I, II, III, VI

- Our copy to me 1/

- for all

E.E.(BP) (City) I

39. Admn. Officer (Estate) _____ ward
40. C.A. (Finance)
41. Dy. C.A. (Rev-III)
42. City Engineer
43. P.R.O.
44. Municipal Chief Auditor
45. Chief Engineer (M & E)
46. Hydrocloric Engineer
47. Municipal Secretary
48. Education Officer
49. Dean KEM Hospital
50. Dean Sion Hospital
51. Chief Medical Officer (ENT Hospital)
52. Chief Medical Officer (Eye Hospital)
53. Chief Medical Supdt. (Kasturbha Hospital)
54. Medical Supdtt. (T.B. Hospital)
55. Executive Health Officer
56. Cheif Securty Officer
57. Cheif Personal Officer

Check list for submission of Proposal

FORMAT NO. 1

i)	Formation of proposed society. The proposed society formed by the tenants will have to submit its title/ name of proposed society along with its registration details. If the society is not registered, registration of the society should be completed within 90 days of the issuance of the LOI & in any case before issuance of the NOC to C.C. to Rehab Building and undertaking to that effect shall be submitted by proposed society.
ii	Certified copy of the General Body Resolution (GBR) for appointment of Chief Promoter / members of Executive Committee. (In MCGM Format)
iii	Certified copy of the Resolution of General Body Meeting (GBM) of proposed society stating the appointment of Architect and Developer for the proposed redevelopment. (In MCGM Format)
iv	Copy of appointment letter of Developer and Architect by the society and acceptance letter from the Developer and Architect.
v	Original individual consents of the tenants alongwith a certified Xerox copy. (In MCGM Format)
vi	Copy of registered Development agreement executed with society by Developer.
vii	Statement of list of tenants/ occupants along with the carpet area occupied and existing user duly signed by the Secretary and Chairman of the Society. (In MCGM Format) Draft Annexure-II
viii	Unique Identification Number (U.I.D.) / Aadhar Card or copy of any other documents such as rent receipt, Pan card etc. Of the tenants. If UID is not submitted at the time of submission of the proposal, copy of the application made for obtaining UID shall be submitted.
ix)	Additional information of the Developer as per circular issued u/no.AC/Estate/14887/A.E.(Imp)-II dtd.11.02.2013 shall be submitted. (In MCGM Format)
x)	Certified copy of Demand Register from concerned ward showing details of all tenants shall be submitted.

xi)	Plot area certificate certified by Architect and undertaking of the Society & Developer to that effect.
xii)	Plane Table Survey Plan showing the details of existing structures and other features with plot boundary certified by the scheme Architect.
xiii)	Total Station Survey Plan showing the plot under reference with structures and adjoining prominent features, buildings, road, nalla, electric lines, Municipal property etc. certified by the scheme Architect.
xiv)	Superimposed Plane Table Survey Plan on C.S. boundaries and DP Reservations showing distinctly the existing structures within scheme and scheme boundaries the said plan. Structures existing prior to 1940 or / and prior to 30.09.1969 and structures between 30.09.1969 to 1.1.2000 shall be shown in colors namely, red, green and yellow respectively, duly certified by the Architect on record.
xv)	Authentic documents, such as copy of survey sheet duly certified by the scheme Architect, Assessment Record which will be verified and certified as per inspection on record or other supporting documents such as acquisition award, T Extract from SLR, extract of demand register, Electrol Roll, Rent Receipts prior to 30.09.1969 etc. to prove existence of structure prior to 30.09.1969 which is to be confirmed by A.E.(Imp).
xvi)	Plans of existing structures showing the names of tenants along with user and category area within the tenements.
xvii)	D.P. Remarks as per sanctioned Revised D.P. of 1991 alongwith remarks of draft 2034 or Sanction Revised D.P. of 2034 (Both issued within 1 year)
xviii)	P.R. Card & True Extract of C.S.Plan issued within 1 year.
xix)	A.E. Survey remarks with reference to the structure existence prior to 30.09.1969 along with other remarks in a standard profarma given by Estates Department.
xx)	A.E. Traffic remarks prior to 1 year.
xxi)	Remarks from MMRDA regarding Monorail/ Metro lines etc. if applicable.
xxii)	A.E.T.P. remarks, if plot under reference falls under Town Planning scheme.
xxiii)	Specific remarks of any other authority if it is mentioned in D.P. remarks
xxiv)	Floor plans of existing building
xxv)	Developers credential to prove that he is not blacklisted / debarred from undertaking the project.

