

A close-up photograph of two hands, one from the left and one from the right, gently holding a small, white, triangular wooden house model. The house has a brown wooden roof and a white body. The background is a dark, textured blue-grey. A black horizontal bar with white text is overlaid across the middle of the image, partially obscuring the house model.

**REDEVELOPMENT OF CO-
OPERATIVE HOUSING SOCIETY.**

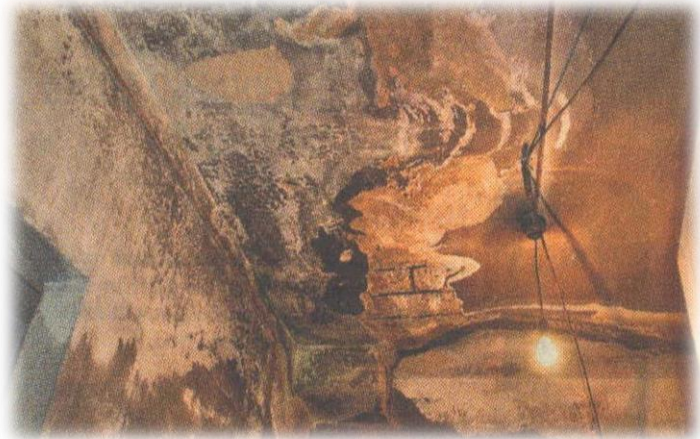
REASON FOR REDEVELOPMENT..... AGE & CONDITION OF BUILDING



DETERIORATION OF TERRACE & WATER TANKS



BUILDING STRUCTURE DILAPIDATED



- **REPAIRS COULD BE THE OPTION**
- **BUT THE FAVORITE CHOICE REMAINS**
- **REDEVELOPMENT**
- **REDEVELOPMENT**
- **&**
- **REDEVELOPMENT**

IN CASE OF SELECTING BUILDER, YOU MUST BE CAUTIOUS

Flat owners say builders took them for a ride

Sandhya Nair | TNN

Mumbai: It's not only slum-dwellers who have been taken for a ride by builders undertaking government-promoted slum rehabilitation schemes. Unsuspecting middle-class Mumbaiers, who have bought 'free sale' component flats, also find themselves shortchanged by unscrupulous realtors.

A case in point is Galaxy Classique at Miha Nagar, Goregaon West. The 105 residents of the seven-storeyed building have not only been given shoddy, incomplete structures, but are also not being allowed to form a housing society by the builder, M R Realtors, a partnership firm based in Santacruz.

M R Realtors has filed an appeal with the divisional joint registrar of cooperative societies for a stay order for the formation of the society, arguing that it can be done only by the assistant registrar of cooperative societies, Slum Rehabilitation Authority, and not by the deputy registrar of cooperative societies.

The chief promoter of the four-wing housing society, Amit Israni, said the flats were sold under clauses of the Maharashtra Ownership Flat Act, 1963. "The SRA scheme is silent about the free sale component. If we were under SRA, then why did we pay stamp duty under Mofa? We even pay property tax according to BMC rates," said Israni. The free sale component in the suburbs is equal to the rehabilitation component.

Housing activist Chandrashekar Prabhu said, "It is a clear case of cheating by the builders. By not allowing them to form a society, he wants to deny the residents the right to sell their flats." Prabhu said builders were using this tactic to hold on to the property and increase their chances of getting more FSI in future. "When the SRD scheme was converted into SRA, the FSI was increased. Builders who

held on to their property got more FSI."

Trouble began on November 14, 2006, when the residents formed an ad hoc committee after the builder failed to form the society within the stipulated period. In January 2007, the residents made an application before the registrar of societies to form a society.

Then, on April 5, the deputy registrar ordered the formation of a society. Three hearings were conducted between February and April but the builder failed to appear. Elections to the society were accordingly held on April 9. On April 19, the builder filed an appeal against the deputy registrar's order. The divisional joint registrar put a stay on formation of the society.

