

**MANAGING COMMITTEE
2022-2023**

PRESIDENT
Boman Irani

IMMEDIATE PAST PRESIDENT
Deepak Goradia

PRESIDENT-ELECT
Ajay Ashar

VICE PRESIDENTS
Domnic Romell
Shrikant Joshi
Jayesh Shah
Shailesh Purnik
Parag Shah
Sukhranj Nahar

HON. SECRETARY
Dhaval Ajmera

TREASURER
Pritam Chivukula

SPECIAL PROJECTS
Shahid Balwa
Parag Munot
Rajendra Chaturvedi
Rajesh Prajapati
Harshul Savla
Parth Mehta

HON. JT. SECRETARIES
Pratik Patel
Tejas Vyas

JT. TREASURERS
Mukesh Patel

COMMITTEE MEMBERS
Harish Patel
Nainesh Shah
Bandish Ajmera
Sandeep Raheja
Subodh Runwal
Rasesh Kanakia
Gautam Ahuja
Deepak Gundecha

SPECIAL ADVISORS
Abhishek Lodha
Gautam Chatterjee
Ar. Hafeez Contractor
Anuj Puri
Ankur Gupta
Adv. Parimal Shroff

INVITEE MEMBERS
Mohit Malhotra
Jackbastian Nazareth
Venkat K. Narayan
Abhishek Kapoor
Amit Thacker
Gurminder Singh Seera
Munish Doshi
Nishant Agarwal
Cherag Ramakrishnan
Azim F. Tapia
Jayesh C. Shah
Shallesh Sanghvi
Sunny Bijlani
Binitha Dalal
Sahil Parikh
Nikunj Sanghavi
Rushank Shah
Ricardo Romell
Samyag Shah
Rushi Mehta
Rajeev Jain

YOUTHWING CONVENOR
Naman Shah

PROCUREMENT CONVENOR
Nimish Ajmera

WOMEN'S WING CHAIRPERSON
Mona Ajmera

CREDAI-MCHI UNITS
THANE
KALYAN-DOMBIVLI
MIRA VIRAR
RAIGAD
NAVI MUMBAI
PALGHAR BOISAR
BHIWANDI
SHAHAPUR-MURBAD
URAN-DRONAGIRI
ALIBAG
KARJAT-KHALAPUR-KHOPOLI

CREDAI - MCHI

Ref. No. MCHI/PRES/22-23/222

Date: 27/6/2022

Dr. Nitin Kareer (I.A.S.),
Additional Chief Secretary,
Revenue Department,
Government of Maharashtra

Sub: Request for Appointment

Ref: CREDAI-MCHI's representations bearing No. MCHI/PRES/22-23/048 & MCHI/PRES/22-23/049A dtd. 8.2.2022 and MCHI/PRES/22-23/077, dtd. 16.2.2022

Respected Sir,

CREDAI-MCHI had earlier represented on the various pending issues pertaining to Revenue Department, wherein some improvement is requested and can be simplified in order to bring Ease of Doing business in the process. (Copies of the representations are attached)

We are submitting the following suggestions:

1) For Revenue Department under EoDB

- Suggestions for DIVISIONAL COMMISSIONER'S OFFICE (Mumbai and MMR) to be implemented within 30 days and 100 days. Other suggestions in detail are annexed.
- Suggestions for SETTLEMENT COMMISSIONER'S OFFICE (Mumbai and MMR) to be implemented in 30 days under EoDB.
- All build able amenities once OC is obtained, they should automatically transfer the same.
- To withdraw the condition of taking Sanad for all class I and class II lands in the Thane Municipal Corporation.
- Request for extension of period of payment of premium on conversion of occupancy class - II or on lease hold basis into occupancy class - I land

2) For IGR department

- Rationalization of Land ASR rates to 1/3rd of Sale rates
- Suggestions for Stamp Duty Payable on Instruments Executed for The Purpose of Rehabilitation of Slum Dwellers
- PAAA to be executed on Rs. 1000 stamp Paper for all Redevelopment schemes

To discuss on the above, we request for an appointment for a meeting with few of our Committee Members. Hence, request you to consider the same and grant us suitable date and time for the meeting in this week.

Looking forward to your confirmation on the same.

Thanking you,

Yours faithfully,
For CREDAI-MCHI

Boman Irani
President

Dhaval Ajmera
Hon. Secretary

Maharashtra Chamber of Housing Industry

Maker Bhavan II, 4th Floor, 18, V. Thackersey Marg, New Marine Lines, Mumbai - 400 020.
Tel: 42121421, Fax: 4212 1411/407 Email: secretariat@mchi.net Website: www.mchi.net

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Mona Ajmera

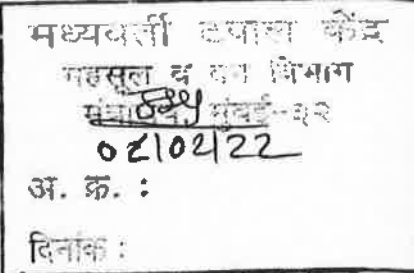
CREDAI-MCHI UNITS
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URAN-DRONAGIRI
ALIBAG
KARJAT-KHALAPUR-KHOPOLI

CREDAI-MCHI

Ref: MCHI/PRES/22-23/048

Date: 8.2.2022

To
Dr. Nitin Kareer (I.A.S.)
Additional Chief Secretary
Revenue Department
Government of Maharashtra
Mantralaya, Mumbai - 400032



Sub: Request for attention in the issue of requirement of submitting Sanad in Thane Municipal Corporation before O.C.

Ref: CREDAI-MCHI letter dated 17th Nov 2021 with ref no. MCHI/PRES/21-22/365

Respected Sir,

At the onset, please accept our deepest gratitude for the meeting and hearing on the issues/ suggestion related to revenue department on 28th January 2022. We are fortunate to have you in revenue department, who is taking all necessary steps to bring EoDB in the department.

Sir, during our discussion on one of the point with regard to requirement of submitting Sanad before OC in thane corporation, you were kind enough to inform us that the action has been taken on our representation and circular/ letter / memorandum to this effect is already issued. Therefore, NA conversion tax to be accepted for all the projects located in the boundary of Thane Municipal Corporation before issuing Occupation certificate.

Sir, would like to request to please help us get the copy circular/ letter/ memorandum mentioned by you during the meeting. So that we can inform all our developer members regarding the same. Also, we may bring to your kind notice that the same is yet to be implemented at Thane Collector office.

We hope that our above request will considered and copy of circular will be communicated to us the earliest.

Thanking you for your continuous support.

Yours faithfully,
For CREDAI-MCHI

Boman Irani
President

Dhaval Ajmera
Secretary

Encl : As above

Maharashtra Chamber of Housing Industry

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2020-2021**

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PRESIDENT-ELECT
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CO-ORDINATORS
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Dr. Harshul Savla

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PAST PRESIDENTS
Mayur Shah
Dharmesh Jain
Vyomesh Shah
Paras Gundecha
Pravin Doshi
Mohan Deshmukh
Mofatraj Munot
Rajnikant Ajmera
Late G. L. Raheja
Late Lalit Gandhi
Late Babubhai Majethia

CREDAI-MCHI UNITS
PRESIDENT, THANE
Ajay Ashar

PRESIDENT, KALYAN DOMBIVLI
Shrikant Shitole

PRESIDENT, MIRA VIRAR CITY
Ashit Shah

PRESIDENT, RAIGAD
Kiran Bagad

PRESIDENT, NAVI MUMBAI
Vijay Lakhani

CREDAI-MCHI

Ref. No. MCHI/PRES/21-22/365
November 17, 2021

To,
Dr. Nitin Kareer (I.A.S.)
Additional Chief Secretary
Revenue Department
Government of Maharashtra

18/11/2021
निविदा
कमिशन (महसूल)
महसूल व विभाग
महसूल विभाग

Sub: Requirement of SANAD for all Class I and Class II lands in the Thane Municipal Corporation.

- Ref: 1) Amendment in MLRC ,1966 with ref no: MAHENG/2009/35528 dated 05/01/2017
2) Further Amendment in the MLRC 1966 with ref no: MAHBIL/2009/35530 dated 15/04/2017
3) Office memorandum from THANE collector office dated 16/03/2017

Respected Sir,

As per above referred office memorandum dated 16/03/2017 (Ref. No. 3), the then Hon. Collector had issued guidelines for carrying out the work in case of Class I and class II lands, till any further guidelines were received after the Amendment in MLRC, 1966 with ref no: MAHENG/2009/35528 dated 05/01/2017 (same is highlighted in the attached copy of memorandum). According to the point no. 6 of said OM, occupation certificate should not be given by the planning authority till the Sanad is submitted for class I land.

However, since there is Further Amendment in the MLRC 1966 with ref no: MAHBIL/2009/35530 dated 15/04/2017 (Reference No. 2) which is in continuation to Amendment in MLRC 1966 with ref no: MAHENG/2009/35528 dated 05/01/2017 (Reference No. 1) the office memorandum issued by the then Hon. Collector shall be superseded by this GR. As it clearly mentioned in point 2 of the said GR, that the NA conversion tax receipt shall be considered as the documental proof for conversion of land as Non agriculture use (the same is highlighted in the attached copy of the GR).

Based on the above submission, CREDAI-MCHI hereby prays to your good office to kindly review the above mentioned office memorandum and instruct the Office of Thane Collector to issue fresh guidelines for accepting NA conversion tax and WITHDRAW the condition of taking SANAD for all the projects located in the boundary of Thane Municipal Corporation before issuing Occupation certificate.


Thanking you and looking forward to your positive action in this regard.

Yours faithfully,

For CREDAI-MCHI



Deepak Goradia
President



Pritam Chivukula
Hon. Secretary

CREDAI-MCHI

Maker Bhavan II, 4th Floor, 18, V. Thackersey Marg, New Marine Lines, Mumbai - 400 020.
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महाराष्ट्र शासन राजपत्र

असाधारण भाग आठ

वर्ष ३, अंक ३]

गुरुवार, जानेवारी ५, २०१७/पौष १५, शके १९३८

[पृष्ठ ६, किंमत : रुपये २७.००

असाधारण क्रमांक ३

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम आणि विधि व न्याय विभागाकडून आलेली विधेयके (इंग्रजी अनुवाद).

In pursuance of clause (3) of article 348 of the Constitution of India, the following translation in English of the Maharashtra Land Revenue Code (Amendment) Ordinance, 2017 (Mah. Ord. II of 2017), is hereby published under the authority of the Governor.

By order and in the name of the Governor of Maharashtra,

P. H. MALI,

Principal Secretary to Government,
Law and Judiciary Department.

[Translation in English of the Maharashtra Land Revenue Code (Amendment) Ordinance, 2017 (Mah. Ord. II of 2017), published under the authority of the Governor].

REVENUE AND FORESTS DEPARTMENT

Mantralaya, Madam Cama Marg, Hutatma Rajguru Chowk,
Mumbai 400 032, dated the 5th January 2017.

MAHARASHTRA ORDINANCE No. II OF 2017.

AN ORDINANCE

further to amend the Maharashtra Land Revenue Code, 1966.

WHEREAS both Houses of the State Legislature are not in session;

AND WHEREAS the Governor of Maharashtra is satisfied that circumstances exist which render it necessary for him to take immediate action further to amend the Maharashtra Land Revenue Code, 1966, for the purposes hereinafter appearing;

Mah.
XLI of
1966.

NOW, THEREFORE, in exercise of the powers conferred by clause (1) of article 213 of the Constitution of India, the Governor of Maharashtra is hereby pleased to promulgate the following Ordinance, namely :—

1. (1) This Ordinance may be called the Maharashtra Land Revenue Code (Amendment) Ordinance, 2017.

Short title and
commencement.

(2) It shall come into force at once.

(१)

Insertion of
sections 42B
and 42C in
Mah. XLI of
1966.

Provision for
conversion of
land use for
lands included
in final
Development
plan area.

2. After section 42A of the Maharashtra Land Revenue Code, 1966 (hereinafter referred to as "the said Code"), the following sections shall be inserted, namely :—

Mah.
XLI of
1966.

"42B. (1) Notwithstanding anything contained in sections 42, 42A, 44 and 44A, upon publication of the final Development plan in any area as per the provisions of the Maharashtra Regional and Town Planning Act, 1966, the use of any land comprised in such area shall, if conversion tax, non-agricultural assessment and, wherever applicable, *nazarana* or premium and other Government dues as provided for in sub-section (2) are paid, be deemed to have been converted to the use shown by way of allocation, reservation or designation in such Development plan and no separate permission under section 42 or section 44 shall be required for the use of such land for the use permissible under such Development plan :

Mah.
XXXVII
of 1966.

Provided that, where a final Development plan is already published on or before the date of commencement of the Maharashtra Land Revenue Code (Amendment) Ordinance, 2017 (hereinafter in this section referred to as "the commencement date"), any land comprised in the area under such Development Plan shall, if the conversion tax, non-agricultural assessment and wherever applicable, *nazarana* or premium and other Government dues as provided for in sub-section (2) are paid, be deemed to have been converted to the use shown by way of allocation, reservation or designation in respect of such land in such final Development plan.

Mah.
Ord. II
of 2017.

(2) Upon publication of the final Development plan in any area and, where there is a final Development plan already published, after the commencement date, the Collector shall, on an application made in this regard or *suo motu*, determine or cause to be determined the conversion tax at the rate mentioned in section 47A and the non-agricultural assessment for such land on the basis of the use shown in the Development plan and give a notice thereof to the concerned occupant for making payment thereof :

Provided that, where such land is held as Occupant Class-II, the Collector shall also examine the documents by which such land is granted as such and the relevant laws, rules and the Government orders by which such land is governed and if the conversion to the use shown in the final Development plan is permissible thereunder, the Collector shall, wherever necessary, after obtaining prior approval of the authority competent to allow such conversion, determine *nazarana* or premium and other Government dues payable for such conversion, as per special or general orders of the Government, alongwith the amount of conversion tax and non-agricultural assessment, as aforesaid, and communicate the same to the occupant for making payment and if the payment of the same is done by the occupant, the Collector shall grant him *sanad* in the form prescribed under the rules within a period of sixty days from payment thereof. On issuance of *sanad*, necessary entry in the record of rights shall be made showing such land as having been converted to non-agricultural use, with effect from the date of payment as aforesaid :

Provided further that, where the action under this sub-section is undertaken on an application made in this regard, the notice, after determination of conversion tax and non-agricultural assessment and,

wherever applicable, the amount payable to the Government towards *nazarana* or premium and other Government dues as per the prevailing orders of the Government, shall be issued to the concerned occupant,—

(a) in respect of land held as Occupant Class-I, within 30 days from the date of application ;

(b) in respect of land held as Occupant Class-II,—

(i) within 30 days from the date of application, where the Collector is competent to grant permission for change of use of such land at his level ;

(ii) within 30 days from the date on which the permission of the authority, competent to allow such conversion or change of use, is received by the Collector :

Provided also that, the non-agricultural assessment done under this section shall, wherever necessary, be revised for a land in accordance with the development permission accorded by the Planning Authority and for this purpose, it shall be mandatory for the Planning Authority to furnish a copy of such development permission to the Collector, in each case within 30 days of grant of such permission or its revision, if any :

Provided also that, the non-agricultural assessment of a land, done on the basis of the use shown in the Development plan, shall be revised in case the Development plan is revised or modified by the Government and as a result thereof, the use of the land shown in the Development plan changes, with effect from the date of such revision or modification :

Provided also that, the *challan* or receipt of payment of conversion tax, non-agricultural assessment and *nazarana* or premium and other Government dues under this sub-section shall be regarded as the proof of the land having been converted to the non-agricultural use shown in the final Development plan and no further proof shall be necessary.

(3) Nothing in sub-sections (1) and (2) shall be applicable to any land granted by the Government under section 31 or 38, for specific purpose or to any land acquired by the Government under the relevant laws and handed over to any individual, institution or company for use, or to any land which is under any reservation in the Development plan but has not been acquired by the Planning Authority or the Appropriate Authority.

