

SLUM REHABILITATION AUTHORITY

Circular No....184

No. SRA/CEO/178/2018

25 JAN 2018

CIRCULAR

Sub : Facility of deferment of Payments of premium for Fungible compensatory FSI.

- Ref :**
1. Notification No. CMS 4311/452/CR-58/2011/UD-11, dated 06/01/2012 issued by Urban Development Department, Mantralaya, Mumbai.
 2. Notice No. TPB 4315/CR-142/2015/UD-11, dated 20/10/2015 issued by Urban Development Department, Mantralaya, Mumbai.
 3. Circular No. CHE/DP/15755/GEN dated 06/09/2017 issued by Municipal Corporation of Greater Mumbai.
 4. Letter No. TPB 4317/1005/CR-302/2017/UD-11, dated 06/01/2018 issued by Urban Development Department, Mantralaya, Mumbai.
 5. Letter No. MCHI/PRES/17-18/087 dated 03/01/2018 issued by CREDAI
 6. Circular No.161 dated 01/10/2015 issued by Slum Rehabilitation Authority.
 7. Circular No.181 dated 26/10/2017 issued by Slum Rehabilitation Authority.

According to the provisions of Regulation No. 35(4) of sanctioned Development Control Regulation of Greater Mumbai, Fungible compensatory Floor Space Index, not exceeding 35% for Residential and 20% for Industrial / commercial Development, over and above admissible Floor Space Index, is permissible by charging premium @ 60%, 80% and 100% of stamp duty Ready Reckoner Rate, for Residential, Industrial and commercial development respectively.

Thereafter UDD vide Notification under reference No. 2, under section 37(1AA) read with directives u/s 154 of M.R. & T.P. Act, proposed amendment in note below regulation 35(4) and proposed that 1/3rd part of total premium for fungible FSI shall be payable to State Government and remaining 2/3 part shall be payable to MCGM.

Recently, MCGM, vide their circular under reference no.3 has sanctioned deferment to the share of MCGM in the fungible premium. Similarly, the Urban Development Department, Mantralaya, Mumbai vide letter under reference No. 3 addressed to the MCGM granted deferment to the share of Government in the fungible premium under Regulation No. 35(4).

The CREDAI vide their letter dated 03/01/2018 has represented to extend similar facility of deferment in fungible premium payable in respect of SR schemes. In light of the aforesaid circumstances and after careful consideration, the Chief Executive Officer of the Authority has decided to sanction deferment in payment of premium for fungible FSI under Regulation No. 35(4) as shown below on following conditions.

A) For Buildings below or upto 70 Meters in height

Initial Payment	At the end of Months with Interest	
	12 th	24 th
1 st Installment	2 nd Installment	3 rd Installment
33%	33%	34%

B) For Buildings above 70 Meters in height

Initial Payment	At the end of Months with Interest		
	12 th	24 th	36 th
1 st Installment	2 nd Installment	3 rd Installment	4 th Installment
25%	25%	25%	25%

1. If the developer fails to pay the fungible premium within 30 days from the date of demand, interest @ 18% shall be levied for a period up to 3 months from the date unless he applies for deferment of the same. If the developer fails to pay the dues within 3 months with interest, his application that led to generation of demand shall be deemed to have been rejected.
2. Minimum amount to be deferred shall be more than Rs.5 Lakhs.
3. The developer shall deposit 1st Installment of 25 % / 33%, of the amount to be deferred within 30 days of demand having been raised, before sanction of CC / Further CC.
4. Interest @ 12% p.a. quarterly compounding shall be levied from the end of 30 days from the date of issue of demand note by SRA on balance installments, for which postdated cheques shall be submitted at the time of sanction. If the calendar year changes during the period of deferment, at the time of realization of deferred amount, new demand calculation as per new SDRR or old deferred demand along with interest @ 12% p.a. quarterly compounding, whichever is higher shall be recovered.
5. If the developer fails to deposit the amount deferred on due date, interest at 18% p.a. quarterly compounding shall be recovered on defaulted amount from the date of default.
6. If deferment for fungible premium is sought for an amount less than of Rs. one crore, deferment shall be sanctioned at Secretary, SRA's level. For demand of more than Rs. One crore, deferment shall be only upon sanction of C.E.O.
7. If there is any default on the part of the developers availing the deferment facility, the sale component of the scheme would be forcefully stopped by the SRA and no further technical permissions would be granted to the developers from SRA and any other statutory authorities.
8. Notwithstanding anything mentioned above, CC equivalent to 15% of approved built up area of sale component or CC of built up area of entire one floor (If the part terrace is proposed at top most floor, then the topmost floor and entire one

- floor below top most floor) whichever is higher shall be restricted. Engineering Department is directed to ensure the same.
9. The total recovery of payment for balance amount with interest due shall be confirmed by Executive Engineer before releasing 15% CC or CC of one or more floor as the case may be. The CC thus restricted, shall be released forth with on receipt of all the installment of fungible premium with interest which should be confirmed from finance department.
 10. The Finance department is hereby directed to ensure that the 1/3rd amount of fungible premium received along with interest thereon is deposited into the proper head of the State Government and 2/3rd amount is remitted to MCGM by 15th day of next month.

As an endeavor to watch the recovery, all Executive Engineers are instructed that all cases in which deferment in payment in fungible premium is being granted to a developer, shall be routed through the Finance Controller stating clearly the actual due date of payment and period of deferment with clear recommendation of Engineering department so that the accuracy of outstanding amount and recoveries are ascertained before the file is put up to the Chief Executive Officer for orders.

Finance Controller is further instructed to maintain the head wise details of amount so deferred and head wise details of interest. Accounts Officer-II shall keep a close watch and issue demand letters to the defaulting developers immediately. Whenever any default is noted by Accounts Officer-II, he will intimate concerned Executive Engineer who shall without fail issue a stop work order to the defaulter. The stop work order shall not be rescinded without N.O.C. from Finance Controller. Such a defaulter will never be given deferment of any payment in future.

This circular shall come into effect from the date of issue.


Chief Executive Officer
SLUM REHABILITATION AUTHORITY

Copy :-

1. P. A. to Hon'ble CEO/SRA.
2. Secretary/SRA.
3. Finance Controller
4. Dy. Chief Engineer – I, II & Thane
5. All Executive Engineers
6. Accounts Officer – I & II.
7. File.