The 105 residents of the seven-storeyed building have not only been given shoddy, incomplete structures, but are also not being allowed to form a housing society by the builder

The residents started complaining that anti-social elements were creating trouble on the building premises and even threatening them. The residents lodged a complaint at the Goregaon police station.

The buyers alleged that the builder altered the floor plan without their consent. "The building plan provided to us showed four plans—A, B, C and D—but the builder altered the plan to include an E wing," said a resident.

The developers, comprising four partners, including Santacruz corporator Abdul Aziz Abdul Karim Barudgar, did not respond despite repeated calls. They said in their appeal that the society could be formed only by the assistant registrar of SRA.

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- **Common situation faced by innocent flat owner**
- **Lack of cooperation and planning**
- **Being Penny Wise and Pound Foolish**

Also you need to be **VIGILANT** to avoid being taken for a ride.....

Politicians seek a piece of redevelopment pie

Two Powerful Congress Leaders Use Frontmen To Bid For Lucrative Mega-Project In Worli

Nazier Bharucha | 11w

Mumbai: It seems that builders are not the only ones rushing to redevelop housing societies in different parts of the city. The redevelopment craze has tempted several politicians to also jump onto the gravy train. Sources in the construction industry alleged that these नेताs have put up their frontmen to bid for some of these projects, where the profits can run into hundreds of crores.

TOI has learnt that two heavyweight Congress politicians, through their chosen builders, are allegedly trying to outdo each other to grab a prime Mhada society that is up for redevelopment in Worli. The Adarsh Nagar Cooperative Housing Society, a middle-income group residential enclave located close to the passport office and Worli seafac, has virtually turned into a battleground for these two politicians.

The society, spread over 22,736 sq m, or about 5.5 acres, is considered to be a



CHIQUE THIS: The Adarsh Nagar Cooperative Housing Society is considered to be a goldmine. According to a conservative estimate, the redevelopment project is worth at least Rs 500 crore

goldmine. According to a conservative estimate, the redevelopment project is worth at least Rs 500 crore. About six prominent city builders have put in their bids.

Sources alleged that the son of a senior state Congress politician has got into the thick of action along with his cronies, which include some residents of the society. "They are trying hard to lay their hands on this project," sources said.

On the other side is another powerful Congress minister who is pushing hard to grab the redevelopment rights by using a builder from the western suburbs as his frontman. Adarsh Nagar Society members either refused to talk about the project or were not unavailable for comment.

The society consists of 24 buildings and 224 flats. Each building is a ground plus three-storey structure. The size of each flat varies from 504 sq ft to 898 sq ft. It has a central ground spread over 1,932 sq m.

"The developer shall construct and give flats with a minimum of 50% more space than the present area to each member of the society in the newly constructed buildings," said the additional conditions in the tender document.

Among the facilities demanded of the winning bidder are a 5,000 sq ft hall for the society's use, a fully equipped fitness centre measuring 1,500 sq ft exclusively for the residents, and a society office.

Sources revealed that some unknown builders who offered huge sums of money to some housing societies in the western suburbs were actually fronts for unscrupulous politicians. In one case in the Bandra-Khar region, a builder outbid several prominent developers to grab the redevelopment rights of a society.

In Andheri's D N Nagar, it is alleged that some politicians rooted for a particular set of builders in connivance with some members of the housing societies.

