

MUNICIPAL CORPORATION OF GREATER MUMBAI

No. AC / Estates / 777 / A.E. (I) - I dtd.

29 NOV 2015

Sub :- Simplification procedure for granting various NOC's for development / redevelopment on lease hold plots of Estate Department, for creating is of doing Business.

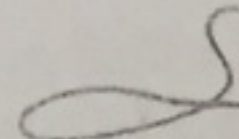
- Ref** :-1. Suggestion objection called from the date 28.08.2015 to 03.09.2015
2. PowerPoint Presentation & meeting held with Hon.M.C. 28.09.2015
3. Hon.ble M.C.'s sanction vide no. MGC/F/7926 dtd.12/10/2015

For creating ease of doing business, by direction the Simplification procedure for granting various NOC's for development / redevelopment on lease hold plots after review of suggestions simplification procedure has been finalised as Hon.ble M.C. accorded sanction vide no.MCG/F/7926 dtd.12/10/2015 . The same had sent to PRO & IT cell so to provide vide publicity in news paper & on MCGM's portal & was published in news papers & also uploaded on MCGM's portal.

The Simplification procedure includes the following points /application forms/ flow charts etc.

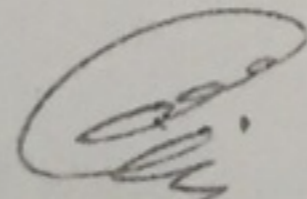
1. Application form for amalgamation of Municipal Lease hold plots at pg. 3
2. Application form for Formal NOC form Estate Department at pg.5
3. Application form for NOC to CC / NOC to CC for amended plans / NOC to OC form Estate Department at pg.7 to 11
4. Flow chart for amalgamation of Municipal Leasehold plots is attached at pg.13
5. Flow chart for Formal NOC from Estate Department is attached at pg. 15
6. Flow chart for NOC to CC from Estate Department is attached at pg. 17
7. Flow chart for NOC to CC for amended plans from Estate Department is attached at pg. 19
8. Flow chart for NOC to OC from Estate Department is attached at pg. 21
9. Suggestions & reply attached at pg. 23 to 29

Acc:- As above


6/11

Asstt. Commissioner (Estate)

OCC



3/ABC97

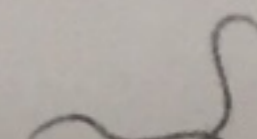
Copy to,

- 1) Dy.Ch.E.B.P.(City) / Dy.Ch.E.B.P. (E.S.) / Dy.Ch.E.B.P. (W.S.) / Dy.C.A.Finance (Rev-III)
A.O.Lease - I / A.O.Lease - II / A.O.(Gen) / A.O.(Soc.) / AE- (I) I / II

Forwarded for information with a request to instruct all your concerned staff to take cognizance of the above & take necessary action please.

