

Office of the Municipal Commissioner,  
Thane Municipal Corporation, Thane  
No. TDO/DPIC/ADTP/243  
Date: 17/5/2014

**Sub:- Circular of Constructed Amenity TDR Policy**

Previously, Thane Municipal Corporation has constructed many Amenities from land Owner or Developer on behalf of land Owner. Some development may come in purview of Appendix 'W' provisions, as in the case of W. P. No. 9793/2012, W. P. No. 10526/2013.

To consider such kind of proposal for granting TDR/DR as per Appendix 'W' of D C Regulation, the policy is formulated as under:


- 1 Construction Amenity TDR/DR will be only due, in pursuance of Registered Agreement executed in between Applicant and Corporation, work completed as per specification & Completion/Occupation Certificate is granted by the relevant Department as conditions mentioned as per status of work shown as follow:

Status of Work or application	Action to be taken by Department
Whenever order specifies less than equivalent TDR and order is accepted.	Put up proposal as per the Accepted order by Applicant.
In case where Occupation Certificate is awarded for full project, as approved at the time of Construction of Amenity and non-application of TDR before Court Order.	TDR application to be rejected.
In case where Occupation Certificate is awarded for part project, as approved at the time of Construction of Amenity and non-application of TDR before Court Order.	TDR application to be considered on pro-rata basis of completed project after considering registered agreements in between Developer and Purchaser with conditions mentioned as follows:
<b><u>A) Handed over Developed Amenity</u></b>	TDR application to be rejected.
<b><u>B) Not Handed Over but completed with conditions as follows:</u></b>	
I) Completed before One Year of application.	I) TDR application to be rejected.
II) Completed within One Year of Application with conditions as follows:	II) Action to be taken as follows:
a) If Commencement Certificate is issued with the condition to develop such Amenity.	a) TDR application to be considered.
b) If Commencement Certificate is issued without any condition to develop such Amenity.	b) TDR application to be rejected.
III) Not Completed within One Year of Application with conditions as follows:	III) Action to be taken as follows:
a) If work has not been started	a) TDR application to be rejected. Modify Commencement Certificate if needed.
b) If work has been started	b) Action to be taken as follows:
i) If Commencement Certificate	i) TDR application to be

<p>is issued with condition to develop amenity.</p> <p>ii) If no condition is imposed for development of amenity in Commencement Certificate.</p>	<p>considered.</p> <p>ii) TDR application to be rejected.</p>
<p><u>C] Applications for TDR as per App. W for constructed Amenity before any court order</u></p> <p>i) After completion of project and granting Occupation Certificate.</p> <p>ii) Before completion of project and granting Occupation Certificate.</p> <p>a) If any Commissioner order exists or If Commencement Certificate is issued with condition to develop amenity.</p> <p>b) If no condition is imposed for development of amenity in Commencement Certificate.</p>	<p>i) TDR application to be rejected.</p> <p>ii) Action to be taken as follows:</p> <p>a) TDR application to be considered.</p> <p>b) TDR application to be rejected.</p>

Town Development Department shall propose action based on abovementioned policy for such cases henceforth.



  
 Municipal Commissioner,  
 Thane Municipal Corporation, Thane