42C. (1) Where a land is situated in an area, for which draft Regional plan has been prepared and necessary notice regarding such draft Regional plan has been duly published in the *Official Gazette* or such Regional plan has been approved and published in the *Official Gazette*, the use of such land for the purposes of section 42 or section 44, shall be deemed to have been converted to corresponding non-agricultural use, once development permission on such land under section 18 of the Maharashtra Regional and Town Planning Act, 1966 is granted, if the conversion tax and non-agricultural assessment, as per the provisions of this Act, and, in respect of a land held as Occupant Class-II, *nazarana* or premium and other Government dues levied for such conversion, as per the prevailing orders of the Government and the relevant provisions of the law, are paid.

Provision for conversion of land use for lands included in the draft Regional plan.

Mah.
XXXVII
of 1966.

(2) Where a land is situated in an area for which draft Regional plan or draft Development plan has been prepared and necessary notice regarding such draft Regional plan or draft Development plan has been duly published in the *Official Gazette* or such Regional plan or, as the case may be, the Development plan has been approved and published in the *Official Gazette*, the permission to build a farm building, given by the Collector under section 18 of the Maharashtra Regional and Town Planning Act, 1966 or by the Planning Authority under the provisions of the aforesaid Act, shall be deemed to be the permission envisaged under section 41 for such farm building.”

Amendment
of section 48
of Mah. XLI of
1966.

3. In section 48 of the said Code, in sub-section (7), for the words “equal to five times” the words “upto five times” shall be substituted.

Power to
remove
difficulty.

4. (1) If any difficulty arises in giving effect to the provisions of the Maharashtra Land Revenue Code, 1966 as amended by this Ordinance, the State Government may, as occasion arises, by order published in the *Official Gazette*, do anything not inconsistent with the provisions of the said Code, as amended by this Ordinance which appears to it to be necessary or expedient for the purpose of removing the difficulty.

Mah.
XLI of
1966.

(2) Every order made under sub-section (1) shall be laid, as soon as may be, after it is made, before each house of the State Legislature.

STATEMENT.

Section 42 of the Maharashtra Land Revenue Code, 1966 (Mah. XLI of 1966), deals with conversion of land use and permission for non-agricultural use of land.

Once Development plan is finally notified by the Government under the Maharashtra Regional and Town Planning Act, 1966 (Mah. XXXVII of 1966), for any area, it becomes permissible for the land holders in such area to use their lands as per the provisions of the Development plan and the corresponding Development Control Regulations. Therefore, there is no need for the Revenue Officers to separately examine and decide whether or not to grant permission for conversion of use of such lands under the provisions of section 42 and section 44 of the Maharashtra Land Revenue Code, 1966. Hence, it is proposed that, where the Development plan is finally published, the land should be deemed to have been converted to the use as admissible under the Development plan, if the conversion tax, non-agricultural assessment and *nazarana* or premium and other Government dues, as may be applicable in case of lands held on Occupant Class-II, are paid and accordingly it is proposed that, the Collector, on an application made by a land holder or *suo motu*, shall fix conversion tax and non-agricultural assessment for such lands, alongwith *nazarana* or premium and other Government dues as may be applicable, in case of Occupant Class-II lands, after obtaining prior permission of the competent authority, as may be necessary, and intimate such land holder to pay these dues. Where this process is initiated on the basis of an application made by a land holder, notice to pay this conversion tax, non-agricultural assessment, alongwith *nazarana* or premium and other Government dues, if required, should be issued within 30 days on receipt of application by the land holder in case of Occupant Class-I lands and within 30 days from receipt of permission of the Competent Authority, in case of Occupant Class-II lands. If the conversion tax, non-agricultural assessment and *nazarana* or premium and other Government dues are paid, the *challan* or receipt of such payment shall be regarded as the proof of the land having been converted to non-agricultural use. It is also proposed to revise the non-agricultural assessment of such land as per the revision of Development plan.

Where a land is situated in an area for which draft Regional plan has been prepared and necessary notice regarding such draft plan has been duly published or such Regional Plan has been approved and published in the *Official Gazette*, it is proposed that the use of such land should be deemed to have been converted to the corresponding non-agricultural use, once development permission on such land under section 18 of the Maharashtra Regional and Town Planning Act, 1966, is granted, if the conversion tax and non-agricultural assessment and in respect of a land held as Occupant Class-II, *nazarana* or premium and other Government dues levied for such conversion are paid. In such case, no separate permission under sections 42 and 44 of the Maharashtra Land Revenue Code, 1966 shall be required.

Likewise, it is also proposed that where a land is situated in an area for which draft Regional plan or draft Development plan has been prepared and necessary notice has been published or such Regional plan has been approved and published in the *Official Gazette*, the permission to build a farm building given by the Collector under section 18 of the Maharashtra Regional and Town

Planning Act, 1966, or by the Planning Authority should be deemed to be the permission envisaged under section 41 of the Maharashtra Land Revenue Code, 1966, for such farm building.

Accordingly, it is proposed to insert new sections 42B and 42C in the Maharashtra Land Revenue Code, 1966. Upon insertion of the aforesaid proposed provisions in the said Code, no separate non-agricultural permission will be required in the afore-mentioned situations, resulting in saving in time and energy of the land holder and the administration, which will facilitate the Ease of Doing Business.

2. Section 48 of the Maharashtra Land Revenue Code, 1966 (Mah. XLI of 1966), provides for Government title to mines and minerals.

With a view to curbing menace of illegal extraction or transportation of minerals, the penalty for illegal extraction or transportation of minerals has been increased from upto three times of market value of such illegally extracted or transported mineral to five times its market value, by amending section 48 of the said Code.

However, it has been brought to the notice of the Government that even for relatively minor irregularities, for want of any discretion in this regard, penalty equal to five times of the market value of the mineral involved in such irregularity, is being levied. The Government, therefore, considers it expedient to amend, said section 48, by providing for levy of penalty upto five times of the market value of the mineral, regarding extraction or transportation of which any irregularity or illegality is observed.

3. As both Houses of the State Legislature are not in session and the Governor of Maharashtra is satisfied that circumstance exist which render it necessary for him to take immediate action further to amend the Maharashtra Land Revenue Code, 1966 (Mah. XLI of 1966), for the purposes aforesaid, this Ordinance is promulgated.

Mumbai,
Dated the 1st January 2017.

CH. VIDYASAGAR RAO,
Governor of Maharashtra.

By order and in the name of the Governor of Maharashtra,

MANU KUMAR SRIVASTAVA,
Principal Secretary to Government.



महाराष्ट्र शासन राजपत्र

असाधारण भाग चार

वर्ष ३, अंक २४(५)]

शनिवार, एप्रिल १५, २०१७/चैत्र २५, शके १९३९

[पृष्ठे ४, किंमत : रुपये २३.००

असाधारण क्रमांक ४३

प्राधिकृत प्रकाशन

महाराष्ट्र विधानमंडळाचे अधिनियम व राज्यपालांनी प्रख्यापित केलेले अध्यादेश व केलेले विनियम.

अनुक्रमणिका

सन २०१७ चा महाराष्ट्र अधिनियम क्रमांक ३०.— महाराष्ट्र जमीन महसूल संहिता, १९६६ यात आणखी सुधारणा करण्याकरिता अधिनियम.	पृष्ठे १-४
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दिनांक १३ एप्रिल २०१७ रोजी मा. राज्यपालांनी संमती दिलेला महाराष्ट्र विधानमंडळाचा पुढील अधिनियम माहितीसाठी, याद्वारे, प्रसिद्ध करण्यात येत आहे.

प्रकाश हि. माळी,
प्रधान सचिव,
महाराष्ट्र शासन,
विधि व न्याय विभाग.

सन २०१७ चा महाराष्ट्र अधिनियम क्रमांक ३०.

(मा. राज्यपालांची संमती मिळाल्यानंतर “महाराष्ट्र शासन राजपत्रात” दिनांक १५ एप्रिल २०१७ रोजी प्रथम प्रसिद्ध केलेला अधिनियम.)

महाराष्ट्र जमीन महसूल संहिता, १९६६ यात आणखी सुधारणा करण्याकरिता अधिनियम.

ज्याअर्थी, राज्य विधानमंडळाच्या दोन्ही सभागृहांचे अधिवेशन चालू नव्हते ;

१९६६ चा
महा. ४१. आणि ज्याअर्थी, यात यापुढे दिलेल्या प्रयोजनासाठी, महाराष्ट्र जमीन महसूल संहिता, १९६६ यामध्ये
२०१७ चा आणखी सुधारणा करण्याकरिता महाराष्ट्राच्या राज्यपालांनी तात्काळ कार्यवाही करणे जीमुळे आवश्यक व्हावे अशी
महा. परिस्थिती अस्तित्वात असल्याबद्दल त्यांची खात्री पटली होती, आणि, म्हणून, त्यांनी दिनांक ५ जानेवारी २०१७
अध्या. २. रोजी महाराष्ट्र जमीन महसूल संहिता (सुधारणा) अध्यादेश, २०१७, हा प्रख्यापित केला होता ;

आणि ज्याअर्थी, उक्त अध्यादेशाचे राज्य विधानमंडळाच्या अधिनियमात रूपांतर करणे इष्ट आहे; त्याअर्थी,
भारतीय गणराज्याच्या अडुसष्टाव्या वर्षी, याद्वारे, पुढील अधिनियम करण्यात येत आहे :—

संक्षिप्त नाव व
प्रारंभ.

१. (१) या अधिनियमास, महाराष्ट्र जमीन महसूल संहिता (सुधारणा) अधिनियम, २०१७ असे म्हणावे.
(२) तो, दिनांक ५ जानेवारी २०१७ रोजी अंमलात आला असल्याचे मानण्यात येईल.

सन १९६६ चा
महाराष्ट्र
अधिनियम क्रमांक
४१ यांमध्ये कलमे
४२ब व ४२क
समाविष्ट करणे.

२. महाराष्ट्र जमीन महसूल संहिता, १९६६ (यात यापुढे ज्याचा निर्देश, "उक्त संहिता" असा करण्यात १९६६ चा
आला आहे) याच्या कलम ४२अ नंतर, पुढील कलमे समाविष्ट करण्यात येतील :— महा. ४१.

अंतिम विकास
योजना क्षेत्रात
समाविष्ट केलेल्या
जमिनीसाठी जमीन
वापरातील
रूपांतरणाचा
तरतूद.

"४२ब. (१) कलमे ४२, ४२अ, ४४ आणि ४४अ यांमध्ये काहीही अंतर्भूत असले तरी, महाराष्ट्र १९६६ चा
प्रादेशिक नियोजन व नगररचना अधिनियम, १९६६ याच्या तरतुदीनुसार कोणत्याही क्षेत्रामध्ये अंतिम विकास महा. ३७.
योजना प्रसिद्ध केल्यावर, जर पोट-कलम (२) मध्ये तरतूद केल्याप्रमाणे रूपांतरण कर, अकृषिक आकारणी
आणि लागू असेल तेथे, नजराणा किंवा अधिमूल्य, आणि इतर शासकीय देणी यांचा भरणा केला असेल तर,
अशा क्षेत्रात समाविष्ट असलेल्या कोणत्याही जमिनीचा वापर हा, अशा विकास योजनेतील वाटप, आरक्षण
किंवा निर्देशन या स्वरूपात दर्शविलेल्या वापरात रूपांतरित करण्यात आले असल्याचे मानण्यात येईल आणि
अशा विकास योजनेनुसार अनुज्ञेय असलेल्या वापरासाठी अशा जमिनीच्या वापराकरिता कलम ४२ किंवा
कलम ४४ अन्वये, कोणतीही स्वतंत्र परवानगी घेण्याची आवश्यकता असणार नाही:

परंतु, महाराष्ट्र जमीन महसूल संहिता (सुधारणा) अधिनियम, २०१७ याच्या प्रारंभाच्या दिनांकास २०१७ चा
(यात यापुढे, या कलमात ज्याचा निर्देश "प्रारंभाचा दिनांक" असा करण्यात आला आहे) किंवा त्यापूर्वी महा. ३०.
एखादी अंतिम विकास योजना अगोदरच प्रसिद्ध केली असेल त्याबाबतीत, जर पोट-कलम (२) मध्ये तरतूद
केल्याप्रमाणे रूपांतरण कर, अकृषिक आकारणी आणि लागू असेल तेथे, नजराणा किंवा अधिमूल्य आणि
इतर शासकीय देणी यांचा भरणा केला असेल तर, अशा विकास योजनेच्या क्षेत्रामध्ये समाविष्ट असलेली
कोणतीही जमीन ही, अशा अंतिम विकास योजनेमधील अशा जमिनीसंबंधातील वाटप, आरक्षण, किंवा
निर्देशन या स्वरूपात दर्शविलेल्या वापरात रूपांतरित करण्यात आली असल्याचे मानण्यात येईल.

(२) कोणत्याही क्षेत्रात अंतिम विकास योजना प्रसिद्ध केल्यावर आणि, जेथे अंतिम विकास योजना
अगोदरच प्रसिद्ध करण्यात आली असेल तेथे, प्रारंभाच्या दिनांकानंतर, जिल्हाधिकारी, या बाबतीत केलेल्या
अर्जावरून किंवा स्वतःहून त्या विकास योजनेत दर्शविलेल्या वापराच्या आधारे कलम ४७अ मध्ये नमूद
केलेल्या दराने रूपांतरण कर आणि अशा जमिनीची अकृषिक आकारणी निर्धारित करील किंवा निर्धारित
करण्याची व्यवस्था करील आणि त्याबाबतचा भरणा करण्यासाठी संबंधित भोगवटादाराला त्याबाबतची एक
नोटीस देईल :

परंतु, अशी जमीन, भोगवटादार वर्ग दोन म्हणून धारण केली असेल त्या बाबतीत, जिल्हाधिकारी,
ज्याद्वारे अशा जमिनीस तशी मंजूरी दिली असेल ते दस्तऐवज आणि संबद्ध कायदे, नियम आणि ज्याद्वारे अशी
जमीन नियंत्रित केली असेल असे शासकीय आदेश यांची देखील तपासणी करील आणि जर अंतिम विकास
योजनेत दर्शविलेल्या वापरातील रूपांतरण त्याअन्वये अनुज्ञेय असेल तर, जिल्हाधिकारी, आवश्यक असेल
त्या त्या वेळी, अशा रूपांतरणास परवानगी देणाऱ्या सक्षम प्राधिकरणाची पूर्वमान्यता घेतल्यानंतर शासनाच्या
विशेष किंवा सर्वसाधारण आदेशांप्रमाणे, अशा रूपांतरणाबद्दल देय असलेला नजराणा किंवा अधिमूल्य आणि
इतर शासकीय देणी तसेच, उपरोक्त रूपांतरण कर आणि अकृषिक आकारणीची रक्कम निर्धारित करील
आणि भरणा करण्यासाठी भोगवटादाराला ती कळवील. जर या पोट-कलमान्वये देय असलेल्या रकमेचा
भरणा त्या भोगवटादाराने केला असेल तर त्याला जिल्हाधिकारी, त्या बाबतचा भरणा केल्याच्या दिनांकापासून
साठ दिवसांच्या कालावधीच्या आत, नियमान्वये विहित केलेल्या नमुन्यात सनद देईल. सनद देण्यात
आल्यावर, उपरोक्त प्रमाणे भरणा केल्याच्या दिनांकापासून, अकृषिक वापरात रूपांतरण करण्यात आले
असल्याचे दर्शविणारी आवश्यक ती नोंद अधिकाराभिलेखात करण्यात येईल :

परंतु आणखी असे की, या संबंधात केलेल्या अर्जावरून या पोट-कलमाखालील कार्यवाही हाती घेण्यात आली असेल त्या बाबतीत, रूपांतरण कर व अकृषिक आकारणी आणि जेथे जेथे लागू असेल तेथे, शासनाच्या प्रचलित आदेशानुसार नजराणा किंवा अधिमूल्य आणि इतर शासकीय देणी यापोटी शासनाला देय असलेली रक्कम, निर्धारित केल्यानंतर,—

