

## MUNICIPAL CORPORATION OF GREATER MUMBAI

NO: CHE/DP/ 15755 /GEN Date 6.9.17

CHE/DP/38/Gen  
2017-18C I R C U L A R

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

In view of number of requests received from various Developers/ Architects developing the land/ reconstructing the buildings in the jurisdiction of MCGM, it is now decided after due consideration to grant the facility of installments in payment of fees/ premiums/ charges/ deposits, to those who have requested payment of such amounts in the installments as per the following guidelines:-

- (1) The installments facility shall not be granted to following payments and shall be paid at initial stage i.e. at IOD/ Amended plan approval
- (i) Scrutiny fees (shall be paid alongwith submission of proposal)
  - (ii) IOD deposit
  - (iii) Debris deposit
  - (iv) Labour cess
  - (v) Development charges
  - (vi) The premiums related with FSI payable to State Government i.e: utilisation of :
    - a) 50% of Additional FSI permissible under Reg.32 of DCR 1991
    - b) 50% of Additional FSI permissible under Reg. 33 of DCR 1991
    - c) 1/3<sup>rd</sup> Govt. share of the premium applicable for allowing fungible compensatory FSI as per provision of Regulation 35(4) of DCR 1991.
- (2) The installment may be granted to the premiums/ charges payable to MCGM for followings:
- (i) 50% of Additional FSI permissible under Reg.32 of DCR 1991
  - (ii) 50% of Additional FSI permissible under Reg.33 of DCR 1991
  - (iii) 2/3<sup>rd</sup> part of total premium payable to Corporation towards utilisation of fungible compensatory FSI under Regulation 35(4) of DCR 1991.
  - (iv) To allow area of Staircase/Lift/Staircase and Lift Lobby free of FSI.

*[Signature]*  
Ch. E. (DP)

*[Signature]*  
22/1/19

(S. Mukherjee)  
A.M.C. (P)

- (v) To condone open space deficiency of all types
- (vi) To condone parking space.
- (vii) To allow inadequate size of AVS.
- (viii) To allow paved R.G.
- (ix) To allow imbalance of parking spaces ratio.
- (x) To condone segregating distance.
- (xi) To condone inadequate width of staircase.
- (xii) To condone requirement of second car lift/ lift.
- (xiii) To allow steps in front open space.
- (xiv) To condone width of access.
- (xv) To condone the requirement of 2<sup>nd</sup> staircase.
- (xvi) Any other premium not related with grant of FSI.

(3) The facility of instalments in the payments to be paid to MCGM will be allowed only when both the following conditions are fulfilled:-

- a) Where the minimum amount payable at the time of granting installment facility to MCGM under clause 2 above is Rs. 50.00 Lakhs and above, and
- b) Where the gross plot area under development is 400.00 sq.mt. or more.\*

(4) The installment facility shall be granted to the payments mentioned at above Clause No. (2) only.

**(A) For building having height less than 70.00 mtrs.**

The installments facility shall be granted for period of 24 (Twenty Four) months. There will be total of three installments, starting with the first initial payment and followed by two installments at the interval of 12 months each.

The installment facility shall be granted as per following table.

Sr. No.	Type of Payments to be made (As per Sub Clause)	Initial payment	At the end of Months With interest	
			12 <sup>th</sup>	24 <sup>th</sup>
		1 <sup>st</sup> Installment	2 <sup>nd</sup> Installment	3 <sup>rd</sup> Installment
1.	2	33%	33%	34%

*[Handwritten signature]*

*10/2*  
*22/1/20*

(S. Mukherjee)  
A.M.C.(P)

**(B) For building having height equal to or more than 70.00 mtrs.**

The installments facility shall be granted for period of 36 (Thirty Six) months. There will be total four installments, starting with the first initial payment and followed by three installments at the interval of 12 months each. The installment facility shall be granted as per following table.

Sr. No.	Type of Payments to be made (As per Sub Clause)	Initial payment	At the end of Months with interest		
			12 <sup>th</sup>	24 <sup>th</sup>	36 <sup>th</sup>
		1 <sup>st</sup> Installment	2 <sup>nd</sup> Installment	3 <sup>rd</sup> Installment	4 <sup>th</sup> Installment
1.	2	25%	25%	25%	25%

Note:- No further extension in allowing payment in installments will be entertained beyond the above prescribed schedule.

