

BRIHANMUMBAI MUNICIPAL CORPORATION

Office of the Asstt. Commissioner (Estates), Municipal Corporation of Greater Mumbai,
Municipal Head Office, Annex building, 4th floor, Mahapalika Marg, Mumbai- 400 001.
Tel. (022) 2262051 (Ext. 4423) Email id-ac.estates@mcm.gov.in

No. AC/Estates/424347/A.E.(Imp)-I Dtd. 02 / 11 / 2022.

To,
Lessee,

Om Shanti Housing Development Company

Peninsula Business Park, B Wing,
13th Floor, Opp. Peninsula Corporate Park,
Senapati Bapat Marg, Lower Parel (W),
Mumbai – 400013.

Sub :- Proposed redevelopment on plot No. 48K, Naigoan Estates Scheme No. 60, bearing C.S. No. 40/26, Plot, Dadar Naigoan division at Dadasaheb Phalke Road, Mumbai- 400012 in F/South ward.

“NOC to C.C.”

Ref:-

1. Formal NOC issued u/no. AC/Estate/19990/AE(I)-II dtd.15/12/2014.
2. IOD vide no EB/1041/FS/A/IOD/1/New dtd. 30/08/2022.
3. Application from M/s. Aakar Architect & Consultants dtd. 07/09/2022.
4. AC/Estates/9029/A.E.(Imp)-I Dtd. 10/10/2022.
5. MDD / 1529 dtd. 18/10/2022.
6. Demand letter u/no. AC/Estates/424347/A.E.(Imp)-I Dtd. 20/10/2022.

Gentleman,

In the above subject matter, request of Architect M/s. Aakar Architects & Consultants to issue NOC to C.C. for proposed redevelopment on subject land under Reg. 32 of DCPR 2034 as per plans approved by B.P. Dept. vide no. EB/1041/FS/A/IOD/1/New dtd. 30/08/2022, has been considered favorably by Jt.M.C. (Imp) vide reference no. (5) above.

Accordingly, this office has issued demand letter vide ref.(6) above and the detail of payment raised and payment received is as under:

Particulars	Amount (in Rs.)	Payment made by Receipt No.
50% of One Time Premium	Rs. 79,71,250/-	Receipt No. 1004448184 Paid on 28/10/2022 (Pg. C/173 to C/177)

Therefore, as far as this office revenue is concerned there is no objection to issue NOC to CC for proposed redevelopment as per plans approved by BP Dept. dtd. 30/08/2022 vide ref (2) above on the plot under reference subject to the following conditions:

- 1) That, the remaining 50 % OTP amount of Rs. 79,71,250/- towards excess chargeable BUA shall be paid by Lessee within 3 years from issuance of instant NOC or before issuance of NOC to OC whichever is earlier, else penalty @ 12% will be levied for delayed payment.
- 2) That, in future, if any extra potential is derived by way of additional FSI/ Fungible compensatory BUA/ TDR on the plot due to revision of policy / rules etc. BMC as Lessor will have the exclusive right to recover One Time premium for said extra FSI / BUA or as per the policy prevailing then. Further the project period of 3 years for recovery of premium if any in future will be considered from issuance of this NOC.

- 3) That, the existing tenants/prospective buyers shall be made aware about following:-
 - a) That, to pay Annual extra ground rent to BMC for plot under reference, if any.
 - b) That, the lease deed shall be executed by Lessee / Society within 3 months from date of outcome of decision in the W.P. No. 1251 of 2014 and others & after issue of Final Occupation Certificate / Building Completion Certificate by Building Proposal Department, whichever is later, as per the conditions to be finalized by MCGM as per the final verdict of Hon'ble High Court.
 - c) That, to pay the enhanced lease rent payable to MCGM which is subjudice in the Hon'ble High Court in W.P. No. 1251 of 2014 and others as per the final verdict of Hon'ble High Court in the matter and the modification in policy of Corporation in this regard will be binding on existing Lessee / tenants/ prospective buyers.
- 4) That, the B.P. Department shall not approve the amended plans /Further CC / OC without NOC of Estate Department as it involves BMC's revenue.
- 5) That, for any Development pursuant to section 44/69 of MR & TP Act, 1966, development charges as per section 124 A of MR & TP Act, 1966 and any other charges as per the provision of MR & TP act 1966 & any other Acts, will be payable by the NOC Holder, while obtaining such permission.
- 6) That, this NOC is issued subject to compliance of conditions of lease deed executed for plot under reference.
- 7) That, PRC shall be updated in the name of present lessee of plot M/s. Om Shanti Housing Development Co. & BMC as lessor of plots within one year from date of issuance of instant NOC to CC.
- 8) That, after the redevelopment, when the post audit of file is carried out, the NOC Holder / lessee is liable to pay the short recovery or dues, if any raised in the audit.

Yours faithfully,



Asstt. Comm. (Estates)