(क) भोगवटादार वर्ग-एक म्हणून धारण केलेल्या जमिनीच्या बाबतीत, अर्ज केल्याच्या दिनांकापासून ३० दिवसांच्या आत ;

(ख) वर्ग-दोन भोगवटादार म्हणून धारण केलेल्या जमिनीच्या बाबतीत,—

(एक) जेथे जिल्हाधिकारी, आपल्या स्तरावर अशा जमिनीच्या वापरातील बदलासाठी परवानगी देण्यास सक्षम असेल तेथे, अर्जाच्या दिनांकापासून ३० दिवसांच्या आत ;

(दोन) अशा रूपांतरणास किंवा वापरातील बदलास परवानगी देण्यास सक्षम असणाऱ्या प्राधिकरणाची ज्या दिनांकास जिल्हाधिकार्याला परवानगी मिळाली असेल त्या दिनांकापासून ३० दिवसांच्या आत,

संबंधित भोगवटादाराला नोटीस देण्यात येईल :

परंतु तसेच, या कलमान्वये एखाद्या जमिनीच्या केलेल्या अकृषिक आकारणीत आवश्यक असेल तेथे नियोजन प्राधिकरणाने दिलेल्या विकास कामाच्या परवानगीनुसार सुधारणा करण्यात येईल, आणि त्या प्रयोजनासाठी प्रत्येक प्रकरणांमध्ये अशी परवानगी देण्यात आल्यापासून किंवा त्यात सुधारणा केल्यापासून, कोणतीही असल्यास, ३० दिवसांच्या आत, जिल्हाधिकार्याला अशा विकास कामाच्या परवानगीची एक प्रत सादर करणे हे, नियोजन प्राधिकरणासाठी अनिवार्य असेल :

परंतु तसेच, जर शासनाने विकास योजनेत सुधारणा किंवा फेरबदल केला असेल आणि त्याचा एक परिणाम म्हणून विकास योजनेत दर्शविलेल्या जमिनीच्या वापरात काही फेरबदल होत असेल तर त्या विकास योजनेत दर्शविलेल्या वापराच्या आधारे जमिनीच्या केलेल्या अकृषिक आकारणीत विकास आराखड्यात अशी सुधारणा किंवा फेरबदल केल्याच्या दिनांकापासून सुधारणा करण्यात येईल :

परंतु तसेच, या पोट-कलमान्वये, चलान, किंवा रूपांतरण कर प्रदानाची पावती, अकृषिक आकारणी व नजराणा किंवा अधिमूल्य व इतर शासकीय देणी यांबाबतचा भरणा केल्याची पावती ही, अंतिम विकास योजनेत दर्शविलेल्या अकृषिक वापरामध्ये जमीन रूपांतरित केली असल्याचा पुरावा म्हणून ग्राह्य घरण्यात येईल आणि त्याबाबतीत आणखी कोणताही पुरावा आवश्यक असणार नाही.

(३) विशिष्ट प्रयोजनासाठी कलम ३१ किंवा ३८ अन्वये, शासनाने दिलेल्या कोणत्याही जमिनीस किंवा संबद्ध कायद्यान्वये शासनाने संपादित केलेल्या व कोणत्याही व्यक्तीला, संस्थेला किंवा कंपनीला वापराकरिता सुपूर्द केलेल्या कोणत्याही जमिनीस किंवा विकास योजनेतील कोणत्याही आरक्षणाखाली असलेल्या, परंतु, नियोजन प्राधिकरणाने किंवा समुचित प्राधिकरणाने संपादित न केलेल्या कोणत्याही जमिनीस, पोट-कलमे (१) व (२) मधील कोणतीही गोष्ट लागू होणार नाही.

४२क. (१) ज्या क्षेत्रासाठी प्रारूप प्रादेशिक योजना तयार करण्यात आली असेल आणि अशा प्रारूप प्रादेशिक योजनेबाबतची आवश्यक ती नोटीस यथोचितरीत्या राजपत्रात प्रसिद्ध करण्यात आली किंवा अशी प्रादेशिक योजना मान्य करण्यात आली असेल आणि ती राजपत्रात प्रसिद्ध करण्यात आली असेल अशा क्षेत्रात जमीन स्थित असेल त्या बाबतीत जर या अधिनियमाच्या तरतुदीनुसार, रूपांतरण कर व अकृषिक आकारणी आणि भोगवटादार वर्ग-दोन म्हणून धारण केलेल्या जमिनीच्या बाबतीत, शासनाचे प्रचलित आदेश आणि कायद्याच्या संबद्ध तरतुदी यानुसार अशा रूपांतरणासाठी आकारलेला नजराणा किंवा अधिमूल्य आणि इतर शासकीय देणी यांचा भरणा केला असेल आणि, महाराष्ट्र प्रादेशिक नियोजन व नगररचना अधिनियम, १९६६ याच्या कलम १८ अन्वये अशा जमिनीबाबत विकास कामाची परवानगी दिलेली असेल तर, तेव्हा कलम ४२ किंवा कलम ४४ च्या प्रयोजनासाठी अशा जमिनीच्या वापरास, तत्सम अकृषिक वापरामध्ये रूपांतरित करण्यात आले असल्याचे मानण्यात येईल.

प्रारूप प्रादेशिक योजनेमध्ये अंतर्भूत असलेल्या जमिनीकरिता जमीन वापराच्या रूपांतरणासाठी तरतूद.

(२) ज्या क्षेत्रासाठी प्रारूप प्रादेशिक योजना किंवा प्रारूप विकास योजना तयार करण्यात आली असेल, आणि अशा प्रारूप प्रादेशिक योजनेबाबतची किंवा प्रारूप विकास योजनेबाबतची आवश्यक ती नोटीस राजपत्रात यथाचितरीत्या प्रसिद्ध करण्यात आली असेल किंवा अशी प्रादेशिक योजना, किंवा यथास्थिति विकास योजना मान्य करण्यात आली असेल आणि ती राजपत्रात प्रसिद्ध करण्यात आली असेल त्या बाबतीत, महाराष्ट्र प्रादेशिक नियोजन व नगररचना अधिनियम, १९६६ याच्या कलम १८ अन्वये १९६६ चा जिल्हाधिकाऱ्याकडून किंवा उपरोक्त अधिनियमाच्या तरतुदीन्वये नियोजन प्राधिकरणाकडून देण्यात आलेल्या महां. ३७. शेतातील इमारत बांधण्याच्या परवानगीस, अशा शेत इमारतीसाठी कलम ४१ अन्वये अभिप्रेत असलेली परवानगी असल्याचे मानण्यात येईल.”.

सन १९६६ चा
महाराष्ट्र
अधिनियम क्रमांक
४१ याच्या कलम
४८ चो सुधारणा.

३. उक्त संहितेच्या कलम ४८ च्या पोट-कलम (७) मध्ये, “पाचपट इतकी” या मजकुराऐवजी, “पाचपट पर्यंत” हा मजकूर दाखल करण्यात येईल.

अडचण दूर
करण्याचा
अधिकार.

४. (१) या अधिनियमाद्वारे सुधारणा करण्यात आलेल्या, महाराष्ट्र जमीन महसूल संहिता, १९६६ १९६६ चा याच्या तरतुदींची अंमलबजावणी करताना कोणतीही अडचण उद्भवल्यास, राज्य शासनास, प्रसंगानुरूप, तो महा. ४१. अडचण दूर करण्याच्या प्रयोजनासाठी, त्यास आवश्यक किंवा इष्ट वाटेल अशी, या अधिनियमाद्वारे सुधारणा करण्यात आलेल्या उक्त संहितेच्या तरतुदींशी विसंगत नसलेली कोणतीही गोष्ट, राजपत्रात प्रसिद्ध केलेल्या आदेशाद्वारे, करता येईल :

परंतु, या अधिनियमाच्या प्रारंभाच्या दिनांकापासून दोन वर्षांचा कालावधी समाप्त झाल्यानंतर, असा कोणताही आदेश काढता योणार नाही.

(२) पोट-कलम (१) खाली काढण्यात आलेला प्रत्येक आदेश, तो काढण्यात आल्यानंतर, शक्य तितक्या लवकर, विधानमंडळाच्या प्रत्येक सभागृहासमोर ठेवण्यात येईल.

सन २०१७ चा
महाराष्ट्र अध्यादेश
क्रमांक २ याचे
निरसन व
व्यावृत्ती.

५. (१) महाराष्ट्र जमीन महसूल संहिता (सुधारणा) अध्यादेश, २०१७ हा, याद्वारे, निरसित करण्यात येत आहे. २०१७ चा महा. अध्या. २.

(२) अशा प्रकारे निरसन झाले असले तरी, उक्त अध्यादेशाद्वारे सुधारणा करण्यात आलेल्या उक्त संहितेच्या संबंधित तरतुदीन्वये करण्यात आलेली कोणतीही कृती किंवा कोणतीही कार्यवाही (काढण्यात आलेली कोणतीही अधिसूचना किंवा दिलेला आदेश यांसह) ही, या अधिनियमान्वये सुधारणा करण्यात आलेल्या उक्त संहितेच्या संबंधित तरतुदीन्वये करण्यात आलेली कोणतीही कृती, कार्यवाही, किंवा, यथास्थिति, काढण्यात आलेली अधिसूचना किंवा दिलेला आदेश असल्याचे मानण्यात येईल.

जिल्हाधिकारी व जिल्हादंडाधिकारी कार्यालय, ठाणे

क्र. महसूल/क-१/टे-१/२/रु. कर/अ. आकारणी/परिपत्रक-१/१७

दिनांक १६/०३/२०१७

वाचले :-

- १) महाराष्ट्र शासन महसूल व वनविभाग यांचेकडील महाराष्ट्र जमिन महसूल संहिता(सुधारणा) अध्यादेश २०१४ अधिसूचना दिनांक २२/०८/२०१४
- २) शासन महसूल वनविभाग यांचेकडील शासन निर्णय क्रमांक : एनएपी-२०१६/प्र.क्र.७/टी-१ दि. २२/०१/२०१६.
- ३) महाराष्ट्र शासन महसूल व वनविभाग यांचेकडील महाराष्ट्र जमिन महसूल संहिता(सुधारणा) अध्यादेश २०१७ अधिसूचना दिनांक ५/०१/२०१७

प्रस्तावना :-

महाराष्ट्र जमिन महसूल संहिता, १९६६ च्या कलम ४२ मध्ये कोणतीही शेत जमीन संबंधित जिल्हाधिका-याच्या परवानगीशिवाय अकृषिक प्रयोजनासाठी वापरण्यात येणार नाही, अशी तरतुद करण्यात आलेली आहे व कलम ४४ अन्वये जमिनीच्या वापराचे एका प्रयोजनातून दुस-या प्रयोजनात रूपांतर करण्याकरीता अनुसरावयाची कार्यपद्धती व याकामी प्राप्त होणा-या अर्जावर निर्णय घेण्यासाठी ९० दिवसांची मर्यादा विहित करण्यात आलेली आहे. तथापि, महाराष्ट्र जमीन महसूल संहिता, १९६६ च्या कलम ४२ व कलम ४४ अन्वये अकृषिक परवानगी मिळण्यासाठी क्षेत्रीय स्तरावर विलंब होत असल्याबाबतची सर्वसाधारण जनभावना होती.

त्यामुळे शासनाकडून उपोद्घातातील अ.क्र. १ वर नमुद शासन अधिसूचना दिनांक २२/०८/२०१४ अन्वये महाराष्ट्र अध्यादेश क्र. १७ प्रख्यापित करून महाराष्ट्र जमिन महसूल संहिता १९६६ च्या कलम ४२ नंतर ४२ अ हे नवीन समाविष्ट करून महाराष्ट्र प्रादेशिक नियोजन व नगररचना अधिनियम, १९६६ च्या तरतुदीन्वये तयार करण्यात आलेल्या प्रारूप विकास योजना अथवा अंतिम विकास योजनेत निश्चित केलेल्या वापरानुसार जमिनीच्या वापरात बदल करण्यासाठी कलम ४२ अन्वये अकृषिक परवानगी घेण्याची आवश्यकता असणार नाही, अशी तरतुद कलम ४२अ अन्वये करण्यात आली.

तद्नंतर, दि. २२/०८/२०१४ च्या अध्यादेशाद्वारे करण्यात आलेली सदरची सुधारणा दि. २२/१२/२०१४ रोजी शासन राजपत्रात प्रसिध्द करण्यात आलेल्या महाराष्ट्र अधिनियम क्र. ३७/२०१४ अन्वये महाराष्ट्र जमीन महसूल संहिता १९६६ मध्ये अंतर्भूत करण्यात आली आहे. सदरच्या नवीन सुधारणेची अंमलबजावणी कशा प्रकारे करावी याबाबत उपोद्घातातील अ.क्र. २ वर नमुद शासन निर्णयान्वये सविस्तर सूचना देणेत आलेल्या आहेत.

तद्नंतर आज रोजी महाराष्ट्र शासनाचे महसूल व वनविभाग यांचेकडील सन-२०१७ चा महाराष्ट्र अध्यादेश क्रमांक २ दिनांक ५/०१/२०१७ (महाराष्ट्र जमिन महसूल संहिता १९६६ यात आणखी सुधारणा करण्यासाठी अध्यादेश) जारी करण्यात येऊन उक्त संहिता कलम ४२ अ नंतर कलम ४२ ब, व ४२ क हे नव्याने समाविष्ट करण्यात आलेले आहे.

उपरोक्त अधिसूचना पाहता कलम ४२ब. (१) नुसार कलम ४२, ४२अ, ४४ आणि ४४अ यामध्ये काहीही अंतर्भूत असले तरी, महाराष्ट्र प्रादेशिक नियोजन व नगररचना अधिनियम, १९६६ याच्या तरतुदीनुसार कोणत्याही क्षेत्रामध्ये अंतिम विकास योजना प्रसिध्द केल्यावर, जर पोट-कलम (२) मध्ये तरतुद केल्याप्रमाणे रुपांतरण कर, अकृषिक आकारणी आणि लागू असेल तेथे, नजराणा किंवा अधिमूल्य, किंवा इतर शासकीय देणी यांचा भरणा केला असेल तर, अशा क्षेत्रात समाविष्ट असलेल्या कोणत्याही जमिनीचा वापर हा, अशा विकास योजनेतील वाटप, आरक्षण किंवा निर्देशन या स्वरूपात दर्शविलेल्या वापरात रुपांतरित करण्यात आले असल्याचे मानण्यात येईल आणि अशा विकास योजनेनुसार अनुज्ञेय असलेल्या वापरासाठी अशा जमिनीच्या वापराकरिता कलम ४२ किंवा कलम ४४ अन्वये, कोणतीही स्वतंत्र परवानगी घेण्याची आवश्यकता नाही, असे दिसून येत आहे.

तसेच भोगवटा वर्ग-२ म्हणून धारण केलेल्या जमिनीच्या बाबतीत, जिल्हाधिकारी, ज्याद्वारे अशा जमिनीस तशी मंजूरी दिली असेल ते दस्तऐवज आणि संबध्द कायदे, नियम आणि ज्याद्वारे अशी जमीन नियंत्रित केली असेल असे शासकीय आदेश यांची देखील तपासणी करील आणि जर अंतिम विकास योजनेत दर्शविलेल्या वापरातील रुपांतरण त्याअन्वये अनुज्ञेय असेल तर, जिल्हाधिकारी, आवश्यक असेल त्या त्या वेळी, अशा रुपांतरणास परवानगी देणाऱ्या सक्षम प्राधिकरणाची पूर्वमान्यता घेतल्यानंतर शासनाच्या विशेष किंवा सर्वसाधारण आदेशाप्रमाणे, अशा रुपांतरणाबद्दल देय असलेला नजराणा किंवा अधिमूल्य आणि इतर शासकीय देणी तसेच, आणखी उपरोक्त रुपांतरण कर आणि अकृषिक आकारणीची रक्कम निर्धारित करील आणि भरणा करण्यासाठी भोगवटादाराला ती कळवील आणि जर त्याबाबतचा भरणा त्या भोगवटाराने केला असेल तर, जिल्हाधिकारी, त्या बाबतचा भरणा केल्याच्या दिनांकापासून साठ दिवसांच्या कालावधीच्या आत, नियमान्वये विहित केलेल्या नमुन्यात त्याला सनद देईल. सनद देण्यात आल्यावर, उपरोक्त प्रमाणे भरणा केल्याच्या दिनांकापासून, अकृषिक वापरात रुपांतरण करण्यात आले असल्याचे दर्शविणारी आवश्यक ती नोंद अधिकाराधिलेखात करण्यात येईल.