FORMAT NO. 2

----- को. ऑप. हौ. सोसायटी (नियोजित)

पत्ता -

सर्वसाधारण सभेचा इतिवृत्तांत

उपरोक्त संस्थेची सर्व साधारण सभा दि.----- रोजी ----- वार
सकाळी/दुपारी/संध्याकाळी ----- वा. ----- येथील
कार्यालयात खालील विषयावर चर्चा करण्यासाठी घेण्यात आली व खालीलप्रमाणे ठराव मंजूर
करण्यात आला.

सभेपुढील विषय -

- १) सहकारी गृहनिर्माण संस्था स्थापन करणे
- २) मुख्य प्रवर्तकाची नेमणूक सर्वानुमते करण्याबाबत
- ३) संस्थेच्या सभासदांची / कमिटीची नेमणूक सर्वानुमते करण्याबाबत
- ४) पुनर्विकासासाठी विकासकाची नेमणूक करणे
- ५) पुनर्विकासासाठी वास्तुविशारदाची नेमणूक करणे

विषय क्र.१) -----

ठराव क्र.१) -----

सूचक -

अनुमोदन -

वरील ठराव क्र.१ सर्वानुमते मंजूर करण्यात येत आहे.

विषय क्र.२) -----

ठराव क्र.२) -----

सूचक -

अनुमोदन -

वरील ठराव क्र.२ सर्वानुमते मंजूर करण्यात येत आहे.

विषय क्र.३) -----

ठराव क्र.३) -----

सूचक -

अनुमोदन -

वरील ठराव क्र.३ सर्वानुमते मंजूर करण्यात येत आहे.

विषय क्र.४) -----

ठराव क्र.४) -----

सूचक -

अनुमोदन -

वरील ठराव क्र.४ सर्वानुमते मंजूर करण्यात येत आहे.

सभेस एकूण ----- सभासदांपैकी ----- सभासद उपस्थित होते. उपस्थित सभासदां यादी सोबत जोडण्यात येत आहे.

अ.क्र.	सभासदाचे नाव	पत्ता	स्वाक्षरी	मोबाईल क्रमांक

FORMAT NO. 3

----- को. ऑप. हौ. सोसायटी (नियोजित)

पत्ता -

प्रति,
वास्तुविशारद,

विषय -

येथील पुनर्विकासासाठी वास्तुविशारद म्हणून नेमणूक पत्र

महोदय,

आपणांस कळविण्यात येते की, आपली वरील पुनर्विकास प्रकल्पासाठी वास्तुविशारद म्हणून नेमणूक करण्याबाबतचा ठराव क्र. दि.----- रोजी पार पाडलेल्या विशेष सर्वसाधारण सभेत एकमताने संमत करण्यात आलेला आहे. तरी आपली या पुनर्विकास प्रकल्पासाठी नेमणूक करण्यात येत आहे.

कळावे.

आपला नम्र.