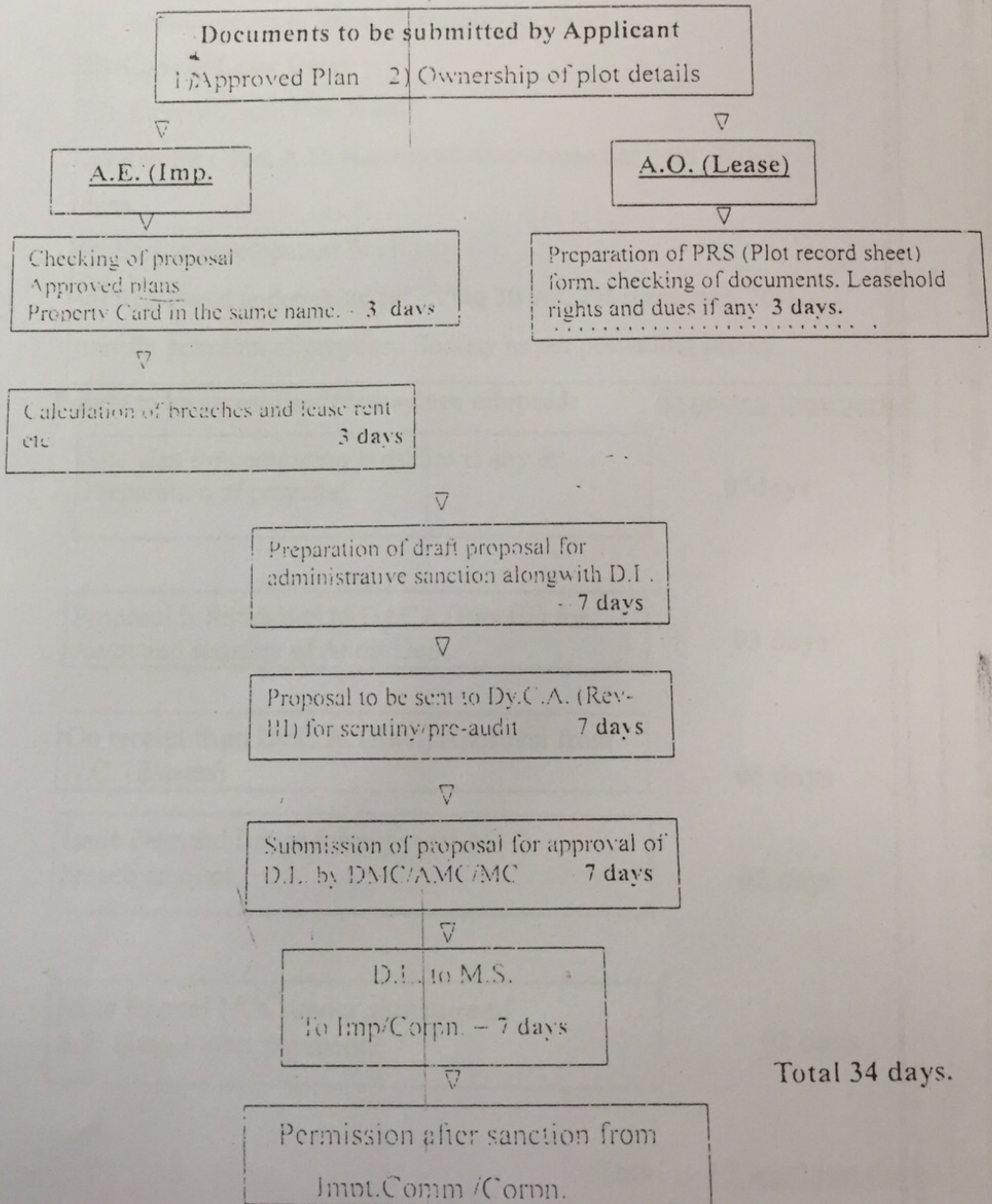
2) D.M.C.(Imp)

Submitted for information please.


6/11

1) Procedure for amalgamation of Municipal Leasehold Plots

Proposal for Amalgamation



3) Procedure of granting NOC to CC for redevelopment of Municipal Lease property under DCR 33(7)

Documents required :

- i) Application from lessee/developer/Architect in prescribed Proforma.
- ii) Copy of Lease Deed. (If not submitted earlier)
- iii) License/Lease Plan if any. (If not submitted earlier)
- iv) Remarks from A.O. (Lease) whether lessee has paid all the dues.
- v) Earlier development file if any.
- vi) Approved plans from BP Dept. alongwith the statement showing actual rehab area for tenants, proposed fungible built up area for sale and rehab. area to be surrendered to MHADA/BMC and total proposed built up area.
- vii) Superimposed plan of DP, CTS & Lease Plan.
- viii) Registered undertaking regarding 30 yrs.,tenure 2% lease rent and 10% transfer premium of proposed Society. (as per policy)

Points to be scrutinized/Procedure adopted:

Expected time period

Site visit for computing breaches if any & preparation of proposal

10 days

Proposal is forwarded to Dy.CA (Rev.III) for Audit by A.C. (Estates)

03 days

Dy.C.A. (Rev.III) scrutinizes proposal and submits for approval of DMC (Imp.)

03 days

Approval from DMC (Imp.)

03 days

Issue Demand Letter for payment of breach amount, one time premium, transfer premium if any.

03 days

Issue NOC to CC under signature of A.C. (Estates) after payment of requisite charges.

03 days

Total 25 working day

4) Procedure of granting amended NOC to CC for redevelopment of
Municipal Lease property under DCR 33(7)

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A) If there is no change in the FSI or user, no NOC will be required henceforth:

B) If there is change in FSI or user:

Documents required :

- i) Earlier development file if any.
- ii) Approved plans from BP Dept. alongwith the statement showing actual rehab area for tenants, proposed fungible built up area for sale and rehab, area to be surrendered to MHADA/BMC and total proposed built up area.
- iii) Registered undertaking regarding 30 yrs.tenure 2% lease rent and 10% transfer premium of proposed Society. (as per policy if not taken earlier.)