भोगवटदार वर्ग-१ व वर्ग -२ या संबंधात केलेल्या अर्जावरून या पोट-कलमाखालील कार्यवाही हाती घेण्यात आली असेल त्याबाबतीत, रुपांतरण कर व अकृषिक आकारणी आणि जेथे जेथे लागू असेल तेथे, शासनाच्या प्रचलित आदेशानुसार नजराणा किंवा अधिमूल्य आणि इतर शासकीय देणी यापोटी शासनाला देय असलेली रक्कम, निर्धारित केल्यानंतर,

(१) भोगवटादार वर्ग-एक म्हणून धारण केलेल्या जमिनीच्या बाबतीत अर्ज केलेल्या दिनांकापासून ३० दिवसांच्या आत, संबंधित भोगवटादाराला नोटीस देईल असे नमुद आहे.

(२) भोगवटादार वर्ग-दोन म्हणून धारण केलेल्या जमिनीच्या बाबतीत,-

(अ) जेथे जिल्हाधिकारी, आपल्या स्तरावर अशा जमिनीच्या वापरातील बदलासाठी परवानगी देण्यास सक्षम असेल तेथे, अर्जाच्या दिनांकापासून ३० दिवसांच्या आत, नोटीस देईल असे नमुद आहे

(ब) अशा रुपांतरणास किंवा वापरातील बदलास परवानगी देण्यास सक्षम असणाऱ्या प्राधिकरणाची ज्या दिनांकास जिल्हाधिका-याला परवानगी मिळाली असे त्या दिनांकापासून ३० दिवसांच्या आत, संबंधित भोगवटदाराला नोटीस देईल असे नमुद आहे.

उपरोक्त दिनांक ५/०१/२०१७ चे अधिसूचनेनुसार महाराष्ट्र जमिन महसूल अधिनियम १९६६ चे कलम ४२, ४२अ, ४४ व ४४अ मध्ये काहीही अंतर्भूत असले तरी ज्या ठिकाणी नियोजन प्राधिकारी यांचेकडील विकास आराखडा / प्रादेशिक आराखडा प्रसिध्द झालेला आहे. त्या ठिकाणी स्वतंत्र अकृषिक परवानगीची आवश्यकता नसल्याचे दिसून येत आहे.

मात्र उपरोक्त अधिसूचनेनुसार वरील क्षेत्रात रुपांतरीत कर भरून घेणेचा असून अकृषिक आकारणी निश्चित करणेची आहे. रुपांतरीत कर व अकृषिक कराचा भरणा केल्यानंतर विहीत कालावधीत सनद देणेची आहे. व सनद देणेत आलेनंतर रुपांतरीत कर व अकृषिक कर भरणा करणेत आलेल्या दिनांकापासून जमीन अकृषिक वापरासाठी रुपांतरीत झाले असलेबाबत अधिकार अभिलेखात नोंद घेणेची आहे. मात्र रुपांतरीत कर व अकृषिक आकारणी निश्चित करणे, सनद देणे कामी कशा प्रकारे कार्यवाही करावयाची, कोणती कार्यपद्धती अवलंबविणेत याची याबाबत स्पष्टता दिसून येत नाही.

दि. ५/०१/२०१७ चे अधिसूचनेनुसार या जिल्ह्यामध्ये सर्व ठिकाणी एकच कार्यपद्धती असावी या करीता शासनाकडून पुढील आदेश प्राप्त होईपर्यंत या परिपत्रकाबबे खालीलप्रमाणे कार्यपद्धती निश्चित करणेत येत आहे.

परिपत्रक :-

अ) भोगवटा वर्ग-१ जमिनीचे संदर्भात कार्यपद्धती :-

१) या अधिसूचनेनुसार महाराष्ट्र जमीन महसूल अधिनियम १९६६ मधील कलम ४२, ४२अ, ४४ व ४४अ नुसार विकास योजना व प्रादेशिक योजना क्षेत्रात विनिश्चित अथवा अकृषिक परवानगीची आवश्यकता नाही. मात्र या क्षेत्रात रुपांतरीत कर भरून घेणे व अकृषिक आकारणी निश्चित करणे आवश्यक आहे. रुपांतरीत कर व अकृषिक कर भरणा केलेनंतर विहीत कालावधीत सनद देणेची आहे.

ज्या ठिकाणी विकास आराखडा / प्रादेशिक आराखडा मंजूर झालेला आहे अशा क्षेत्रातील झोन दाखल्यानुसार / आरक्षणानुसार संबंधीत जमिन मालक यांचेकडून रुपांतरीत कर वसूल करणेची कार्यवाही संबंधीत तहसिलदार यांनी ३० दिवसात पूर्ण करावी.

२) जमिन मालक यांनी रुपांतरीत कर तहसिलदार यांचेकडे भरणा केलेनंतर, नियोजन प्राधिकारी यांचेकडून बांधकामाबाबत परवानगी (IOD/CC) प्राप्त केलेनंतर १) जमिनीचे अद्यावत ७/१२ उतारे २) बांधकाम परवानगीच्या प्रमाणपत्राची प्रतीसह, जिल्हाधिकारी कार्यालयात सनद मिळणेकामी अर्ज सादर करणेची बाब तहसिलदार यांनी रुपांतरीत कर भरून घेणेचे पत्रात स्पष्टपणे नमुद करावी.

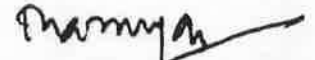
- ३) सनद प्राप्त करून घेतल्याशिवाय जागेचे अकृषिक वापराकडे रुपांतरण झालेबाबतची नोंद अभिलेखात केली जाणार नाही हे संबंधीत भोगवटदार यांना प्रत्येक प्रकरणांत रक्कम भरून घेणेचे पत्रांमध्ये तहसिलदार यांनी स्पष्टपणे नमुद करावे. व त्याची एक प्रत जिल्हाधिकारी कार्यालयात सादर करावी.
- ४) संबंधीत अर्जदार यांनी जिल्हाधिकारी कार्यालयात सनद मिळणेसाठी अर्ज केल्यानंतर विहीत कालावधीत सनद देणेची कार्यवाही करणेत येईल. संबंधीत अर्जदार/भोगवटदार यांना अशा जमिनीबाबत सनद देणेत आलेनंतर त्यासंबंधीत प्रयोजनाकरीता सदरची जमिन अकृषिक कारणासाठी वर्ग झालेली असल्याने त्याप्रमाणे गाव नमुना २ व तालुका नमुना २ ला अकृषिक आकारणी करीता नोंद घेणेत येईल. व सदरच्या दिनांकापासून दरवर्षी अकृषिक आकारणी संबंधीत तहसिलदार यांनी वसूल करणेची कार्यवाही करावी.
- ५) नगरभूमापन क्षेत्रातील मिळकती रुपांतरीत कर वसूल करणेत येऊन सदरची जमिन अकृषिक प्रयोजनाकडे वर्ग झालेबाबत सनद देणेत आल्यानंतरच ज्या मिळकत पत्रिकेवर शेती ही नोंद दाखल आहे त्या मिळकत पत्रिकेवरील शेती ही नोंद कमी करून बिनशेती ही नोंद दाखल करणेची कार्यवाही संबंधीत नगरभूमान अधिकारी यांनी करावी.
- ६) नियोजन प्राधिकारी यांनी बांधकाम पूर्णत्वाचा दाखला देणेपूर्वी प्रस्तावित जागेची जिल्हाधिकारी यांनी सनद दिलेबाबतची खात्री करावी. व तदनंतरच बांधकाम पूर्णत्वाचा दाखला निर्गमित करणेत यावा.

ब) भोगवटा वर्ग-२ जमिनीचे संदर्भात कार्यपध्दती :-

- १) विकास आराखडा / प्रादेशिक आराखडा प्रसिध्द झालेल्या क्षेत्रामधील भोगवटा वर्ग -२ म्हणून धारण केलेल्या जमिनीचे संदर्भात नजराणा व अधिमुल्य भरणेबाबत संबंधीत जमिनमालक यांनी जिल्हाधिकारी यांचेकडे दाखल करावा.
- २) जिल्हाधिकारी यांनी जमिन प्रदान आदेश व त्याअनुषंगाने आवश्यक अनर्जित रक्कम, वापरात बदलाबाबतचे अधिमुल्य, इ.बाबीची पुर्तता झालेली आहे किंवा नाही यांची पडताळणी करावी. व अर्जदार यांचे विनंतीनुसार अंतिम विकास योजनेत दर्शविलेल्या वापरातील रुपांतरण हे अनुज्ञेय असल्यास (अ) जेथे जिल्हाधिकारी, आपल्या स्तरावर अशा जमिनीच्या वापरातील बदलासाठी परवानगी देण्यास सक्षम असेल तेथे, अर्जाच्या दिनांकापासून ३० दिवसांच्या आत, आवश्यकतेनुसार रुपांतरीत कर, अधिमुल्य, नजराणा भरणेबाबतची नोटीस देईल. अथवा (ब) विशिष्ट प्रयोजनासाठी महाराष्ट्र जमिन महसूल अधिनियम १९६६ चे कलम ३१ किंवा ३८ अन्वये, शासनाने दिलेल्या कोणत्याही जमिनीस किंवा संबद्ध कायद्यान्वये शासनाने संपादित केलेल्या व कोणत्याही व्यक्तीला, संस्थेला किंवा कंपनीला वापराकरीता सुपूर्द केलेल्या कोणत्याही जमिनीचे बाबतीत महाराष्ट्र जमिन महसूल अधिनियम १९६६ चे कलम ३१ किंवा ३८ अन्वये अशा रुपांतरणास किंवा वापरातील बदलास परवानगी देण्यास सक्षम असणाऱ्या प्राधिकरणाची

परवानगी जिल्हाधिकारी यांना मिळालेले दिनांकापासून ३० दिवसांच्या आत, संबंधित भोगवटादाराला नोटीस देण्यात येईल.

- ३) अशी नोटीस दिल्यानंतर व सर्व शासकीय भरणा भोगवटदाराने सरकार जमा केल्यानंतर विहित कालावधीत नियमान्वये विहित केलेल्या नमुन्यात जिल्हाधिकारी यांचेकडून सनद देणेत येईल. अशी सनद देणेत आलेनंतर रुपांतरीत कर भरणा केलेल्या दिनांकापासून सदरची जमिन अकृषिक वापरात रुपांतर करणेत आलेची नोंद अधिकार अभिलेखात घेणेबाबत संबंधित तहसिलदार यांना कळविणेत येईल.


(डॉ. महेंद्र कल्याणकर)
जिल्हाधिकारी ठाणे

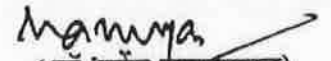
प्रत :- मा. आयुक्त, ठाणे / नवी मुंबई महानगर पालिका
वरीष्ठ नियोजक, शहर व औद्योगिक विकास महामंडळ, सिडको (नैना),
नियोजक, मुंबई महानगरप्रदेश विकास प्राधिकरण,
आयुक्त, मिरा भाईंदर, कल्याण-डोंबिवली, उल्हासनगर, भिवंडी निजामपूर शहर महानगर पालिका
मुख्याधिकारी, अंबरनाथ, कुळगाव बदलापूर नगर पालिका यांचेकडे माहिती करीता व आवश्यक कार्यवाहीकरीता

प्रत :- जिल्हाअधिक्षक भूमिअभिलेख ठाणे यांचेकडे माहितीकरीता व आवश्यक कार्यवाही करीता रवाना

प्रत :- उपविभागीय अधिकारी ठाणे, कल्याण, उल्हासनगर, भिवंडी यांचेकडे माहिती करीता व आवश्यक कार्यवाही करीता रवाना

प्रत :- सर्व तहसिलदार यांचेकडे माहितीकरीता व आवश्यक कार्यवाही करीता रवाना

प्रत :- सर्व नगरभुमापन अधिकारी यांचेकडे माहिती करीता व आवश्यक कार्यवाही करीता रवाना.


(डॉ. महेंद्र कल्याणकर)
जिल्हाधिकारी ठाणे

**MANAGING COMMITTEE
2022-2023**

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IMMEDIATE PAST PRESIDENT
Deepak Goradia

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Ajay Ashar

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Parag Munot
Rajendra Chaturvedi
Rajesh Prajapati
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Parth Mehta

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Tejas Vyas

JT. TREASURERS
Mukesh Patel

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Bandish Ajmera
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Ricardo Romell
Samyag Shah
Rushi Mehta
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YOUTHWING CONVENOR
Naman Shah

PROCUREMENT CONVENOR
Nimish Ajmera

WOMEN'S WING CHAIRPERSON
Mona Ajmera

CREDAI-MCHI UNITS
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PALGHAR-BOLISAR
BHIWANDI
SHAHAPUR-MURBAD
URAN-DRONAGIRI
ALIBAG
KARIAT-KHALAPUR-KHOPOLI

CREDAI-MCHI

Ref. No. MCHI/PRES/22-23/049A
Date: 08.2.2022

To,
Dr. Nitin Kareer (I.A.S.),
Additional Chief Secretary,
Revenue Department,
Government of Maharashtra

10/02/2022
लिपिक
कायस (महसूल)
कायस व विभाग
मंत्रालय, मुंबई

**Sub: Suggestion from CREDAI MCHI with regard to Ease of Doing Business
in Revenue Department**

Respected Sir,

At the onset please accept our deepest gratitude for meeting and hearing us on 28th January 2022. We must acknowledge that under your guidance so many processes have been simplified by revenue department and our suggestions are accepted and implemented.

Sir, there are few areas where some improvement is requested and can be simplified in order to bring Ease of Doing business in the process.

As discussed in the meeting, we are submitting the following suggestions, details of which are annexed herein with the letter. Brief descriptions are as follows:

1) For Revenue Department under EoDB (Annexure I)

- Suggestions for DIVISIONAL COMMISSIONER'S OFFICE (Mumbai and MMR) to be implemented within 30 days and 100 days. Other suggestions in detail are annexed.
- Suggestions for SETTLEMENT COMMISSIONER'S OFFICE (Mumbai and MMR) to be implemented in 30 days under EoDB.

2) For IGR department (Annexure II)

- Rationalization of Land ASR rates to 1/3 of Sale rates
- Suggestions for Stamp Duty Payable on Instruments Executed for The Purpose of Rehabilitation of Slum Dwellers
- Suggestions for Valuation of Resi/Comm Properties where land falls under different CTS Nos. / revenue divisions / diff villages with different RR Rates
- PAAA to be executed on Rs. 1000 stamp Paper for all Redevelopment schemes

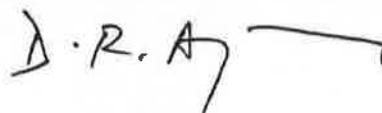
We humbly request to please grant us a detail hearing as per your convenience on the suggestions submitted by us.