----- को. ऑप. हौ. सोसायटी (नियोजित)

मुख्य प्रवर्तक

FORMAT NO. 3

----- को. ऑप. हौ. सोसायटी (नियोजित)

पत्ता -

प्रति,

विकासक,

विषय - -----

येथील पुनर्विकासासाठी विकासक म्हणून नेमणूक पत्र

महोदय,

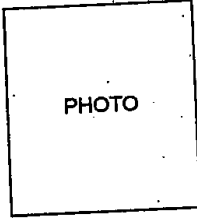
आपणांस कळविण्यात येते की, आपली वरील पुनर्विकास प्रकल्पासाठी विकासक म्हणून नेमणूक करण्याबाबतचा ठराव क्र. दि.----- रोजी पार पाडलेल्या विशेष सर्वसाधारण सभेत एकमताने मंजूर करण्यात आलेला आहे. तरी त्याअन्वये आपली वरील पुनर्विकास प्रकल्पासाठी नेमणूक करण्यात येत आहे.

कळावे.

आपला नम्र.

----- को. ऑप. हौ. सोसायटी (नियोजित)
मुख्य प्रवर्तक

Format NO 4.



To,
Developer Name : M/s _____
The Chief Promoter
_____ Co. Op. Hsg. Soc. (proposed)
Plot bearing C.S. No. _____

Duly Self Attested

Notarization Rs. 500/- stamp

IRREVOCABLE CONSENT

Sub : Consent for proposed redevelopment of Municipal property
On plot bearing C.S. No. _____ of Division known as
_____ in _____ ward under Regulation No. 33 (7)
or 33 (9) or any other suitable D.C. Regulations for
Greater Mumbai, 1991.
.....

1. I/We, the undersigned Mr./Mrs. _____, Municip
Residential / Commercial, tenants / occupants of _____ Building, Roo
No. _____ / Shop No. _____, do hereby give my irrevocable consent for redevelopme
/ reconstruction of above Municipal property under DCR 33(7) or 33 (9) through t
proposed _____ Association / Co. Op. Hsg. Soc. Formed by the existing Municip
tenants / occupants.
2. I/We hereby give my consent to become member of the Association / Co. op. Hsg. S
(proposed) and also to Co-operate and participate in the said redevelopment scheme.
3. My / Our Consent is for redevelopment by the _____ Co-Op. Hsg. Soc. a
M/s _____ as a developer.
4. I / we agree to pay my / our individual contribution as prescribed in the scheme, or as n
be decided by competent authority.
5. I / we agree to abide by the rules & regulations, terms and conditions of the Corporator
respect of the above redevelopment scheme and as also terms and Conditions revised fr
time to time.
6. I / we further say that this irrevocable consent is valid only for 5 years or completio
Rehab Building whichever is earlier or as decided by MCGM.
7. I/we declare herewith that I/we have not given any consent to any society or develop
past other than the present consent, if it is found in future then I/we are liable for legal ac
as per provision of Law.
8. In case if at all I have to revoke my consent then it will be only through the Court of Law
following due process of Law and order of Hon. Court.
9. If Society / Developer fails to rehabilitate the tenants as per specific period given by MC
Authority. I/ we shall approach MCGM to terminate Society / Developer.
10. I am giving this consent voluntarily and without any force, compulsion and coercion.

Yours Faithfully,

L.H. Thumb Impression /

Signature : _____

Signed in my / our presence
For _____ Co. Op. Hsg. Soc.

Name : _____

Address : _____

Chief Promoter

Developer

Format NO 4.

प्रति

विकासकाचे नाव : _____

मुख्य प्रवर्तक

_____ सहकारी गृहनिर्माण संस्था (प्रस्तावित)

भूभाग क्रमांक : _____

शहर भुमापन क्रमांक : _____

विभाग _____ मुंबई

छायाचित्र

स्वहस्ताक्षरात साक्षात्कृत केलेले

रु ५००/- च्या बंधपत्रावर नोटरीजड

संमतीपत्र

विषय : महापालिकेच्या मालकीच्या _____ विभागातील, भुखंड _____
शहर भूमापन क्र _____ या नावाने ओळखल्या
जाणाऱ्या मालमत्तेचा विकास नियंत्रण नियमावली ३३ (७) किंवा ३३ (९) किंवा
अन्य उचित विकास नियंत्रण नियमावली १९९१ अन्वये करावयाच्या
पुनर्विकासाकरिता संमतीपत्र.