Nazier Bharucha@Timesofindia.com

HC dismisses builder's plea

against Worli society

Housing Cooperative Residents Locked

In Legal Battle With Realtor Over

Redevelopment Of Three-Acre Property

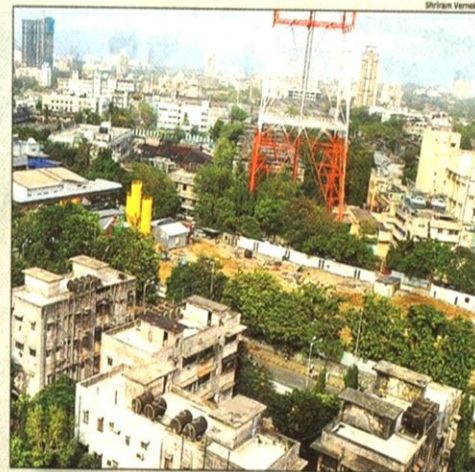
SEVERAL DEALS HAVE COME UNSTUCK

Since the past seven months, TOI has been tracking the multi-core deals builders have been offering housing society residents all over the city—they are either paid a lumpsum amount to move out of their apartments permanently or are offered a larger flat in the redeveloped building.

A number of such deals have, however, been stuck or cancelled due to a host of reasons. These include societies such as Nutan Nagar opposite Bandra Talao, Bharatiya Bhavan at Khar and D N Nagar in Andheri.

The paper has also been flooded with complaints from residents of housing societies on the nexus between their managing committees and builders. It is learnt that a builder from the western suburbs, who has surreptitiously tied up with a powerful Congress politician, has allegedly paid under-the-table money to some members of a prime Worli society in order to bag the redevelopment project. In Andheri's D N Nagar, residents are livid with their respective managing committees. They have claimed that some managing committee members have taken unilateral decisions and without the knowledge of other members, appointed unknown builders to carry out the redevelopment.

Residents of Neptune housing society near the Juhu link road have complained that a



Shriram Venkatesh

developer and architect were appointed without inviting tenders. "In all important meetings of the society, developers and politicians played an enthusiastic part and the voice of genuine members was nipped in the bud. It was made clear that they have to sign on the dotted line," said resident Manoj Karande, adding that many members have approached courts to challenge illegalities in the project.

GONG NOWHERE: The redevelopment of Shivshahi Cooperative Housing Society in Worli has suffered due to legal complications and allegations made by the builder entrusted with the job

THE TIMES OF INDIA 11th July 2008

Conduct Structural Audit of the Building
Byelaw No 77: Bldg over 15 years.....Once in 5 years
Bldg Over 30 years once in 3 years



BUYERS BEWARE

THE TIMES OF INDIA, MUMBAI
WEDNESDAY, JULY 11, 2007

D N Nagar redevpt mired in controversy

Row Over Choosing Builders Delaying Project

Nauzer Bharucha | TNN

Mumbai: Allegations of cheating, lack of transparency and litigation have wrecked the proposed redevelopment of some of the housing societies in the D N Nagar residential enclave of Andheri (west).

Although some residents blamed the state housing authority, Mhada, and the civic administration for failing to generate the additional floor space index (FSI) required to commence the redevelopment of their buildings, there is also acrimony between flat owners and the managing committees.

Charges are flying thick and fast about some committee members selecting their own chosen builders without the knowledge of the other society members.

Last month, TOI had reported how more than 1,000 families residing in over two dozen buildings in the Mhada-constructed complex find themselves in a bind, as builders appointed by them have stopped the redevelopment work midway.

In May, the entire national media descended upon the New D N Nagar colony to witness the first-of-its-kind demolition of buildings by way of a controlled implosion. However, the 480 families—of which 473 have vacated—find that their redevelopment project has come to a standstill.

Said Sharad Raj, one of the residents, "My repeated inquiries from the association members designated by all the societies of New D N Nagar complex have met with a similar reply: 'Kaam ho raha hai. Some families are yet to hand

over the keys, hence the delay, but the court will evacuate them on 30th of June and thereafter work will start."

The builder, Vaidehi Akash, appointed to redevelop the New D N Nagar cooperative housing societies, has filed a notice of motion in the city civil court against five flat owners who refused to vacate their flats. One of the flat owners, who has been dragged to court by the builder, is Pinky Gupta.

It is only a handful of flat owners who are against the redevelopment," he claimed.

Pushkar Niketan, another housing society in D N Nagar, comprising two buildings, has seen its redevelopment stalled—some flat owners have accused the managing committee of lack of transparency in appointing the developer.