- (5) Developer/Architect shall apply for grant of facility of installment payments in respect of payments to be made to MCGM for items mentioned in clause 2 above only and same shall be submitted to the Municipal Commissioner for his approval.
- (6) All the installment proposals shall be submitted to the Municipal Commissioner for consideration and obtaining sanction. The format of the report to be submitted to the Municipal Commissioner shall be as per **Annexure C** to this Circular. The approval of the Municipal Commissioner can be obtained alongwith the Concession Report or can be processed independently on request of Arch. / L.S./Developer After grant of installment facility from Municipal Commissioner, for *new building* proposals or for ongoing proposals, where the work is being carried out as per approval;
- (i) The concerned A.E.(BP) shall issue demand note of the payments to be made by Developer <sup>owner/ soc.</sup> considering installment facility within 3 days from date of issue of IOD/ amended plan in case of new proposal/ amended plan and within 3 days of receipt of sanction from Municipal Commissioner in case of ongoing proposals.
- (ii) Following conditions shall be incorporated in the IOD/ amended plan approval letter.
- (a) In case of IOD
- "That the payment as per schedule of installment granted by Municipal Commissioner shall not be made."

*[Signature]*  
A.E.(BP)  
MCGM

*[Signature]*  
M.C.G.M.

(S. Mukherjee)  
A.M.C.(P)

(b) In case of amended plan approval,

"The payment as per schedule of installment granted by Municipal Commissioner shall be made."

(iii) If Developer/ Owner/ Society fails to pay the installment in time as per schedule then following action shall be taken-

(a) The structure related to the defaulted installment payment shall be demolished under the provisions of MR & TP Act 1966 including section 55 of the MR & TP Act 1966 and

(b) The defaulted amount shall be treated as arrears in the property tax and shall be recovered accordingly by the Assessment Department of MCGM, as per the relevant provisions in act and norms, if not paid by the Developer/ Owner/ Society within 3 months of default."

(iv) Developer/ Owner/ Society shall deposit demand of 1<sup>st</sup> installment within 1 month from the issue of demand note.

(7) Only after receipt of payment of 1<sup>st</sup> installment, Commencement Certificate will be issued by concerned E.E.(BP) subject to compliance of all other related IOD/ amended plan approval letter conditions.

(8) (a) In respect of Building having height less than 70.00 mtrs.

The remaining installments shall be payable in <sup>two</sup> yearly installments from the date of payment of 1<sup>st</sup> installment. The amount of each installments shall be due in 12<sup>th</sup> & 24<sup>th</sup> month from the payment of the first installment or due date as per schedule & shall be paid on due date with the interest calculated at the rate of 12% p.a. on reducing outstanding balance payment as illustrated in Scenario-I of Annexure- A.

(b) In respect of Building having height equal to or more than 70.00 mtrs.

The remaining installments shall be payable in three yearly installments from the date of payment of 1<sup>st</sup> installment. The amount of each installments shall be due in 12<sup>th</sup>, 24<sup>th</sup> & 36<sup>th</sup> month from the payment of the first installment or due date as per schedule and shall be paid on due dates with the interest calculated at the rate of 12% p.a. on reducing outstanding balance payment as illustrated in Scenario- I of Annexure- B.

(c) C.C. equivalent to 15% of approved Built up area OR the C.C. of Built up area of entire one floor (if the part terrace is proposed at topmost floor then

*13/11/18*

*10/11/18*  
Finance

(S. Mukherjee)  
A.M.C (P)

the topmost floor and entire one floor below topmost floor) whichever is higher shall be restricted.

- (d) The total recovery of payment for balance amount with interest due shall be confirmed by concerned E.E.(B.P.) before releasing restricted 15% C.C. OR C.C. of one or more floor as the case may be. The C.C. thus restricted, shall be released forthwith on receipt of all the installments with interest within the specific period as mentioned in sub-clause 8(a) & (b) above subject to compliance of all other related IOD/ amended plans approval letter conditions.
- (9) The Developer/Owner/Society shall deposit post-dated cheques for installment amount with an interest due and drawn on Scheduled Bank, as per the schedule date of payment before grant of C.C.
- (10) If Developer/Owner/Society fails to deposit the installment amount with interest on due date, the interest rate at 18% p.a. shall have to be recovered on delayed period on total outstanding installment amount. However, in any case this delay should never be beyond 3 (Three) months beyond schedule date otherwise the stop work notice as per MMC Act 1888 and also action as deemed fit as per Section 55 of MR & TP Act 1966 will have to be initiated against the Developer/ Owner/ Society immediately by informing concerned D.O. with specific details about non-payment of dues and work beyond approvals as the case may be as illustrated in Scenario-II of Annexure- A & B. The balance installments shall be paid on due dates.
- (11) In case of default of any installment beyond the period prescribed in Clause 8 above, the developer shall be required to pay the entire outstanding balance payment within 3 months of the expiration of period prescribed in clause 8 at an interest rate of 18%. If the developer fails to pay the entire amount due within 3 months, then, payment payable for the project shall be recalculated as per the SDRR Rate of prevailing year for the area on the date on which entire payment which was differed is being made by the developer. From such recalculated payment, amount of payment already paid shall be deducted and the balance payment shall be collected. However, any interest amount paid will not be allowed to be adjusted against recalculated payment or any other amount payable to MCGM as illustrated in Scenario-III of Annexure- A & B.
- (12) If the Developer/ Owner/ Society availing the benefit of installment has carried out the work beyond C.C. granted, then the entire outstanding balance amount

