

S. S. Hussain I.A.S. (Ex)
Chief Executive Officer

Ref. No : MCHI/CEO/14-15/185

January 21, 2015

Subject: Draft Rule MHARA (Deemed Conveyance)

**Ref.: Notification issued by Housing Department
dtd. 6th September 2014**

Please refer to your Notification No. MHA 10.14/C.R.21/R&R2, invited draft rules called as Maharashtra Housing (Regulation and Development) Act, 2012 (Mah II of 2014) (Deemed Conveyance 2014).

The said rules need to be re-casted completely, since the rules are made for;

- (1) Registration of Society in the event the Promoter fails to do so within the time limit prescribed under Section 18 of the Act.
- (2) Deemed Conveyance of the property in case of the Single Building development, in the event the promoter fails to convey the property in favour of the Common Organization of the Flat Purchasers within the time prescribed u/s. 19 of the Act.
- (3) Deemed Conveyance in respect of the structure of the building or a wing in case of development of layout, in the event, Promoter fails to convey the structure to the Common Organization of the Flat Purchaser within the time limit prescribed u/s. 19 of the Act.
- (4) Deemed Conveyance in favour of Apex Body or Federation of the land underneath the individual structures, which are conveyed to separate common organization, in case of layout development where promoter fails to convey such land within time limit prescribed u/s. 19 of the Act.

Rules, which not consider all of the above aspects, and are general in nature, e.g. where common organization is to be registered by Competent Authority, in the event of Promoter failing to form and register such common organization, the Rules speaks of application being made by registered common organization.

[Handwritten Signature]
21/1/2015
P.A. to Principal Secretary to the
Government of Maharashtra
Housing Department
Mantralaya, Mumbai 400 032

There are many such issues which we would like to discuss in person and if required may submit the modification to incorporate all the above eventually.

You are kindly requested to give us time for personal hearing in this regard.

Yours



S. S. Hussain

To,
Shri Satish Gawai
Principal Secretary,
Department of Housing
Government of Maharashtra
Mumbai.