Points to be scrutinized/Procedure adopted:

Expected time period

Preparation of proposal.

07 days

Proposal is forwarded to Dy.CA (Rev.III) for Audit by A.C. (Estates)

03 days

Dy.C.A. (Rev.III) scrutinizes proposal and submits for approval of DMC (Imp.)

03 days

Approval from DMC (Imp.)

03 days

Issue Demand Letter for payment of breach amount, one time premium, transfer premium if any.

01 day

Issue NOC to CC under signature of A.C. (Estates) after payment of requisite charges.

03 days

Total 20 working days

5) Procedure of granting NOC to OC for redevelopment of
Municipal Lease Property under DCR 33 (7)

(21) CH9

Documents required :

- i) Application from lessee/developer/Architect.
- ii) Remarks from A.O. (Lease) whether lessee has paid all the dues.
- iii) Earlier development file if any.
- iv) Approved plans from BP Dept.
- v) Registered undertaking regarding 30 yrs. tenure 2% lease rent and 10% transfer premium of proposed Society (as per policy) if not submitted earlier.

b) Points to be scrutinized/Procedure adopted: Expected time period

Site visit for checking bldg. as per approved plan from BP Dept & preparation of proposal

07 days

Proposal is forwarded to Dy.CA (Rev.III) for Audit by A.C. (Estates)

03 days

Dy.C.A. (Rev.III) scrutiny and submits to DMC (Imp.)

03 days

Approval from DMC (Imp.)

03 days

Issue Demand Letter for payment of balance one time premium, transfer premium if any after payment.

02 days

Issue NOC to OC under signature of AC (Estates) after requisite payment

02 days

Total 20 working days

MUNICIPAL CORPORATION OF GREATER MUMBAI
No. AC / Estates / 524/Genl A.E. (I) - I dtd. 8 OCT 2015

Sub :- Simplification procedure of Estate Department .

Ref :- 1. Suggestion / Objection called on 28.08.2015 to 03.09.2015
2. PowerPoint presentation & meeting held with Hon.M.C. at 28.09.2015

In this case, the suggestion / objection called on 28.08.2015 to 03.09.2015 for simplification of procedure of amalgamation / issuing various NOC's for redevelopment on leasehold plots of Estate Department.

Accordingly the suggestion/ objection received from PEATA, Mumbai Central Developers Association and Happy Home Group Companies. After considering the suggestions, which are acceptable this office finalised the procedure (pg. C/107 to C/111) & the same had been presented to Hon.M.C. in the meeting which was held on 28.09.2015 by PowerPoint presentation & Hon.M.C. had agreed to the same and directed to prepare formats accordingly.

As per orders of Hon.M.C. in the meeting held on 28.09.2015 the format which were finalised and agreed by Hon.M.C. were sent to P.R.O. and I.T.Cell on 29.09.2015 (P.C./1 to C/3), so as to provide wide publicity to the simplification procedure of Estate Department & the same was published in news papers on 01.10.2015.

The Simplification procedure of Estate department which is finalised by Estate Department and agreed by Hon.M.C. is attached as at pg. C/107 to C/111, and the same are submitted for final approval & signature of DMC (Imp) / AMC (ES) & Hon.M.C. Please.

2) D.M.C.(Imp)
cognizance of the above & take necessary action.

In FB) DMC(Imp)
AMC (ES)
Hon.M.C.
Sir,

May be oppns, Sir.
[Signature]
A.M.C. (E.S.)

[Signature] 6/10/15
Assft. Commissioner
(Estate)
[Signature] 6/10/15
AB(9)I

Ac (Estate) / ...

