

MUNICIPAL CORPORATION OF GREATER MUMBAI

Chief Engineer (Development Plan) Department

No. CHE/DP/ 3274/Gen / dtd. 31 JUL 2020

Sub: Facility of instalments in payments payable for grant of IOD/CC for various fees/ charges/ deposits/ premiums to be paid in respect of Building Permissions.

Ref: 1) K-14011/12/2020-AMRUT-IIA dtd.28.05.2020 (c-575/c-529)
 2) TPS-1820/CR 59/2020/UD-13 dtd.04.06.2020 (c-581)
 3) संकीर्ण 2020/प्र.क्र 76 /नवि -20 दि. 08.06.2020 (c-573)

Reference is please requested to the representation of M/s Evie Real Estate Pvt. Ltd. dtd. 22.07.2020 addressed to Hon.M.C. In the said representation the applicant has requested not to charge any interest or penalty for delay in payments as directed by Govt. of India & Govt. of Maharashtra. Similar references are being received from MCHI- CREDAI alongwith some developers.

c-567
c-531

Reference is also requested to the detailed note of the then Ch.E.(DP) to AMC (P)/ Hon.M.C. at page N/105-109 & Hon.M.C.'s approval thereon alongwith the endorsements as detailed below:

1. Discussed with C.A. All the amount deposits of MCGM are getting 7.5% interest.
2. Serving Loan in 'G' Budget is at 8%.
3. Hence, levying a delayed payment interest on instalment at 8.5% is justified in current scenario of falling number of development premium revenue due to slack market, these reduced rates will be applicable only for 2 years.

Accordingly a circular has been issued u/no. CHE/DP/13915/Gen dtd. 04.09.2019. Subsequently, a modified circular has been issued u/no. CHE/DP/14770/Gen dtd. 17.09.2019 with the approval of M.C.

c-505
c-513

c-557 to c-565

It is to mention here that the installment facility is being given to the premium/ charges payable to MCGM in respect of

- (i) 25% MCGM share of additional FSI on payment of premium permissible under Reg 30 of DCPR 2034.
- (ii) Additional FSI permissible under Reg. 33 of DCPR 2034 for MCGM part.
- (iii) 50% of total premium payable to Corporation towards utilisation of Fungible Compensatory area under Reg 31(3) of DCPR-2034.

- (iv) Premium to exempt area covered under staircases/ lift/ staircase and lift lobby from FSI.
- (v) Premium towards condonation of deficiency in open space of all types.

In this regard the concerned Govt. Authorities has also given installment facility.

c-575/
c-579

It is to submit here that in view of pandemic COVID-19 by considering 'Force Majeure' situation, the Ministry of Housing and Urban Affairs, Govt. of India u/no. K-14011/12/2020-AMRUT- II A dtd. 28.05.2020, has issued directions 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 is 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.

c/573
c/581

Joint Secretary, UDD vide his letter referred at Sr.No.3 above has directed to follow the directions dtd. 28.05.2020 and dtd. 04.06.2020 issued by Govt. of India and Govt. of Maharashtra respectively due to 'Force Majeure' situation created by pandemic COVID -19.

c-583
c-585

It is to submit here that as per above directions of Gol & GoM with the approval of M.C. the validity of all the permissions has been extended automatically upto 31.12.2020 subject to recovery of revalidation charges/ fees without charging penalty while granting the renewal or revalidation during this period.

Now, as requested by the applicants and in view of the Pandemic COVID-19 by considering 'Force Majeure' situation and in view of directions from Gol & GoM, it is felt that

- (i) The due dates of installment facilities granted, falling in the period from 25.03.2020 to 24.12.2020 (i.e. for the period of 9 months) will be shifted to

26.12.2020 for all proposals where the installment facility is granted as per policy.

- (ii) However, during the said increased period upto 26.12.2020 no interest will be levied on the regular & default installments.
- (iii) The defaulter who has defaulted in installment facility payment excluding grace period of 3 months before 25.03.2020 will have to pay regular interest as well as penal interest upto 22.03.2020. The installments payable between 25.03.2020 to 24.12.2020 and the default installments payable before 25.03.2020 will have to be paid within 15 days from 26.12.2020 i.e. upto 10.01.2021.
- (iv) The 9 months interest waiver on installments will not be applicable to proposals who have failed to make upto date due installment payments on or before 10.01.2021 and regular interest as well as penal interest will be charged to such proposals as per prevailing policy circular.
- (v) As regards proposal submitted during the above mentioned period, premium towards 1st installment will be recovered if the applicant applies for the installment facility. Interest should not be charged upto 24.12.2020.
- (vi) The applicant is required to make an application for availing the aforesaid facility to the concerned Dy.Ch.E.(BP) who will approve and allow the said facility.

C.A. (F) is hereby requested to go through the above report and submit the same with his comments for the consideration of AMC (P)/ Hon.M.C. On receipt of approval, this will be circulated to all the concerned including stakeholders.

Submitted please.

(Pradeep Padwal)
C.A. (Finance)

(P. Velarasu)
A.M.C. (P)

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

31/12/2020
(Vined P. Chithore)
Ch.E.(DP) & DMC (SE)

31/12/2020
H.S. Chahal

(i) to (vi) in N-114 & N-115 may be approved.

31/12/2020
A.M.C.(P)

4/1-2020