*[Signature]*  
E.E. (DP)

*[Signature]*  
22/1/10

IS. Mukherjee  
A.M.C. (P)

of premium/ deposits/ charges shall be recovered with an interest of 12% from the date of issue of IOD along with regularisation charges before regularisation of work and before grant of C.C./ further C.C. as illustrated in Scenario-IV of Annexure- A & B.

- (13) If the plans are amended as the case may be in future during the installment period which attracts certain premium, charges mentioned in clause 2, the said additional amount payable shall be allowed to be paid in installment as illustrated in Scenario- V of Annexure- A & B and as under only on approval of Municipal Commissioner for the same.
- The additional amount payable will be divided into three or four installments as the case may be.
  - The installments of additional amount payable for amended plan shall also be paid immediately for those installments which have already been paid as per earlier allowed installments and the remaining installments shall be paid on due dates only as per earlier sanction.
  - The balance additional amount shall be payable on due dates of the installments already granted along with an interest as per this circular and shall be subjected to all the conditions of this circular.
- (14) The concerned A.O. of Building Proposal department shall maintain the head-wise details of the amount of installments and head-wise details of the interest amount. The A.O. shall keep proper record and also monitor the regular payments to be made by the Developer/ Owner/ Society and also issue demand letters/Notices to the defaulting Developer/ Owner/ Society immediately under the intimation to the concerned A.E.(B.P.)/ E.E.(B.P.). The concerned A.E.(B.P.)/ E.E.(B.P.) shall immediately inform with details of non-payment of installment amount / work beyond C.C. to concerned Designated Officer (D.O.) to issue stop work notice as the case may be and also initiate further course of actions as per Sec.55 of MR & TP Act 1966 as the case may be. On receipt of all dues/ installments/ penalties, the A.E.(B.P.)/ E.E.(B.P.) will inform the concerned D.O. for withdrawal of the Stop Work Notice/ MR & TP Notice, as per the merits of the case. The concerned D.O. should take action for withdrawal of stop work/ MR & TP notice as the case may be immediately as per the provisions of act and as informed by Building Proposal Department.
- (15) The defaulters shall never be considered for installments in any payment in future for the said project in which default has occurred.

*S. Mukherjee*  
Trade  
(DP)

*M/C*  
*22/9/90*  
Date  
Order

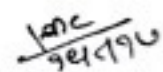
S. Mukherjee  
A.M.C.(P)

(16) The defaulted amount shall be treated as arrears in Property Tax and shall be recovered accordingly by the Assessment Department of MCGM as per the relevant provisions in act and norms, if not paid by the Developer/ Owner/ Society within 3 months of default.

The illustrative example as per above guide lines for the respective clauses above is annexed as ILLUSTRATION, ANNEXURE 'A' (for buildings having height less than 70.00 mtrs.) and ANNEXURE 'B' (for buildings having height equal to or more than 70.00 mtrs.), with different Scenarios - I, II, III, IV & V at page C/449 to C/471 as a guidelines while calculating the installments & dues, penalties, an interest, etc. Simultaneously, the format for report to be submitted to Municipal Commissioner for obtaining sanction to installment facility is annexed as ANNEXURE - 'C'.

**NOTE:** The necessary modifications as per the above policy circular will be made in 'Auto DCR', and till that time the proposals will be processed with existing offline arrangement.

  
(S. P. Darade)  
Ch.E.(DP)

  
(H.S. Yekhe)  
C.A.(Finance)

  
(S. Mukherjee)  
A.M.C.(P)

  
(Ajoy Mehta)  
Municipal Commissioner