

Ref. No. MCHI/PRES/18-19/370

July 18, 2019

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Prakash Baviskar

To,
Shri Deepak Kapoor (I.A.S.)
Chief Executive Officer
Slum Rehabilitation Authority
Bandra (E), Mumbai - 400051

Sub: To consider the time prescribed of 90 days for conveyance of building, in the Draft Lease Deed.

Dear Sir,

The Lease of the Land has to be executed in case of Land of Rehabilitation component in favor of Common organization (society/Federation/Limited company/ Association of Person) of Slum-dwellers and Land comprising of Sale Component, the lease has to be executed in favour of the Common organization of Apartment purchasers or in favour of nominee of the Developer. The Lease is to be executed by SRA as per the provisions of the Slum Act.

However, till date the draft of the Lease Deed has not been finalized by SRA and hence in all cases where Government or Government Corporations are the Land Owner, the Lease has not yet been executed, till date.

Sir, the Real Estate transactions of sale of Apartments are now brought under the provisions of RERA, and in accordance with the provisions of RERA, period within which Lease has to be given common organizations is prescribed as under :

- (i) In case of single building, the lease of the land with building has to be executed in favor of common organization of the Apartment purchasers within a period of 90 days from the date of issue of OCC of the building.
- (ii) In case of Layout, once the OC of any building is obtained, the conveyance/lease of the structure of the building has to be made in favor of the Common organization of the Apartment Purchasers, within 90 days. As soon as the last of the building in the Layout is completed and OCC for the same is granted, then conveyance/lease of the land in favour of Common organization of the Apartment Purchasers has to be executed within 120 days.


Considering provisions of RERA, Sir we request to the Slum Rehabilitation Authority to prepare a draft of Lease Deeds for

- (i) Lease of Structure in case of buildings in layout
- (ii) Lease deed of Land with Buildings in case of single building
- (iii) Lease Deed of Land to Federation of common organization of each of building in the layout, in case of Layout.

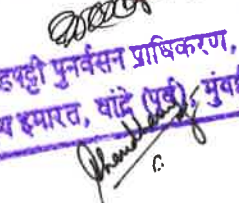
Sir, it is requested that once the aforesaid draft of Lease Deed are ready, a separate division in SRA is constituted only to execute the lease in case of SRA scheme, considering the work load which is pending.

Thanking you,

Your sincerely,
For CREDAI-MCHI


Nayan A. Shah
President


Bandish Ajmera
Hon. Secretary


Sanjiv S. Chaudhary MRICS
Chief Operating Officer