Thanking you for your continuous support

Yours faithfully,
For CREDAI-MCHI



Boman Irani
President



Dhaval Ajmera
Secretary

Encl : As above

Maharashtra Chamber of Housing Industry

Maker Bhavan II, 4th Floor, 18, V. Thackersey Marg, New Marine Lines, Mumbai - 400 020
Tel: 42121421, Fax: 4212 1411/407 Email: secretariat@mchi.net Website www.mchi.net

Annexure-I

INDEX

SR.NO.	PARTICULAR
1.	EXECUTIVE SUMMARY
2.	VOLUME I : EoDB IN DIVISIONAL COMMISSIONER OFFICE
3.	VOLUME II : EoDB IN SETTLEMENT COMMISSIONER OFFICE
4.	VOLUME III (PART - I & PART II) : REGULATIONS , CIRCULAR & ORDER DIVISIONAL COMMISSIONER
5.	VOLUME IV : GOVT. REGULATIONS , CIRCULAR & ORDER SETTLEMENT COMMISSIONER

EXECUTIVE SUMMARY : EoDB REVENUE & AUTOREVENUE

KEY OBJETIVES OF EoDB IN REVENUE

1	Land records and its entire interface with the development of the state should be virtual & online;
2	For bringing in reliability of land records, online system needs to be implemented and should be the primary goal - this would ensure issues related to reliability of survey number, exact boundary demarcation & area;
3	The ultimate objective of this exercise being to achieve indefeasible reliability in terms of title and mutation;
4	GST has achieved "One Nation, One Tax"; this exercise shall realise <u>"One Land - One Record"</u> ; _and
5	The downloaded land record should be the prime evidence for the boundary, its survey number and the ensuing area, village number, the tenure, its owners along with those deriving rights out of it and all mutations as per the development like sub-division, amalgamation, roads, gardens, amenity open space, built up reservation etc. which are conditions precedence of an approval; as a process, this needs to be made online with minimum human interface. In line with AutoDCR, this system could be called Auto REVENUE.

KEY SUGGESTIONS UNDER POST EoDB : DIVISIONAL COMMISSIONER'S OFFICE TO BE IMPLEMENTED WITHIN 30 DAYS	
1	To outsource the work for online entries and payment mechanism.
2	Conversion Tax should be paid to SPA/ ULB at the time of approval along with other premiums.
3	Fixed conversion rates to be published in the Government Gazzete.
4	All payments needs to be done online through GRAS. (Government Revenue Accounting System).
5	Excavation permission and NA conversion tax should be linked automatically along with the Building Permission in ULB/SPA.
6	Condition for Sanad to be removed (circular to be scrapped).
7	All lands to be defined by their class and to be uploaded on the website.
8	NA measurement survey to be avoided as it is duplication of work.
9	All the approvals should be time bound as per the new EoDB rules.
10	In case of transfer of land CTSO / Talathi should update the records as sent to them by the registration office. For this separate application should not be done u/s 154 of MLRC Act 1966 .(This Implementation can be done urgently)
11	Separate cell to be made for all RTI cases.
12	After receipt of conversion Tax concerned CTSO/Talathi should change status from Agriculture to Non Agriculture on Property Registered Card or 7/12 Extract
13	Basic computer training to be given to staff for simplifying work and man power should be increased.
14	Link should be established between CTSO / TALATHI office.

TO BE IMPLEMENTED WITHIN 100 DAYS	
1	Role of collector to be redefined, some of his Powers to be delegated to SLR/SDO; like Area Correction, Sub Division / Amalgamation, Appeal etc.
2	All data should be updated on government websites for ease in achieving mutation records.
3	Reforming Land Titling system like Torrens system .
4	Name to be transferred automatically.

KEY SUGGESTIONS UNDER POST EoDB : SETTLEMENT COMMISSIONER'S OFFICE	
TO BE IMPLEMENTED WITHIN 30 DAYS	
1	All payments needs to be done online through GRAS (Government Revenue Accounting system). The procedure for issuing challan to be removed.
2	Payment for various processes to be done as per the Published Fixed rates depending on area of plot which needs to be surveyed.
3	The survey of same property for different approvals like subdivision, boundary fixation , etc to be avoided, it should be done once to avoid duplication and error. <u>(ONE LAND - ONE RECORD & ONE LAND - ONE SURVEY)</u>
4	All the processes to be time bound as per the EoDB depending on the area of plot.
5	Notice period should be reduced to 5 days instead of 15 days.
6	Time limit to be set for preparing survey drawings.
7	In case of subdivision and paiki 7/12 extracts , the NOC from corporation to be avoided as the plans are already given by corporation.
8	Measurement plan should be issued in 3 days from the date of survey .
9	For area correction file to be submitted to SLR only .
10	NA measurement to be avoided.
11	Survey done by Private Licenced Surveyor should be accepted .
12	Measurement fees to be taken once, even if the survey date is postponed or all the parties are not present, till the final copy is issued.

TO BE IMPLEMENTED WITHIN 100 DAYS	
1	In case of Area correction and Boundary fixation, The Government should be issue GR directing all SLR to carry out survey of developed / undeveloped plots and fixed the boundries and record the actual area in P.R. card / 7/12 extract and also correct the survey sheets so that issue of Area correction and bondary fixation automaticully solved.
2	Trimble Geo-spatial machine should be used for online survey plans.
3	Survey along with contours, HFL , HTL to be uploaded on website.
4	Role of collector to be redefined , some of his powers to be delegated to SLR, like Area Correction, Sub-Division / Amalgamation, Appeal etc .
5	Digitised map to be confirmed as done by SLR (SRA) and similar survey mechanism to be extended in MMR.

Under the Proposed EoDB exercise, it is being proposed to carry out business processes by restructuring some of the processes under the Divisional Commissioner's Office and also Settlement Commissioner's Office. Presented below is a bird's eye view of those identified processes, and the impact of EoDB exercise in terms of no. of steps and time taken in each of those said processes.

UNDER DIVISIONAL COMMISSONER

For MCGM

SR.NO.	PROCESSES	CURRENT SCENARIO		POST EoDB		KEY SUGGESTIONS FOR IMMEDIATE IMPLEMENTATION	Implement done/ not done (Yes & No)
		NO OF STEPS	TIME TAKEN	NO OF STEPS	TIME TAKEN		
1	Conversion Tax & Sanad (N.A)	33	75	2	10	Fixed conversion rates to be declared.	No
						Conversion tax to be collected by SPA /ULB	No
						CTSO should take cognizance of SPA/ULB letter & implement PRC within 2 days.	No
						NA measurement to be avoided.	No
2	Excavation Permission	18	23	1	5	SPA/ULB to issue demand note and receive payment from applicant.	No
						After receipt of payment, SPA/ULB will intimate the same to Talathi/ Circle/ SDO.	No
3	Revenue Tribunal Suit (RTS) Appeal Revision for correct revenue record i.e	11	293	7	60	To reduce hearing period to 15 days.	No
						Reduce number of hearings.	No
						Decision to be taken in stipulated time period.	No
4	(A) Name Transfer on 7/12 Extract by Registered document. (B) Name transfer on 7/12 Extract by Legal heirs etc.	8	50	2	10	Notice No. 9 to be Issued within 2 days.	No
						Notice period to be reduced from 15 to 5 days.	No
						Jawab (statement) should not be insisted upon.	No
						7/12 extract should be Issued within 2 days after completion period of Notice No 9.	No
5	Revenue Tribunal Suit (RTS) Appeal for correct revenue record i.e 7/12 at SDO office	29	479	8	60	To reduce hearing period to 15 days.	No
						Reduce number of hearings.	No
						Decision to be taken in stipulated time period.	No

UNDER DIVISIONAL COMMISSIONER							
For Rest of MMR							
SR.NO.	PROCESSES	CURRENT SCENARIO		POST EoDB		KEY SUGGESTIONS FOR IMMEDIATE IMPLEMENTATION	Implement done/ not done (Yes & No)
		NO OF STEPS	TIME TAKE	NO OF STEPS	TIME TAKEN		
6	Sale Permission (u/s 43)	17	33	14	20	Circle officer report to be avoided.	No
						Notice period to be reduced from 15 to 5 days.	No
7	(A) Name Transfer on 7/12 Extract by Registered Document (B) Name Transfer on 7/12 Extract by Legal heirs etc.	2	27	2	10	Link should be established between Talathi office and Sub Registrar office.	No
						Notice period to be reduced from 15 to 5 days.	No
						Jawab (statement) should not be insisted upon.	No
						Re-submission of documents in talathis office to be avoided.	No
8	N.A. Conversion tax	19	44	2	10	Fixed conversion rates to be declared.	No
						Conversion tax to be collected by ULB/SPA	No
						CTSO/Talathi should take cognizance of ULB/SPA letter & implement PRC/7/12 Extract within 2 days.	No
						NA measurement to be avoided.	No
9	Excavation Permission	24	30	1	5	Concern ULB/SPA to issue demand note and receive payment from applicant	No
						After receipt of payment, concern ULB/SPA will intimate the same to Talathi / Circle / SDO.	No

UNDER SETTLEMENT COMMISSIONER							
For MCGM							
SR.NO.	PROCESSES	CURRENT SCENARIO		POST EoDB		KEY SUGGESTIONS FOR IMMEDIATE IMPLEMENTATION	Implement done/ not done (Yes & No)
		NO OF STEPS	TIME TAKEN	NO OF STEPS	TIME TAKEN		
1	Area Correction Measurement and Issue PRC	50	172	20	30	Application to be submitted in CTSO only.	No
						Payment to be done through GRAS.	Yes
						15 days notice period reduced to 5 days.	No
						Measurement surveyor should prepare plan within 3 days from measurement done on site.	No
						SLR to arrange hearing & give decision for the area correction within 20 days time limit.	No
						CTSO to Issue PRC within 2 days.	No
						File should not be forwarded for collector's Order.	No
2	Boundary Fixation Measurement	20	60	6	10	Payment to be done through GRAS.	Yes
						15 days notice period reduced to 5 days.	No
						Measurement surveyor should prepare plan within 3 days from measurement done on site.	No
						CTSO to issue MR Plan within 2 days.	No
3	Joint Measurement	21	62	6	10	SPA/ULB NOC should be avoided.	No
						Payment to be done through GRAS.	Yes
						15 days notice period reduced to 5 days.	No
						Measurement surveyor should prepare plan within 3 days from measurement done on site.	No
						CTSO to Issue Joint Measurement Plan within 2 days.	No
4	Sanad (N.A.) Measurement	28	63	-	-	Sanad (N.A.) Measurement to be abolished.	No
						SPA/ULB to receive NA conversion tax and intimate CTSO, Tahsildar, Talathi to implement the same on PRC.	No

SR.NO.	PROCESSES	CURRENT SCENARIO		POST EoDB		KEY SUGGESTIONS FOR IMMEDIATE IMPLEMENTATION	Implement done/ not done (Yes & No)
		NO OF STEPS	TIME TAKEN	NO OF STEPS	TIME TAKEN		
5	Sub- Division / Amalgamation Order & Measurement and Issue PRC	54	118	12	20	Application to be submitted in CTSO only , collector order to be avoided.	No
						Payment to be done through GRAS.	Yes
						Subdivision /Amalgamation order should be issued by SLR.	No
						15 days notice period reduced to 5 days.	No
						Measurement surveyor should prepare plan within 3 days from measurement done on site.	No
						CTSO to issue PRC within 2 days.	No
6	T.P. Implementation in PRC	43	120	12	20	Application to be submitted to CTSO only, initial SLR approval to be avoided.	No
						Payment to be done through GRAS.	Yes
						15 days notice period reduced to 5 days.	No
						Measurement surveyor should prepare plan within 3 days from measurement done on site.	No
						TP Implementation finalised by SLR within 7 days.	No
						CTSO to issue PRC within 2 days after SLR order.	No
7	Name Transfer in PRC MSD (A) Name Transfer by Registered Document (B) Name Transfer by Legal heirs etc.	18	45	4	10	Notice No.9 to be issued within 2 days.	No
						15 days notice period reduced to 5 days.	No
						Jawab (statement) not required.	No
						Re- submission of documents in CTSO office to be avoided .	No
						PRC should be issued within 2 days from completion of Notice period.	No
						By giving effect to the Notification Issued by Settlement Commissioner & Director of Land Records (State of Maharashtra	

8	PRC in word MSD	9	18	1	1	<p>Pune Dated 16.02.2015. , In all cases of land where the PRC already contains the mutation entry and the area of the land in words, in such cases M.C. G.M should not insist P.R. Card in words.</p>	No
						<p>Property card should be issued online on the same day of Application.</p>	No

UNDER SETTLEMENT COMMISSIONER							
For Rest of MMR							
SR.NO.	PROCESSES	CURRENT SCENARIO		POST EoDB		KEY SUGGESTIONS FOR IMMEDIATE IMPLEMENTATION	Implement done/ not done (Yes & No)
		NO OF STEPS	TIME TAKEN	NO OF STEPS	TIME TAKEN		
9	Area Correction in 7/12 Extract	76	219	19	35	Application to be submitted to SLR only.	No
						Payment to be done through GRAS.	Yes
						15 days notice period reduced to 5 days.	No
						Measurement surveyor should prepare plan within 3 days from measurement done on site.	No
						SLR to arrange hearing and give decision within 20 days; collector approval should not be required.	No
						Talathi issued 7/12 extract within 2 days from SLR order.	No
10	Subdivision / Amalgamation Measurement - CTSO	47	82	24	30	Application to be submitted to CTSO only, initial SLR	No
						Payment to be done through GRAS.	Yes
						15 days notice period reduced to 5 days.	No
						Measurement surveyor should prepare plan within 3 days from measurement done on site.	No
						ULB/SPA NOC should be abolished.	No
						CTSO to issue PRC & MR Plan within 2 days after receipt of sub division /amalgamation order from SLR.	No

SR.NO.	PROCESSES	CURRENT SCENARIO		POST EoDB		KEY SUGGESTIONS FOR IMMEDIATE IMPLEMENTATION	Implement done/ not done { Yes & No}
		NO OF STEPS	TIME TAKEN	NO OF STEPS	TIME TAKEN		
11	Boundary Fixation Measurement - CTSO	18	53	6	10	Payment to be done through GRAS.	Yes
						15 days notice period reduced to 5 days.	No
						Measurement surveyor should prepare plan within 3 days from measurement done on site.	No
						CTSO to issue MR Plan within 2 days.	No
12	Boundary Fixation Measurement - TILR	20	54	6	15	Payment to be done through GRAS.	Yes
						15 days notice period reduced to 5 days.	No
						Measurement surveyor should prepare plan within 3 days from measurement done on site.	No
						TILR to issue MR Plan within 2 days.	No
13	Subdivision- TILR	53	133	36	40	Payment to be done through GRAS.	Yes
						15 days notice period reduced to 5 days.	No
						Measurement surveyor should prepare plan within 3 days from measurement done on site.	No
						ULB/SPA NOC should be abolished.	No

Annexure II**Suggestions for IGR Department**

- 1. Suggestions on rationalisation in the R.R. Rates to 1/3 of Resi. sale rates for Mumbai City & Suburbs**
 - GST authorities in their circular have mentioned that the value of land shall be deemed to be 1/3 of the sale value. (dtd. 28th June 2017)
 - Currently premium and charges payable to the ULBS and/or State Government are almost at 40% of the sale value of a project.
 - 30% of the sale price goes towards the construction cost of the project.
 - Administrative, Marketing and Finance costs add to 12% of the sale values. Hence, land rates cannot be, under any scenario be more than 20% of the residential sale rates.
 - Hence, CREDAI-MCHI requests you to peg it at 1/3% of the residential sale rate. Such benefits if offered, can be passed on to the ultimate consumer, by way of reduced prices.
 - Hence, CREDAI-MCHI suggests to rationalise the land rates to 1/3 of residential sale rates for Mumbai and to make sure that the revision of ASR should be done only once in five years. We are submitting a detailed note of our suggestions herewith.

- 2. Suggestions for Stamp Duty Payable on Instruments Executed For The Purpose of Rehabilitation of Slum Dwellers**
 - 45% of slum encroached lands in Mumbai are privately owned. These lands are subjected to submission of a registered conveyance / sale deed / development agreement by the developer, before SRA considers the sanction of S.R. scheme.
 - Prior to registration of all privately owned slum land transactions, adjudication is required to be done by department of Stamps for assessing FMV. While doing so, FMV or transaction price – whichever is higher is considered for calculating stamp duty by the IGR as well as assessment of income tax payable by landowners and developers, under the Income Tax Act. FMV value assessment is done under the following procedure:
 - 3 FSI is considered for slum density of upto 650 T/H to assess maximum development potential of the said land.
 - No. of slum dwellers x 30 sq.m. is determined as BUA of rehabilitation for the said scheme. Area in proportion to rehab area is considered as sale area (1:1 in suburbs).
 - Sale area is multiplied by RR rate to determine sale potential of the said plot. Rehab Construction Cost is determined using prevailing construction cost of the R.R. FMV is determined by deduction of rehab const. cost from sale potential of the said plot.