१. मी / आम्ही खाली सही करणार श्री / श्रीमती _____ महापालिकेच्या इमारत
क्र _____ खोली क्र _____ / दुकान क्र _____ चा निवासी / व्यावसायिक मूळ भाडेकरू असून
महापालिकेची मालकी असलेल्या मालमत्तेचा विकास नियंत्रण नियमावली ३३ (७) किंवा ३३ (९) अन्वये
स्थापन केलेल्या नियोजित _____ सहकारी गृहनिर्माण संस्थेतर्फे प्रस्तावित पुनर्विकासासाठी संमतीपत्र देत
आहे / आहोत.
२. मी / आम्ही नियोजित संस्था / सहकारी गृहनिर्माण संस्थेचे सदस्य होण्यासाठी व सदर पुनर्विकासाकरिता सहकार्य
व सहभागी होण्याबाबत संमतीपत्र देत आहे / आहोत.
३. माझे / आमचे हे संमतीपत्र _____ सहकारी गृहनिर्माण संस्था (नियोजित) यांस
आणि विकासक म्हणून मे _____ यांना पुनर्विकासासाठी देण्यात येत आहे.
४. मी / आम्ही प्रस्तावात विहित केल्यानुसार किंवा सक्षम प्राधिकरणाने ठरविलेल्या नुसार व्यक्तिगत अंशदान
(वर्गणी) देण्यास तयार आहे / आहोत.
५. मी / आम्ही महापालिकेच्या सदर पुनर्विकास प्रस्तावातील नियम व अटी, शर्तीचे आणि वेळोवेळी सुधारीत
करण्यात येण्याऱ्या अटी व शर्तीचे पालन करण्यास तयार आहे / आहोत.
६. ही संमती दिल्याच्या तारखेपासून ५ वर्षे किंवा पुनर्वसन इमारतीचे बांधकाम पूर्ण होइपर्यंत जे अगोदर होईल
अथवा मनपा ठरवेल तोवर वैध राहील.

७. मी / आम्ही याद्वारे असे जाहीर करतो की, या संमत्तीपत्राव्यतिरीक्त यापूर्वी कोणत्याही सहकारी गृहनिर्माण संस्थेस किंवा विकासकास संमत्तीपत्र दिलेले नाही व असे भविष्यात आढळल्यास मी / आम्ही कायदे कार्यवाहीस पात्र राहीन / राहू.
८. सदरची संमत्तीपत्र रद्द करावयाचे असल्यास मी न्यायालयाच्या परवानगीने कायदेशीररीत्या संमत्तीपत्र रद्द करी.
९. संस्था / विकासक हे महानगरपालिकेने विहित केलेल्या कालावधीत भाडेकरूंचे पुनर्वसन करण्यास अस ठरल्यास संस्था / विकासक यांना रद्दबातल करण्याबाबत मी / आम्ही महापालिकेस अवगत करू.
१०. सदरचे संमत्तीपत्र मी कोणत्याही दबावाखाली देत नसून माझ्या राजीखुषीने देत आहे.

आपला विश्वासु

डाव्या हाताचा अंगठ्याचा ठसा / सही _____

माझ्या / आमच्या समक्ष
स्वाक्षरी केली

_____ सहकारी गृहनिर्माण संस्था करिता

मुख्य प्रवर्तक
/सचिव

विकासक

स्वाक्षरी : _____
नांव : _____
पत्ता : _____

FORMAT NO. 5

List of Tenants

----- को. ऑप. हौ. सोसायटी (नियोजित)

पत्ता -

Sr. No.	Bldg. / Chawl No.	Shop / Room No.	Name of Principal Tenants	Name of the Occupant	User (Residential / Commercial) / Other	Area
1.						
2.						
3.						
4.						

