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MUNICIPAL CORPORATION OF GREATER MUMBAI

Chief Engineer (Development Plan) Department

No.CHE/DP/ 10925 / Gen. / dtd. 05/06/2020

Sub: Payment of premium for I to R/C premiums

Ref: Letter dtd. 14.05.2020 from CREDAI- MCHI C C | 1)

c/1
Reference is please requested to the letter dtd. 14.05.2020 addressed to Hon.M.C. in the subject matter requesting therein to allow extension of time for the deferred payment alongwith other suggestions to revive the Mumbai Real Estate Sector.

In one of the suggestions, it was requested to allow the payment which required to be made for I to C/R be charged at the time of C.C. instead of present policy at the time of IOD i.e. approval of plans after change of zone. C/2

As per the provision of Reg. 14 (B), the conversion of Industrial Zone to Residential or Commercial zone for the uses permissible in Residential or Commercial zone shall be allowed subject to payment of the premium at the rate of 20% of Annual Schedule of Rates (ASR) of Developed land or as may be decided by the Government from time to time, out of which 50% amount towards Government share shall be deposited in the office of Dy. Director of Town Planning, Greater Mumbai and subject to various conditions as mentioned in the said Regulations.

It is to submit here that in view of pandemic COVID-19 the Ministry of Housing and Urban Affairs, Govt. of India u/no. K-14011/12/2020-AMRUT- II A dtd. 28.05.2020, wherein directions has been issued to extend the validity of various kinds of approval by Urban Local Bodies (ULBs)/ Urban Development Authorities/ Other State Agencies including commencement/ completion certificates, payment schedule of charges including development charges, no objection certificates from various agencies by 9 months automatically. It was further stated in the said direction that these extensions may be considered for all those projects whose validities are expired on or after 25.03.2020 for which State may issue necessary directions to Municipal Corporation/ Urban Development Authorities/ ULBs so that various approvals, payment of charges and compliances by building proponents may be rescheduled without any requirement of individual application from building proponent in this regard.

It is to mention here that in this regard a Video Conference has been held on 26.05.2020, when representative of State was also present who has consented for revalidation automatically. It is further to submit here that in the earlier circular, it is mentioned that the permissions whose validity is expiring between 1st of March 2020 and 29th June 2020, the validity of such permissions shall be extended to 30th June 2020. Accordingly, a detailed note is already submitted for Hon.M.C.'s approval to extend the validity of all such permissions automatically upto 31st December 2020 subject to recovery of revalidation charges/ fees and not to charge penalty while granting the renewal or revalidation during this period.

Even though only after payment of premium, IOD can be issued which indicate that the zone has been converted to R/C Zone from I zone, as per the provision of MR & TP Act, but only after issue of C.C. the work on the site can be executed. IOD for the proposed work has been granted as per MMC Act.

In one of the case, the relaxation to pay the premium at the time of C.C. was considered by then M.C. and accordingly, the proposal was approved as per DCR 1991. The entire payment of premium was to be deposited to MCGM. However, now as per DCPR-2034, the 50% payment is to be deposited to Govt. as mentioned on pre-page.

In view of above, it is felt that the request of the CREDAI-MCHI for payment of premium for I to C/R permission at the time of C.C. & not at the time of IOD may be acceded to. However, no installment facility in said payment will be allowed and it will be responsibility of Developer to pay the premium at the time of asking C.C. including zero FSI C.C.

Submitted for approval to the sidelined portion 'A' above.

(I.S. Chahal)
Hon.M.C.
Sir,

5/6-20
महानगरपालिका आयुक्त

Ch.E. (DP) & Director (ES & P)

Ch.E.(D.P) & Dir.(ES & P)

MCP/2560
05.06.2020

Pl. circulate to all concerned

05/06/2020