- The said calculation method does not consider the ground realities of the slum encroached land – such as :
 - a) Buildable / non buildable reservation in place like schools, hospitals, retail, PG, RG, DP roads and their effect on rehab of existing slum dwellers on subjected land,
 - b) Proximity of airport, water bodies or other planning restrictions which can severely affect FSI utilisation on site due to height restrictions etc.
 - c) Higher density slums which makes in situ rehabilitation difficult.
 - d) Effects of all of above on excess TDR generation and realistic valuation of TDR which impacts profitability of the scheme.
 - e) Apart from rehab construction costs, no other deduction for all legitimate costs are considered in the valuation process.
 - f) Valuation dept. does not assess if the scheme is a nascent early stage slum scheme or a scheme which has been sanctioned by the way of issuance of LOI, IOA / CC etc.
- To facilitate effective implementation of the said Slum Rehabilitation Scheme, Govt. of Maharashtra vide order dtd.19/12/1997 issued by Revenue & Forest Department, has reduced Stamp duty chargeable under Article 5 (g-a), 25 & 36 in Schedule-I to the Bombay Stamps Act, 1958, on the instruments executed for purpose of rehabilitation of slum dwellers as per the Slum Rehabilitation Scheme under Maharashtra Slum Areas (IC&R) Act, 1971 in respect of properties situated within city of Mumbai District & Mumbai Suburban District, to Rs.100/- (Rupees One hundred only).
- However, Revenue & Forest Department, Govt. of Maharashtra had issued order dtd.04/03/2008 which stated that, reduction of Stamp duty as per the above mentioned order dtd.19/12/1997 shall not be applicable to the instruments executed in respect of free sale component under the Slum Rehabilitation Scheme. However, the phrase, "or any other instrument of the developer" in the said order dtd. 04/03/2008 led to the interpretation that, the benefit of reduced stamp duty as per order dtd.19/12/1997 shall not be applicable to the instruments such as Conveyance Deed, Development Agreement, Deed of Assignment etc.
- Please restore the order of 1997 wherein Stamp Duty on conveyance or agreements for development or joint venture agreement, or any arrangement or contract in respect of any land declared as slum or slum rehabilitation under the Maharashtra Slum Act, which qualifies for SRA scheme under DCR 33(10) or section 3 of Slum Rehabilitation Act must be INR 100/- only.

OR

- Levy of stamp duty by adopting value of the land at 25% of the ASR for developed land on instruments such as conveyance deed, development agreement, deed of assignment for transfer / assignment / development rights executed in respect of private lands occupied by slums for the purpose of implementation of the slum rehabilitation scheme.
- As the subject matter is affecting scores of development agreements across the MMR and the state of Maharashtra, CREDAI-MCHI humbly requests your kind attention on the subject matter.

- 3. Suggestions for Valuation of Resi/Comm Properties where land falls under different CTS Nos. / revenue divisions / diff villages with different RR Rates**
- As of now, sub registrar offices calculate agreement value on basis of RR value of CTS no. which is higher than other CTS no. in such project lands. Due to this, customers have to bear high stamp duty and registration charges.
 - The Hon. State Govt. has been proactive to support home buyers, with stamp duty concessions, allowing registration offices to be kept open on holidays, extension of registration periods etc. This has helped fulfilling the dreams of tens of thousands of home buyers as well as enriched the state with record collection of stamp duty in last 1.5 years.
 - For your information, MCGM & other ULB's while deriving at amount of premium to be charge for similar layout with different RR rates, uses the method of Weighted average for the said calculation.
 - CREDAI-MCHI prays your good office to issue a policy wherein cases with different RR rates of land, the registration offices values the property for stamp duty by using weighted average method based on RR values and areas of different CTS No. in project land.
- 4. PAAA to be executed on Rs. 1000 stamp Paper for MHADA redevelopment**
- MHADA vide letter dated 27th June 2019 has requested the Revenue Department to charge nominal stamp duty of Rs.1000/- in respect of redevelopment project undertaken on MHADA land.
 - The submission is based on the fact that in case of MHADA land, MHADA is the owner of the land whereas the Society is the lessee. The developer is only acting as a contractor as the developer does not become the owner or lessee of the land and therefore counterproductive to the process of redevelopment.
 - Request of MHADA was based on the fact that vide Notification dated 20th June 2019, the Revenue Department has notified that in respect of MCGM land undertaken for redevelopment, nominal stamp duty of Rs.1000/- will be levied.
 - There has been no response from the Revenue Department in this regard. In view thereof it is requested to the Revenue Department to issue notification on the same line of MCGM for charging nominal stamp duty in redevelopment of MHADA land.

**MANAGING COMMITTEE
2022-2023**

PRESIDENT
Boman Irani

IMMEDIATE PAST PRESIDENT
Deepak Goradia

PRESIDENT-ELECT
Ajay Ashar

VICE PRESIDENTS
Domnic Romell
Shrikant Joshi
Jayesh Shah
Shailesh Puranik
Parag Shah
Sukhranj Nahar

HON. SECRETARY
Dhaval Ajmera

TREASURER
Pritam Chivukula

SPECIAL PROJECTS
Shahid Balwa
Parag Munot
Rajendra Chaturvedi
Rajesh Prajapati
Harshul Savla
Parth Mehta

HON. JT. SECRETARIES
Pratik Patel
Tejas Vyas

JT. TREASURERS
Mukesh Patel

COMMITTEE MEMBERS
Harish Patel
Nainesh Shah
Bandish Ajmera
Sandeep Raheja
Subodh Runwal
Rasesh Kanakia
Gautam Ahuja
Deepak Gundecha

SPECIAL ADVISORS
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Gautam Chatterjee
Ar. Hafeez Contractor
Anuj Puri
Ankur Gupta
Adv. Parimal Shroff

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Jackbastian Nazareth
Venkat K. Narayan
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Amit Thacker
Gurminder Singh Seera
Munish Doshi
Nishant Agarwal
Cherag Ramakrishnan
Azim F. Tapia
Jayesh C. Shah
Shailesh Sanghvi
Sunny Bijlani
Binitha Dalal
Sahil Parikh
Nikunj Sanghavi
Rushank Shah
Ricardo Romell
Samyag Shah
Rushi Mehta
Rajeev Jain

YOUTHWING CONVENOR
Naman Shah

PROCUREMENT CONVENOR
Nimish Ajmera

WOMEN'S WING CHAIRPERSON
Mona Ajmera

CREDAI-MCHI UNITS
THANE
KALYAN-DOMBIVLI
MIRA VIRAR
RAIGAD
NAVI MUMBAI
PALGHAR BOISAR
BHIWANDI
SHAHAPUR-MURBAD
URAN-DRONAGIRI
ALIBAG
KARIAT-KHALAPUR-KHOPOLI

CREDAI - MCHI

Ref. No. MCHI/PRES/22-23/077
Date: 16/2/2022
मध्यवर्ती टपाल कार्यालय
महसूल व वन विभाग
मंत्रालय, मुंबई-३२
अ. क्र. ६१०२/२२
दिनांक :

To,
Dr. Nitin Kareer (I.A.S.),
Additional Chief Secretary,
Revenue Department,
Government of Maharashtra

**Sub: Request for extension of period of payment of premium on conversion of
occupancy class – II or on lease hold basis into occupancy class – I land**

Ref: Notification dated 8th March, 2019 bearing No. JAMIN.2018/C.R.90/J-1

Respected Sir,

As on 8th March, 2019, the Revenue and Forest Department, Government of Maharashtra has framed and notified rules namely Maharashtra Land Revenue (Conversion of Occupancy Class – II and Leasehold Lands into Occupancy Class – I lands) Rules, 2019 ('RULES') whereby, any holder of land granted on Occupancy Class – II or leasehold basis can make an application to the concerned authorities of State Government for conversion of Occupancy Class-II land or leasehold land into Occupancy Class-I land as per the provisions of these Rules and on payment of conversion premium as specified in the Table set out in the said Rules;

The said Rules have been notified by the Government of Maharashtra on 8th March, 2019. As per the Rules framed by the Government of Maharashtra, the rate of conversion premiums applicable for Agricultural or residential or commercial or industrial purposes are being prescribed in Column (3) and Column (4) of the Table provided in the Rules.

Further the quanta of premium to be levied for each of the categories are being classified in two categories i.e.:

- firstly, Premium to be charged upto three years commencing from the date of publication of these rules in the Official Gazette i.e. between the period of 8th March, 2019 till 7th March, 2022;
AND
- secondly, Premium to be charged after expiry of three years from the date of publication of these rules in the Official Gazette i.e. on onwards 8th March, 2022;

CREDAI-MCHI we would take an opportunity to bring to your good office, certain material aspects for your kind consideration, which are as under: -

The Rules has been notified by the Government of Maharashtra w.e.f. from 8th March, 2019 and the period of rate of the conversion premium for Column (3) of the Table is for three years commencing from 8th March, 2019 till 7th March, 2022. However, after a period of almost one year, the entire world was hit by global pandemic, resulting in nationwide lockdown since the March, 2020 and still continuing at the State Level including the City of Mumbai over a period of time.

Considering the devastating situation of the Real Estate industry, various reliefs have been granted to the Real Estate Sector from time to time, including the following:

MAHARERA:-

Due to global pandemic and worldwide lockdown, Maharashtra Real Estate Regulatory Authority (MahaRERA) invoked the force majeure provisions and granted extension on the period of completion of the Project from time to time; (Annexure I)

Maharashtra Chamber of Housing Industry

Maker Bhavan II, 4th Floor, 18, V. Thackersey Marg, New Marine Lines, Mumbai - 400 020
Tel: 42121421, Fax: 4212 1411/407 Email: secretariat@mchi.net Website: www.mchi.net

REDUCTION IN STAMP DUTY: -

To boost the real estate sector and other commercial sector, the Stamp Duty on the Sale transactions were also drastically reduced by the Government of Maharashtra; (Annexure II)

MORATORIUM: -

Reserve Bank of India allowed all lending institutions to offer a moratorium to borrowers on repayment of all term loans on account of Covid 19 pandemic (Annexure III)

EXTENSION OF LIMITATION PERIOD: -

Due to outbreak of Covid - 19 pandemic, even the Apex Court took Suo Moto cognizance of the difficulties that might be faced by the litigants in filing various proceedings within the period of limitation and therefore the period between 15th March, 2020 till 28th February, 2022 is excluded for the purpose of limitation as may be prescribed under any general or special laws in respect of the judicial or quasi-judicial proceedings. (Annexure IV)

The aforesaid reliefs shall hopefully help the real estate industry to survive and overcome the financial crisis.

Your good office shall appreciate that extension of the period prescribed in Column (3) of the Table in the Rules (Annexure V), shall certainly offer some relief to the Class - II Land Holders, most of which are Housing Societies and also to the builder community;

Our members have already made requisite proposals before the concerned authorities for conversion of Occupancy Class-II land or leasehold land into Occupancy Class-I land as per the provisions of these Rules and the same is pending consideration. Because of the same the Land Holders are unable to make requisite conversion premiums as per presently applicable rates in Column (3) of the Table.

Hence, it is the need of the day that certain relaxation should be considered by the Government of Maharashtra and the Period prescribed in Column (3) of the Table in the Rules, which is expiring on 7th March, 2022 requires considerable extension for such applicants who have already submitted their requisite proposals for conversion of land since the Class - II Landholders / Developers are pinning their hopes on government support to boost the real estate sectors;

CREDAI-MCHI Prayers

In view of the aforementioned above, we request that the period prescribed in Column (3) of the Table in the Rules shall be extended atleast for a period of six months from the date of the expiry i.e. atleast till 7th September, 2022.

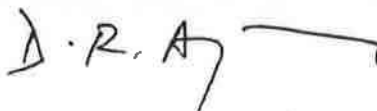
We hope that our above request is considered positively and necessary step will be taken in this regard.

Thanking you for your continuous support.

Yours faithfully,
For CREDAI-MCHI



Boman Irani
President



Dhaval Ajmera
Secretary

Encl.: As mentioned above



Annexure - I

MAHARASHTRA REAL ESTATE REGULATORY AUTHORITY
महाराष्ट्र स्थावर संपदा नियामक प्राधिकरण

Date : 06/08/2021

Order No: - 21/2021

No. MahaRERA / Secy / File No. 27 / 157 / 2021

Subject: Invoking Force Majeure for Covid-19 Pandemic second wave for a period of extension of project registration by 6 months w.e.f.15.04.2021.

Whereas, in view of COVID-19 (Corona Virus) Pandemic and consequent nation-wide lockdown with effect from March, 2020, reverse migration of labourers to their native places and break in supply chain of construction material, the construction activities of real estate projects across the country had been severely impacted.

Whereas Ministry of Housing and Urban Affairs had issued Advisory regarding extension of registration of real estate projects and concurrently extending timelines of all statutory compliances due to 'Force Majeure' under the provisions of Real Estate (Regulation and Development) Act, 2016 (RERA), on 13th May 2020 and subsequently MahaRERA had revised project registration validity by 6 months.

Whereas, MahaRERA accordingly had issued an order under no.14/2020 dated 18.05.2020 granting an extension of a period of six months, from 15.03.2020 to 14.09.2020, in compliance of the directives of GOI.

Whereas, second wave of Covid-19 pandemic started in April 2021 and construction work places came to stand still due to non-availability of labours and construction on movement of building material etc. and this wave especially was more predominant in Maharashtra.

Whereas, Government of Maharashtra took decision and issued orders vide no.DMU/2020/CR.92/DisM-1, dated 13/04/2021, imposing various restriction on construction activity amongst other including penalty for default,

Whereas, many promoter organization have represented to MahaRERA to extend timeline by at least another six months due to second wave crippling the entire construction industry.

MAHARERA HEADQUARTERS

Housefin Bhavan, Plot No. C - 21, E - Block, Bandra Kurla Complex, Bandra (E), Mumbai 400051

Tel. No.: 022 68 111 600 • E mail : helpdesk@maharera.mahaonline.gov.in

महारेरा मुख्यालय

हाऊसफिन भवन प्लॉट नं. सी-२१ ई-ब्लॉक, बान्द्रा- कुर्ला कॉम्प्लेक्स, बान्द्रा (पूर्व), मुंबई - ४०० ०५१.

फोन नं.: ०२२ - ६८ १११ ६०० • ई मेल : helpdesk@maharera.mahaonline.gov.in

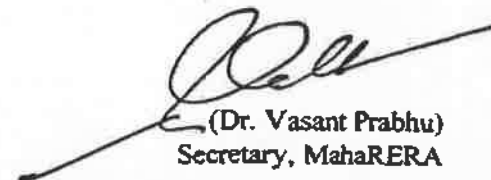
Whereas Second wave was much more devastating than first wave and has caused great loss to human lives as well as economy. And consequent lockdowns have caused disruption of supply chains for obtaining construction material, Labour work force migration and slowdown in pace of construction.

Therefore, in order to aid government efforts in controlling the damage caused due to COVID-19 and ensure that completion of MahaRERA registered projects does not get adversely affected, it has been decided to issue this order.

In exercise of the powers under section 37 read with Section 34(a), 34(f) and 34(g), a force majeure period of six months, from 15th April to 14th October, 2021 is being declared and the following directions are issued with immediate effect:

- For all MahaRERA Registered projects where completion date, revised completion date or extended completion date expires on or after 15th April 2021, the period of validity for registration of such projects shall be extended by six months. MahaRERA shall accordingly issue project registration certificates, with revised timelines for such projects, at the earliest. The above automatic extension shall not apply to projects that was to be completed before 15th April, 2021.
- The time limits for compliances under Section 11, which become due anytime during force majeure period, shall stand automatically extended for a period till the expiry of force majeure period.
- The above extensions shall not affect the rights of the allottees as may be available to the allottees under the provisions of the Real Estate (Regulation and Development) Act, 2016, the Rules and Regulation made thereunder.