**Sign of
Secretary of Society**

**Sign of
Chairman of Society**

**Sign of
Architect**

FORMAT NO. 6

INVENTORY & TENANCY VERIFICATION PROFORMA :

NAME OF SOCIETY : _____

BEARING C.S.NO. : _____

NAME OF PLOT _____

AREA OF PLOT _____

DATE OF ACQUISITION _____

DATE OF CONSTRUCTION _____

Building / Chawli No.	Shop/Room No.	Name of Principal Tenants	Name of Occupants / Sub Tenants	Name and Transfer of case of legal heir / sub tenants approved or pending or under process	Name of tenant certified by ward	Details of rent			Carpet Area in Sq.Mts.			Mezzanine Floor Area				
						As per Demand Register	Monthly Rent	Arrears of rent paid upto	As per Demand Register	Actually in possession	Area of Eligible tenant as certified by ward	Authorized/Regularized	Competent Authority / Approval No.			
1	2				7	8	9	10	11	12	13	14	15	16	17	18
	3															
	4															
	5															

Tenants VLT	Type of occupancy	List of documents submitted					A & C Abstracts prior to 1995	Pending action against tenants if any regarding unauthorized construction / sub tenancy / change of user etc.	Decision for tenancy accepted / If rejected with reason				
		Staff quarters	Others	Electric Bill	Ration Card / Shop & Establishment Certificate	Voter Card / Name in the Voter list				UID Card No. or receipt	Rent Receipt		
19	20	21	22	23	24	25	26	27	28	29	30	31	32

Assistant Commissioner _____ Ward

Ex. Eng. _____ Ward
OR A.E.(Maint.) _____ Ward

Administrative Officer _____ Ward

MUNICIPAL CORPORATION OF GREATER MUMBAI

CONSENT VERIFICATION

DRAFT FORMAT NO.8

THE DETAILS OF CONSENT VERIFICATION OF TENANTS ON PLOT BEARING C.S.NO. _____ OF _____ OF _____ (M.C.G.M. TENANTS) IN THE OFFICE OF DY.M.C.(ZONE-____) ON _____ IN PRESENCE OF CONSENT VERIFICATION COMMITTEE

Page No.01

CHAWL

Sr.No.	Sr.No. in Plain Table Survey	Resi No / Shop No	Name of the (P.T.) Principle Tenant	Principle Tenant Present / Absent	Name of Sub-Tenant/ Occupant / Relative present on behalf of P.T.	Consent Verified Yes/No	Consent given TO Developer (Name of Developer)	Photographs of tenant with Zonal DMC	Remarks
1	2	3	4	5	6	7	8	9	10

Rent Collector (ESTATE) _____ Ward

Administrative Officer (ESTATE) _____ Ward

Administrative Officer (Society)
(ESTATE DEPT.)

E.E. _____ Ward OR

A.E.(Maint) _____ Ward

Asstt.Comm. _____ Ward

D.M.C.(Z - _____)

BRIHANMUMBAI MAHANAGARPALIKA

DRAFT FORMAT NO.9

DETAILS OF STATEMENT SHOWING THE TENANCY INSPECTION BY DMC (ZONE-____) ON ____ At ____ ALONG WITH STAFF OF ESTATE DEPT. ____ WARD OF PROPERTY KNOWN AS C.S.NO. ____ / PROPERTY WARD NO. : ____ / ____ WARD

____ C.H.S. (PROPOSED)

Sl.No.	Name of the Principle Tenant	Chawl	User Resi or Shop	Name of the Occupant	Documents / Proofs Verified	Observations	Photographs

Rent Collector (ESTATE) _____ Ward

Rent Supervisor (ESTATE) _____ Ward

Administrative Officer (ESTATE) _____ Ward

DMC(ZONE-____) _____ Ward