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SIMPLIFICATION PROCEDURE OF ESTATE DEPARTMENT

Sr No	Type of proposal	Description of suggestion	Reply
1. NAME OF THE ASSOCIATION: Practising Engineers Architects & Town Planners Association (PEATA) & Central Mumbai Developers Welfare Association			
1.	Amalgamation of lease hold plots	<p>To allow joint development between different land lords or the same developer for better planning as after development, the society formed is single entity and fresh lease is executed with society wherein there is no issue or legal implication on the title of property or lease rent collection by MCGM.</p> <p>Usually 12 months are required for completing amalgamation process. Schemes under 33/7 and 33/9 are affected and most developer as a result don't prefer amalgamating scheme due to loss of time. In fact under other DCR's the amalgamation condition is only at the time of obtaining OC. Which we also seek the same.</p> <p>After Obtaining Administrative Approval for Amalgamation from Hon.M.C. Formal NOC to be issued with new lease conditions. Approval for ICR/CR from Improvement committee shall be obtained at the time of obtaining NOC to OC.</p> <p>ICR/CR to be mandated during NOC to OC stage only.</p>	<p>PEATA has rightly pointed out time lag for amalgamation. However, Improvement Committee is presently empowered for sanction of amalgamation. It is suggested that if power of amalgamation is obtained by the commissioner by way of general body resolution, this time lag can be overcome, if agreed proposal will be processed accordingly.</p>
2.	Formal NOC	<p>It is pointed out to mention existing built up area as per lease plan in the formal NOC for calculation of premium at the time of NOC to CC which will be calculated and recovered by BP Deptt.</p>	<p>PEATA has accepted Formal NOC.</p> <p>However as requested recovery of premium for additional area and transfer premium cannot be left to B Deptt. as same needs to b</p>

Also to recover transfer premium for transferring the lease in the name of proposed society by BP Deptt.

checked by Estate Deptt., More over the redevelopment plan with proposed user is not made available at the time of formal NOC Hence Estate Deptt. Cannot check whether the proposed user is in consonance with original lease agreement or otherwise.

3. NOC to CC

- i) The time period for recovery of breach penalty and deposit shall be extended from 6 months to 3 years .
- ii) And premium payable shall be recovered by BP Deptt.
- iii) Strong objection regarding availing NOC to CC.

i) Same is proposed to be accepted, the breach penalty will be calculated at the time of formal NOC, which will be valid for 3 years only .

ii) Estate Deptt. Will not come to know whether proposed development is in consonance with lease deed or otherwise also the premium for change of user will also has to be recovered if new user is different from lease deed, the same cannot be left at a the mercy of BP Deptt. (Recent example of Swayam Relators i.e. Khatao Mill)

In view of above same cannot be accepted.

4. NOC for Amended Plans

It is requested not to insist NOC for amended plan even if there is change in FSI

As the plan is amended premium for additional area beyond free permissible area needs to be recovered from lessee, also validity of lease tenure needs to be ascertained. Hence cannot be accepted.

5. NOC to OC

Site visit shall not be insisted by Estate Deptt.

This will be accepted, if the building found occupied without obtaining occupation certificate / building proposal should refer the case to Estate for recovery of penalty for unauthorised occupation.

2. NAME OF THE ASSOCIATION: HAPPY HOME GROUP OF COMPANIES			
1.	Amalgamation of lease hold plots	Requested to insist amalgamation of plots before NOC to OC instead of amalgamation of plot at initial stage.	MCGM will loose transfer premium & improvement committee may not accept. It will not be proper to wait till OC. As Developer has in habit of evading OC. Hence can not be accepted .
2.	Formal NOC	Requested to grant formal NOC by incorporating conditions i) To remove breaches within three years of MHADA NOC or by demolishing structures ii) To mention existing built up area /rehab area by deducting area to be surrendered to MHADA for calculating one time premium iii) To suggest formula for recovery of one time premium in 2 installments by BP Deptt.	i) Proposed to accept removal of breaches only for 3 years period. ii)& iii) Approved plans of BP Deptt are not available at the time of granting formal NOC also, the user of the proposed redevelopment is also not known hence Estate Deptt cannot check whether the proposed redevelopment is in consonance with original lease condition or otherwise Hence cannot be left with BP Deptt.
3.	NOC to CC & NOC to OC (Final NOC)	Not to avail NOC to CC from Estate Deptt. and suggested that premium for additional built up area ,change of user to be recovered by BP Deptt. directly in two instalment & transfer premium of proposed society shall be recovered by BP Deptt.	Estate Deptt. Will not come to know whether proposed development is in consonance with lease deed or otherwise also the premium for change of user will also has to be recovered if new user is different from lease deed, the same cannot be left at a the mercy of BP Deptt. (The case of Swayam Realtors i.e. Khatao Mill) And Transfer premium in favour of proposed society and fresh lease deed has to be done by Estate Deptt. Hence cannot be accepted.

7/10/15
A.C. (Estate)

D.M.C. (I)

A.M.C. (ES)

Hon. M.C.

A.C. (Estate) - II / A.O. (Gen) / A.O. (S)