As approved by Authority


(Dr. Vasant Prabhu)
Secretary, MahaRERA



महाराष्ट्र शासन राजपत्र

असाधारण भाग चार-ब

वर्ष ६, अंक ७७]

शनिवार, ऑगस्ट २९, २०२०/भाद्रपद ७, शके १९४२

[पृष्ठ २, किंमत : रुपये ९.००

असाधारण क्रमांक १९६

प्राधिकृत प्रकाशन

महाराष्ट्र शासनाने महाराष्ट्र अधिनियमांन्वये तयार केलेले

(भाग एक, एक-अ आणि एक-ल यांमध्ये प्रसिद्ध केलेले नियम व आदेश यांव्यतिरिक्त) नियम व आदेश.

महसूल व वन विभाग

मादाम कामा मार्ग, हुतात्मा राजगुरू चौक, मंत्रालय,

मुंबई ४०० ०३२, दिनांक २९ ऑगस्ट २०२०

आदेश

महाराष्ट्र मुद्रांक अधिनियम.

क्रमांक मुद्रांक-२०२०/प्र.क्र.१३६/म-१(धोरण).—महाराष्ट्र मुद्रांक अधिनियम (१९५८ चा ६०) (यात यापुढे ज्याचा उल्लेख “उक्त अधिनियम” असा करण्यात आला आहे) च्या कलम ९ च्या खंड (अ) द्वारे प्रदान करण्यात आलेल्या अधिकारांचा वापर करून, आणि याबाबतीत काढलेल्या शासन आदेश, महसूल व वन विभाग, क्रमांक मुद्रांक-२०२०/प्र.क्र.१३६/म-१(धोरण), दिनांक २८ ऑगस्ट २०२०चे अधिक्रमण करून, लोकहितार्थ तसे करणे आवश्यक असल्याची महाराष्ट्र शासनाची खात्री पटल्यामुळे, महाराष्ट्र शासन, याद्वारे, कोणत्याही स्थावर मिळकतीबाबतच्या अभिहस्तांतरणपत्र किंवा विक्रीकरारपत्राच्या दस्तऐवजावर उक्त अधिनियमास जोडलेल्या अनुसूची १ च्या अनुच्छेद २५ च्या खंड(बी) अन्वये अन्यथा आकारणी योग्य असलेले मुद्रांक शुल्क, दिनांक १ सप्टेंबर २०२० पासून सुरू होणाऱ्या आणि दिनांक ३१ डिसेंबर २०२० रोजी संपणाऱ्या कालावधीकरिता मुंबई आणि मुंबई उपनगर जिल्ह्यात तीन टक्केने आणि उर्वरित महाराष्ट्र राज्यात दोन टक्केने तर, दिनांक १ जानेवारी २०२१ पासून सुरू होणाऱ्या आणि दिनांक ३१ मार्च २०२१ रोजी संपणाऱ्या कालावधीकरिता मुंबई आणि मुंबई उपनगर जिल्ह्यात दोन टक्केने आणि उर्वरित महाराष्ट्र राज्यात दिड टक्केने कमी करीत आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

प्रितमकुमार व. जावळे,

शासनाचे कार्यासन अधिकारी

REVENUE AND FORESTS DEPARTMENT

Madam Cama Road, Hutatma Raiguru Chowk, Mantralaya,
Mumbai 400 032, dated the 29th August 2020.

ORDER**MAHARASHTRA STAMP ACT.**

No. Mudrank-2020/CR.No.136/ M-1(Policy).—In exercise of the powers conferred by clause (a) of Section 9 of the Maharashtra Stamp Act (LX of 1958) (herein after referred to as 'the said Act'), and in supersession of the Government Order, Revenue and Forests Department, No.Mudrank-2020/CR.No.136/ M-1(Policy), dated the 28th August 2020, issued in this behalf, the Government of Maharashtra, being satisfied that it is necessary to do so in the public interest, hereby reduces the stamp duty by Three per cent. in Mumbai District and Mumbai Sub-Urban District and by Two per cent. in Rest of the State of Maharashtra for the period starting from 1st of September 2020 and ending on 31st of December 2020 and by Two per cent. in Mumbai District and Mumbai Sub-Urban District and by One and half per cent. in Rest of the State of Maharashtra, for the period starting from 1st of January 2021 and ending on 31st of March 2021, as otherwise chargeable under clause (b) of Article 25 of Schedule-I appended to the Said Act, on the instrument of Conveyance or Agreement to sell of any immovable property.

By order and in the name of the Governor of Maharashtra,

PRITAMKUMAR V. JAWALE,
Desk Officer to Government.



Annexure- III

भारतीय रिज़र्व बैंक

RESERVE BANK OF INDIA

www.rbi.org.in

RBI/2021-22/17

DOR.STR.REC.4/21.04.048/2021-22

April 7, 2021

All Commercial Banks (including Small Finance Banks, Local Area Banks and Regional Rural Banks)
All Primary (Urban) Co-operative Banks/State Co-operative Banks/ District Central Co-operative Banks
All All-India Financial Institutions
All Non-Banking Financial Companies (including Housing Finance Companies)

Madam / Dear Sir,

Asset Classification and Income Recognition following the expiry of Covid-19 regulatory package

The Hon'ble Supreme Court of India has pronounced its judgement in the matter of *Small Scale Industrial Manufacturers Association vs UOI & Ors.* and other connected matters on March 23, 2021. In this connection, it is advised hereunder:

1. Refund/adjustment of 'interest on interest'

2. All lending institutions¹ shall immediately put in place a Board-approved policy to refund/adjust the 'interest on interest' charged to the borrowers during the moratorium period, i.e. March 1, 2020 to August 31, 2020 in conformity with the above judgement. In order to ensure that the above judgement is implemented uniformly in letter and spirit by all lending institutions, methodology for calculation of the amount to be refunded/adjusted for different facilities shall be finalised by the Indian Banks Association (IBA) in consultation with other industry participants/bodies, which shall be adopted by all lending institutions.

3. The above reliefs shall be applicable to all borrowers, including those who had availed of working capital facilities during the moratorium period, irrespective of whether moratorium had been fully or partially availed, or not availed, in terms of the circulars DOR.No.BP.BC.47/21.04.048/2019-20 dated March 27, 2020 and

¹ Commercial Banks (including Small Finance Banks, Local Area Banks and Regional Rural Banks), Primary (Urban) Co-operative Banks/State Co-operative Banks/ District Central Co-operative Banks, All-India Financial Institutions, and Non-Banking Financial Companies (including Housing Finance Companies)

DOR.No.BP.BC.71/21.04.048/2019-20 dated May 23, 2020 ("Covid-19 Regulatory Package").

4. Lending institutions shall disclose the aggregate amount to be refunded/adjusted in respect of their borrowers based on the above reliefs in their financial statements for the year ending March 31, 2021.

II. Asset Classification

5. Asset classification of borrower accounts by all lending institutions following the above judgment shall continue to be governed by the extant instructions as clarified below.

- (i) In respect of accounts which were not granted any moratorium in terms of the Covid19 Regulatory Package, asset classification shall be as per the criteria laid out in the Master Circular - Prudential norms on Income Recognition, Asset Classification and Provisioning pertaining to Advances dated July 1, 2015 or other relevant instructions as applicable to the specific category of lending institutions (**IRAC Norms**).
- (ii) In respect of accounts which were granted moratorium in terms of the Covid19 Regulatory Package, the asset classification for the period from March 1, 2020 to August 31, 2020 shall be governed in terms of the circular DOR.No.BP.BC.63/21.04.048/2019-20 dated April 17, 2020, read with circular DOR.No.BP.BC.71/21.04.048/2019-20 dated May 23, 2020. For the period commencing September 1, 2020, asset classification for all such accounts shall be as per the applicable IRAC Norms.

Yours faithfully,

(Manoranjan Mishra)
Chief General Manager



महाराष्ट्र शासन राजपत्र असाधारण भाग चार-ब

वर्ष ५, अंक ३७ (८)

शुक्रवार, मार्च ८, २०१९/फाल्गुन १७, शके १९४०

[पृष्ठे ८, किंमत : रुपये ९.००]

असाधारण क्रमांक ८७

प्राधिकृत प्रकाशन

महाराष्ट्र शासनाने महाराष्ट्र अधिनियमान्वये तयार केलेले
(भाग एक, एक-अ आणि एक-ल यांमध्ये प्रसिद्ध केलेले निधन व आदेश यांव्यतिरिक्त) नियम व आदेश.

महसूल व वन विभाग

पहिला मजला, मादाम कामा मार्ग, हुतात्मा राजगुरु चौक
मंत्रालय, मुंबई ४०० ०३२, दिनांक ८ मार्च २०१९

अधिसूचना

महाराष्ट्र जमीन महसूल संहिता अधिनियम, १९६६.

क्रमांक जमीन-२०१८/प्र.क्र.९०/ज-१.- ज्याअर्थी महाराष्ट्र जमीन महसूल संहिता, १९६६ (१९६६ महा.४१) च्या कलम ३२८, आणि कलम २९अ अन्वये प्रदान करण्यात आलेल्या अधिकारांचा व त्याबाबत समर्थ करणाऱ्या इतर सर्व अधिकारांचा वापर करून खालील नियम करण्यासाठी, त्या नियमांचा मसुदा उक्त संहितेच्या कलम ३२९, पोट-कलम (१) द्वारे आवश्यक असल्याप्रमाणे त्याद्वारे बाधा पोहचण्याचा संभव असलेल्या सर्व व्यक्तींच्या माहितीसाठी यापूर्वी दिनांक १७ नोव्हेंबर २०१८ रोजी अधिसूचना प्रसिद्ध करून दिनांक १८ डिसेंबर, २०१८ पर्यंत हरकती व सूचना मागविण्यात आल्या होत्या ;

ज्याअर्थी, महसूल व वन विभाग अधिसूचना क्रमांक जमीन-२०१८/प्र.क्र.९०/ज-१, दिनांक १८ डिसेंबर २०१८ अन्वये हरकती व सूचना मागविण्याची मुदत दिनांक ०१ जानेवारी, २०१९ पर्यंत वाढविण्यात आली होती ;

ज्याअर्थी, उक्त अधिसूचनेच्या अनुषंगाने प्राप्त झालेल्या अनेक हरकती व सूचना शासनाने विचारात घेऊन, प्रारूप नियमांमध्ये सुधारणा करण्याचे शासनास उचित वाटले आहे.

आता, त्याअर्थी उक्त संहितेच्या अधिनियमाच्या कलम ३२८, आणि कलम २९अ अन्वये प्रदान करण्यात आलेल्या

अधिकारांचा व त्याबाबत समर्थ करणाऱ्या इतर सर्व अधिकारांचा वापर करून उक्त संहितेच्या कलम ३२९, पोस्ट-कलम (१) नुसार यापूर्वी प्रसिद्ध केलेल्या नियमांचा मसुदा विचारात घेऊन, खालील नियम तयार करण्यात येत आहेत :-

नियम

१. संक्षिप्त नाव आणि व्याप्ती.- (१) या नियमांना, "महाराष्ट्र जमीन महसूल (भोगवटादार वर्ग-२ आणि भाडेपट्ट्याने प्रदान केलेल्या जमिनी भोगवटादार वर्ग-२ मध्ये रुपांतरित करणे) नियम, २०१९" असे म्हणावे.

(२) सदर नियम हे कृषिक किंवा निवासो किंवा वाणिज्यिक किंवा औद्योगिक प्रयोजनासाठी भोगवटादार वर्ग-२ अथवा भाडेपट्ट्याने प्रदान केलेल्या किंवा प्रदानानंतर सक्षम प्राधिकाऱ्याकडून असा वापर अनुज्ञेय करण्यात आलेल्या जमिनींना लागू राहतील.

२. व्याख्या.- (१) संदर्भानुसार दुसरा अर्थ अपेक्षित नसेल तर, या नियमांत,-

(१) "अधिनियम" याचा अर्थ महाराष्ट्र जमीन महसूल संहिता, १९६६ (१९६६ महा. ४१) असा आहे;

(२) "विकास आराखडा" याचा अर्थ महाराष्ट्र प्रादेशिक व नगररचना अधिनियम, १९६६ (१९६६ महा. ३७) यामधील तरतुदीनुसार तयार केलेला विकास आराखडा;

(३) "वार्षिक दर विवरणपत्र" याचा अर्थ महाराष्ट्र मुद्रांक अधिनियम, आणि त्या अन्वये तयार केलेले नियम मुंबई मुद्रांक (संपत्तीचे वास्तविक बाजार मूल्य ठरविणे) नियम, १९९५ यामधील तरतुदीनुसार प्रसिद्ध केलेले "वार्षिक दर विवरणपत्र" असा असून, तसेच, ज्या ठिकाणच्या जमिनीसाठी वार्षिक दर विवरणपत्र उपलब्ध नाही किंवा तयार करण्यात आलेले नाही त्या ठिकाणी जमिनीचे प्रचलित बाजार मूल्य हे संबंधित जिल्ह्यातील सहायक संचालक, नगररचना विभाग यांनी निश्चित केलेले संबंधित वर्षाचे बाजार मूल्य असा राहिल.

(४) "प्रादेशिक योजना" याचा अर्थ महाराष्ट्र प्रादेशिक व नगररचना अधिनियम, १९६६ (१९६६ महा. ३७) यामधील तरतुदीनुसार तयार केलेली प्रादेशिक योजना;

(५) "कलम" याचा अर्थ अधिनियमातील कलम असा आहे;

(२) या नियमात वापरलेले, परंतु व्याख्या न केलेले शब्द व शब्दप्रयोग यांना अधिनियमांमध्ये अनुक्रमे नेमून दिल्याप्रमाणेच अर्थ असेल.

३. (१) या नियमांतील तरतुदींप्रमाणे भोगवटादार वर्ग-२ धारणाधिकारावर किंवा भाडेपट्ट्याने प्रदान केलेल्या जमिनीचे भोगवटादार वर्ग-१ मध्ये रुपांतरण करण्यासाठी अशा भोगवटादार वर्ग-२ च्या जमिनीचा धारक किंवा भाडेपट्टाधारक संबंधित जिल्हाधिकार्याकडे अर्ज करू शकेल.

(२) वरील उप-नियम (१) मध्ये नमूद केल्याप्रमाणे अर्ज प्राप्त झाल्यानंतर, जिल्हाधिकारी अशा जमिनीचा तपशील व अशा जमीन प्रदानाच्या अटी व शर्तीचे उल्लंघन अथवा भंग झाला आहे का हे तपासून घेईल.

(३) अशा तपासणीमध्ये जमीन प्रदानाच्या अटी व शर्तीचा भंग झाल्याचे व अशा अटी व शर्तीचा भंग सक्षम प्राधिकाऱ्याने नियमानुकूल केलेला नसल्याचे निदर्शनास आल्यास, जिल्हाधिकारी असा अर्ज त्या बाबतची कारणे नमूद करून नाकारील.

(४) अशा तपासणीमध्ये जमीन प्रदानाच्या अटी व शर्तीचा भंग झाला नसल्याचे निदर्शनास आल्यास अथवा अटी व शर्तीचा झालेला भंग तो नियमानुकूल करण्यास सक्षम असलेल्या प्राधिकाऱ्याने नियमानुकूल केला असल्यास, जिल्हाधिकारी, खालील तक्त्यामध्ये नमूद केलेल्या अधिमूल्याचे शासनास प्रदान झाल्यानंतर भोगवटादार वर्ग-२ च्या किंवा भाडेपट्ट्याच्या जमिनीचे भोगवटादार वर्ग-१ जमिनीमध्ये रुपांतरण करण्याबाबतचे आदेश देईल.

