



SLUM REHABILITATION AUTHORITY

SRA/Eng/Desk/Circular/4170

17 4 AUG 2015

CIRCULAR NO. 155

Sub:- Regularization of work carried out beyond approval /beyond C.C. granted.

In many SRA Scheme's it is observed that the work is being carried out beyond approval/beyond C.C. and even after taking approval for regularization the payment is not paid by the developer within specified time period.

Further, in some of the cases, the ratio of Rehab component and sale component constructed on site is not maintained. In light of above, following guidelines shall be followed.

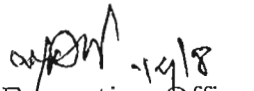
1. In respect of failure to pay the regularization charges as per regularization order, developer shall be directed to pay penalty amount / Regularization charges with compound interest at the rate of 18 % per annum or the amount as per the prevailing Ready Recknor Rate whichever is higher at the time of recovery of regularization charges.
2. Similarly, if developer failed to maintain the ratio of rehab and sale component and if sale component is constructed more than rehab component as on the day of regularization, then in respect of the said excess construction, developer shall pay 100% penalty as per circular issued by MCGM vide under number CHE/2052/DP/GEN dt. 4-2-2011 as amended upto date regarding the said unauthorized work. Out of the said penalty equal to 20 % of the total penalty is to be recovered from the developer within 7 days from the receipt of demand letter, however as proportionate rehab has not been constructed, regularization of sale building cannot be effected. As per the progress of rehab construction pro-rate area of sale component shall be regularized and the balance 80% penalty shall be recovered from the developer proportionately at various stages as per the construction of rehab component completed on site before regularization of corresponding sale component.

3. Developer shall also complete the rehab component on site/obtain the TDR/Fungible FSI as the case may be for regularization of sale building constructed at site within time period as decided by CEO (SRA).
4. If such a sale building as stated in point 2 is occupied without O.C. then the occupation penalty as per circular issued by MCGM vide under number MMC/1057 dtd. 21-05-1996 as amended upto date Shall be recovered from the developer at the time of granting O.C.C. to the said Building.
5. Further, developer shall submit registered undertaking stating therein that he will comply with the above said compliances as well as undertake to indemnify the SRA and its Officers against any claim or damages / loss by the persons unauthorizedly occupying the sale portion and the sole responsibility of any disaster or mishap will lie on the developer.
6. For such a time period as decided by Hon'ble CEO (SRA) lodging of complaint for registering offence in police station under the provisions of MRTP Act 1966 shall be deferred.
7. In case of 4 above the equivalent sale area in other projects of the same developer or where there are common partners shall be kept in abeyance and work will be stopped till 3 above is complied.

On failure to pay, the one time penalty mentioned in Para 2 hereinabove within 7 days from the date of receipt of demand letter, it will be presumed that developer is not willing to comply with the order and the MRTP action shall be processed further by lodging the complaint in the concerned police authority and further necessary action shall be taken against developer as per law.

This circular will come in force with immediate effect and will apply to all SRA Schemes.

In view of above, this office earlier Circular no.150 under number SRA/ENG/Circular/1988/Gen dtd. 29.04.2015 shall be treated as cancelled.


Chief Executive Officer
Slum Rehabilitation Authority