तक्ता

(अ) कृषिक प्रयोजनासाठी भोगवटादार वर्ग-२ धारणाधिकारावर किंवा भाडेपट्ट्याने प्रदान केलेल्या जमिनीचे भोगवटादार वर्ग-१ मध्ये रुपांतरण करण्याकरिता देय रुपांतरण अधिमूल्य.

अ. क्र.	जमीन ज्या क्षेत्रात समाविष्ट आहे ते क्षेत्र आणि जमिनीचा वापर	सदर नियम शासन राजपत्रात प्रसिद्ध झाल्याच्या दिनांकापासून तीन वर्षांच्या कालावधीत आकारावयाच्या अधिमूल्याची रक्कम	सदर नियम शासन राजपत्रात प्रसिद्ध झाल्याच्या दिनांकापासून तीन वर्षांच्या कालावधीनंतर आकारावयाच्या अधिमूल्याची रक्कम
(१)	(२)	(३)	(४)
१	नगरपंचायत / नगरपरिषद / म.न.पा. / विशेष नियोजन प्राधिकरणाच्या हद्दीबाहेरील कृषि प्रयोजनासाठी प्रदान केलेल्या (अ) ज्या जमिनी प्रादेशिक विकास आराखड्यात शेती / ना विकास वापर विभागात स्थित आहेत.	अशा जमिनीच्या प्रचलित वार्षिक दर विवरणपत्रातील शेतीच्या दराप्रमाणे येणाऱ्या किंमतीच्या ५०% एवढी रक्कम.	अशा जमिनीच्या प्रचलित वार्षिक दर विवरणपत्रातील शेतीच्या दराप्रमाणे येणाऱ्या किंमतीच्या ७५% एवढी रक्कम.
	(ब) ज्या जमिनी प्रादेशिक विकास आराखड्यात अकृषिक (बिनशेती) वापर विभागात स्थित आहेत.	अशा जमिनीच्या प्रचलित वार्षिक दर विवरणपत्रातील संभाव्य बिनशेतीच्या दराप्रमाणे येणाऱ्या किंमतीच्या ५०% एवढी रक्कम.	अशा जमिनीच्या प्रचलित वार्षिक दर विवरणपत्रातील संभाव्य बिनशेतीच्या दराप्रमाणे येणाऱ्या किंमतीच्या ७५% एवढी रक्कम.
२	कृषी प्रयोजनासाठी प्रदान केलेल्या व सद्यःस्थितीमध्ये नगर पंचायत / नगर परिषद / महानगरपालिका / विशेष नियोजन प्राधिकरणाच्या हद्दीमध्ये स्थित असलेल्या जमिनी - ज्यांचा विकास आराखड्याप्रमाणे बिनशेती वापर अनुज्ञेय आहे अशा जमिनी किंवा ज्यांचा विकास आराखड्याप्रमाणे बिनशेती वापर अनुज्ञेय नाही अशा जमिनी.	अशा जमिनीच्या प्रचलित वार्षिक दर विवरणपत्रातील दराप्रमाणे येणाऱ्या किंमतीच्या ५०% एवढी रक्कम.	अशा जमिनीच्या प्रचलित वार्षिक दर विवरणपत्रातील दराप्रमाणे येणाऱ्या किंमतीच्या ७५% एवढी रक्कम.

(ब) निवासी, वाणिज्यिक अथवा औद्योगिक प्रयोजनासाठी भोगवटादार वर्ग-२ धारणाधिकारावर किंवा भाडेपट्ट्याने प्रदान केलेल्या किंवा प्रदानानंतर असा वापर अनुज्ञेय करण्यात आलेल्या जमिनीचे भोगवटादार वर्ग-१ मध्ये रुपांतरण करण्याकरिता देय रुपांतरण अधिमूल्य.

अ. क्र.	जमिनीचा धारणाधिकार	सदर नियम शासन राजपत्रात प्रसिद्ध झाल्याच्या दिनांकापासून तीन वर्षांच्या कालावधीत आकारावयाच्या अधिमूल्याची रक्कम	सदर नियम शासन राजपत्रात प्रसिद्ध झाल्याच्या दिनांकापासून तीन वर्षांच्या कालावधीनंतर आकारावयाच्या अधिमूल्याची रक्कम
(१)	(२)	(३)	(४)
	वाणिज्यीक अथवा औद्योगिक प्रयोजनासाठी कब्जेहक्काने किंवा भाडेपट्ट्याने धारण केलेल्या जमिनी	अशा जमिनीच्या प्रचलित वार्षिक दर विवरण पत्रातील दराप्रमाणे येणाऱ्या किंमतीच्या ५० % एवढी रक्कम	अशा जमिनीच्या प्रचलित वार्षिक दर विवरण पत्रातील दराप्रमाणे येणाऱ्या किंमतीच्या ६० % एवढी रक्कम
२	रहिवासी प्रयोजनासाठी कब्जेहक्काने धारण केलेल्या जमिनी	अशा जमिनीच्या प्रचलित वार्षिक दर विवरण पत्रातील दराप्रमाणे येणाऱ्या किंमतीच्या १५ % एवढी रक्कम	अशा जमिनीच्या प्रचलित वार्षिक दर विवरण पत्रातील दराप्रमाणे येणाऱ्या किंमतीच्या ६० % एवढी रक्कम
३	रहिवासी प्रयोजनासाठी भाडेपट्ट्याने धारण केलेल्या जमिनी	अशा जमिनीच्या प्रचलित वार्षिक दर विवरण पत्रातील दराप्रमाणे येणाऱ्या किंमतीच्या २५ % एवढी रक्कम	अशा जमिनीच्या प्रचलित वार्षिक दर विवरण पत्रातील दराप्रमाणे येणाऱ्या किंमतीच्या ७५ % एवढी रक्कम
४	सहकारी गृहनिर्माण संस्थांना भाडेपट्ट्याने प्रदान केलेल्या व आजही सहकारी गृहनिर्माण संस्थेच्या भोगवट्यात असलेल्या जमिनी	अशा जमिनीच्या प्रचलित वार्षिक दर विवरण पत्रातील दराप्रमाणे येणाऱ्या किंमतीच्या १५% एवढी रक्कम	अशा जमिनीच्या प्रचलित वार्षिक दर विवरण पत्रातील दराप्रमाणे येणाऱ्या किंमतीच्या ७५ % एवढी रक्कम
५	सहकारी गृह निर्माण संस्थांना कब्जेहक्काने प्रदान केलेल्या व आजही सहकारी गृहनिर्माण संस्थेच्या भोगवट्यात असलेल्या जमिनी.	अशा जमिनीच्या प्रचलित वार्षिक दर विवरण पत्रातील दराप्रमाणे येणाऱ्या किंमतीच्या १५% एवढी रक्कम.	अशा जमिनीच्या प्रचलित वार्षिक दर विवरण पत्रातील दराप्रमाणे येणाऱ्या किंमतीच्या ६०% एवढी रक्कम.

परंतु कब्जेहक्काच्या रकमेमध्ये कोणतीही सवलत न देता पूर्ण कब्जेहक्काची रक्कम वसूल करून रहिवास प्रयोजनासाठी कब्जेहक्काने प्रदान करण्यात आलेल्या भूखंडाचा / जमिनीचा धारणाधिकार भोगवटादार वर्ग-१ मध्ये रूपांतरित करतांना अशा जमिनीच्या प्रचलित वार्षिक दर विवरण पत्रातील दराप्रमाणे येणाऱ्या किंमतीच्या १०% इतकी रक्कम अधिमूल्य म्हणून आकारण्यात यावी.

शासनाच्या त्या-त्या वेळी प्रचलित असलेल्या धोरणांप्रमाणे वापरातील बदलापोटी किंवा भाडेपट्ट्याने धारण केलेल्या जमिनीचा धारणाधिकार भोगवटादार वर्ग-२ मध्ये रूपांतरित करतांना अशा धारकाने शासनास प्रदान केलेल्या अधिमूल्याची रक्कम अशा जमिनीचा धारणाधिकार भोगवटादार वर्ग-१ मध्ये रूपांतरित करतांना वसूल करावयाच्या अधिमूल्याच्या रकमेत समायोजित करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

प्रकाश इंदलकर,
शासनाचे अवर सचिव.

REVENUE AND FOREST DEPARTMENT

Madam Cama Marg, Hutatma Rajguru Chowk
Mantralaya, Mumbai 400 032, dated the 8th March 2019

NOTIFICATION

MAHARASHTRA LAND REVENUE CODE, 1966.

No. Jamin. 2018/C.R.90/J-1.—Whereas, by the Government Notification, Revenue and Forests Department, No. Jamin. 2018/C.R.90/J-1, dated the 17th November 2018, the Government of Maharashtra had published the draft of rules for conversion of Occupancy Class-II and Leasehold lands into Occupancy Class-I lands, which were proposed to be made, in exercise of the powers conferred by sections 29A and 328 of the Maharashtra Land Revenue Code, 1966 (Mah. XLI of 1966) (hereinafter referred to as "the said Code"), for information of all the persons likely to be affected thereby, and notice was thereby given that the said draft would be taken into consideration by the Government of Maharashtra on or after the 18th December 2018 ;

And Whereas, by the Government Notification, Revenue and Forests Department, No. Jamin 2018/C.R.90/J-1, dated the 18 th December 2018, the Government extended the said date of receiving objections or suggestions till 1st January 2019 ;

And Whereas, various objections and suggestions received pursuant to the said Notification have been considered by the Government ;

And Whereas, after considering the objections and suggestions received, the Government considered it expedient to modify certain provisions of the draft rules ;

Now, therefore, in exercise of the powers conferred by sections 29A and 328 of the said Code, and of all other powers enabling it in that behalf, the Government of Maharashtra, hereby makes the following rules, the same having been previously published as required by sub-section (1) of section 329 of the said Code, namely :—

Rules

1. *Short title and application.*—(1) These rules may be called the Maharashtra Land Revenue (Conversion of Occupancy Class-II and Leasehold lands into Occupancy Class-I lands) Rules, 2019.

(2) These Rules shall apply to lands granted or subsequently allowed by the competent authority to be used for agricultural or residential or commercial or industrial purpose on Occupancy Class-II or leasehold rights.

2. *Definitions.*—(1) In these Rules, unless the context otherwise requires,—

(i) "Act" means the Maharashtra Land Revenue Code, 1966 (Mah. XLI of 1966) ;

(ii) "Development plan" means the Development plan prepared under the Maharashtra Regional and Town Planning Act, 1966 (Mah. XXXVII of 1966) ;

(iii) "Annual Statement of Rates" means the Annual Statement of Rates published under the provisions of the Maharashtra Stamp (Determination of True Market Value of Property) Rules, 1995 framed under the Maharashtra Stamp Act (LX of 1958) and where such Annual Statement of Rates is not prepared or available, it means the rate of such land as determined by the Assistant Director of the Town Planning Department of the concerned District ;

(iv) "Regional plan" means the Regional plan prepared under the Maharashtra Regional and Town Planning Act, 1966 (Mah. XXXVII of 1966);

(v) "section" means the section of the Act.

(2) Words and expressions used but not defined hereinabove shall have the same meanings as are assigned to them respectively in the Act.

3. (1) Any holder of land granted on Occupancy Class-II or leasehold basis may make an application to the concerned District Collector for conversion of Occupancy Class-II land or leasehold land into Occupancy Class-I land as per the provisions of these Rules.

(2) Upon receipt of any application under sub-rule (1), the Collector shall verify the particulars of the concerned land and whether there is any violation or breach of any of the terms or conditions of grant of such land.

(3) Upon such verification, if it is noticed that there is violation of any of the terms or conditions of grant of such land which has not been regularised, then the Collector may reject the application, by an Order, after recording the reasons therefor.

(4) Upon such verification, if it is noticed that there is no violation of any of the terms or conditions of grant of such land, or such violation, if any, has been regularized by the authority competent to do so, then the Collector shall by an Order, convert the Occupancy Class-II land or leasehold land into Occupancy Class-I land on payment of conversion premium as specified in the Table below :—

TABLE

(A) Conversion premium payable for conversion of Occupancy Class-II or leasehold lands granted for agricultural purpose only.

Sr. No.	Area in which land is situated and user of land.	Premium to be charged upto three years commencing from the date of publication of these rules in the <i>Official Gazette</i> .	Premium to be charged after expiry of three years from the date of publication of these rules in the <i>Official Gazette</i> .
(1)	(2)	(3)	(4)
1	Land granted for agricultural purpose situated outside the limits of any <i>Nagar Panchayat</i> or Municipal Council or Municipal Corporation or Special Planning Authority,— (i) allocated to agricultural or no development zone as per the Regional plan;	Fifty per cent. of value of such land calculated as per agricultural rate of such land specified in the current Annual Statement of Rates.	Seventy five per cent. of value of such land calculated as per agricultural rate of such land specified in the current Annual Statement of Rates.
	(ii) allocated to any non-agricultural zone as per the Regional plan.	Fifty per cent. of value of such land calculated as per potential non-agricultural rate of such land specified in current Annual Statement of Rates.	Seventy five per cent. of value of such land calculated as per potential non-agricultural rate of such land specified in current Annual Statement of Rates.

(1)	(2)	(3)	(4)
2	Land granted for agricultural purpose situated within the limits of any <i>Nagar Panchayat</i> or Municipal Council or Municipal Corporation or Special Planning Authority and allocated to any non-agricultural zone as per Development plan, or where non-agricultural use of such land is not permissible as per the Development plan.	Fifty per cent. of value of such land calculated as per rate of such land specified in the current Annual Statement of Rates.	Seventy five per cent. of value of such land calculated as per rate of such land specified in the current Annual Statement of Rates.

(B) Conversion premium payable for conversion of Occupancy Class-II or leasehold lands granted or subsequently allowed by the Competent Authority to be used for residential or commercial or industrial purposes only :-

Sr. No.	Type of occupancy of land.	Premium to be charged upto three years commencing from the date of publication of these rules in <i>Official Gazette</i> .	Premium to be charged after expiry of three years from date of publication of these rules in <i>Official Gazette</i> .
(1)	(2)	(3)	(4)
1	Land held on Occupancy Class-II or on lease hold basis for commercial or industrial purpose.	Fifty per cent. of value of such land calculated as per rate of such land specified in the current Annual Statement of Rates.	Sixty per cent. of value of such land calculated as per rate of such land specified in the current Annual Statement of Rates.
2	Land held on Occupancy Class-II for residential purpose.	Fifteen per cent. of value of such land calculated as per rate of such land specified in the current Annual Statement of Rates.	Sixty per cent. of value of such land calculated as per rate of such land specified in the current Annual Statement of Rates.
3	Land held on lease hold rights for residential purpose.	Twenty five per cent. of value of such land calculated as per rate of such land specified in the current Annual Statement of Rates.	Seventy five per cent. of value of such land calculated as per rate of such land specified in the current Annual Statement of Rates.
4	Land granted on leasehold rights to a Co-operative Housing Society and currently held by that Co-operative Housing Society.	Fifteen per cent. of value of such land calculated as per rate of such land specified in the current Annual Statement of Rates.	Seventy five per cent. of value of such land calculated as per rate of such land specified in the current Annual Statement of Rates.
5	Land granted on Occupancy Class-II to a Co-operative Housing Society and currently held by that Co-operative Housing Society.	Fifteen per cent. of value of such land calculated as per rate of such land specified in the current Annual Statement of Rates.	Sixty per cent. of value of such land calculated as per rate of such land specified in the current Annual Statement of Rates.

Provided that, in case of plot or land granted for residential purpose by the Government by recovering full occupancy price without any concession, the premium payable for conversion of tenure of such plot or land to occupancy Class-I shall be ten per cent. of the value of such land calculated as per rate of such land specified in the current Annual Statement of Rates.

4. The amount, if any, paid to the Government towards change of use or towards conversion of leasehold rights into occupancy Class II as per the prevailing policy of the Government shall be adjusted towards the amount payable for conversion of tenure to occupancy Class I under these Rules.

By order and in the name of the Governor of Maharashtra,

PRAKASH INDALKAR,
Under Secretary to Government.