The district consumer forum passed an interim order restraining the builder to stop



FUTURE TENSE: D N Nagar in Andheri (west)

In her reply to the court, Gupta said she has not given her consent for demolition of the building where she resides. "Neither the developer nor the society has disclosed any approved and sanctioned plans and any permission granted by the BMC, Mhada and other authorities for giving 640 sq ft carpet area flat in the redeveloped building," she said. Currently each flat owner occupies about 221 sq ft area.

Gupta assured that once she gets the sanctioned plans she would peacefully vacate her flat. Ashok Todl, commercial manager of the builder, Vaidehi-Akash Housing Pvt Ltd, said these allegations were false. "We have all the permissions,

all activities for demolition of the existing building, construction of the tower and converting residential premises on the ground floor into commercial premises.

Two flat owners, L D Vyas and A G Girmee, had approached the consumer court to complain against the managing committee for appointing a developer without inviting tenders. "The process and procedure adopted by the managing committee were totally detrimental to the interests of society members," the complainants said. The managing committee has now filed an appeal in the state consumer forum to overrule the interim order of the lower court.

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- There were no Laid down guidelines and /or Firm procedures declared
- Builders took advantage of the situation offering unrealistic schemes
- Many have lost precious life time savings
- News papers are covering such factual stories



WHY REDEVELOPMENT ?

REDEVELOPMENT



**JOINT VENTURE
DEVELOPMENT**



**SELF
REDEVELOPMENT**

REDEVELOPMENT - BASED ON LAND

Private Building

Tenanted Building

CHSL

MHADA

SRA

CLUSTER

MILL LAND

REDEVELOPMENT

“REDEVELOPMENT” means
demolition of the Old
Structure.



Replacing it with a
NEW STRUCTURE with new
dimensions and space.



REDEVELOPMENT



✓ The building are constructed as per the new Development Control Regulations.

✓ Developer / Builder who gives extra space.

ADVANTAGES & DISADVANTAGES OF REDEVELOPMENT

A. ADVANTAGE TO THE TENANTS

- a) Buildings are very old and weak.
- b) They need extensive repairs and renovation.
- c) Redevelopment is a viable solution.
- d) Loading additional FSI.
- e) Additional room/s without extra investment.

ADVANTAGES & DISADVANTAGES OF REDEVELOPMENT

F. Enjoy modern amenities.

- a) Earthquake-resistant structure
- b) Better planned and designed flats
- c) Concealed plumbing and electrical lines
- d) Proper decorative entrance lobby
- e) Proper garden and playing ground

ADVANTAGES & DISADVANTAGES OF REDEVELOPMENT

A. ADVANTAGE TO THE DEVELOPERS

- a) In the familiar situation of non availability of land in good locality, they can construct commercial/residential towers.
- b) Huge amounts in the Purchase of land not required.
- c) Incentive FSI by Govt.
- d) Sale of additional saleable area

ADVANTAGES & DISADVANTAGES OF REDEVELOPMENT

A. DISADVANTAGE to Tenants

- a) For a considerable period of time members have to stay in another place which disrupts routine.
- b) Residential complex is normally mixed up with commercial units.
- c) New members would take a longer time to adjust to original members.

ADVANTAGES & DISADVANTAGES OF REDEVELOPMENT

A. DISADVANTAGE to Tenants

- d) Increase the cost of maintenance.
- e) Increase in property tax .
- f) Dearth of honest/sincere members to look after the whole project.
- g) There is always a fear of stalled projects resulting in court battles.

Mumbai's Housing fabric stock has approx 16142 cessed properties out of which more than 5000 are more than 100 years old.



1. Whether the **Building** has lived its **Life**?



2. Whether the building requires **Extensive Structural Repairs**?

3. Whether the society premises has enough **Parking Space?**



4. Area for children?

5. In heavy rain whether society plot **Submerges with Flooding Water?**





6. Do you have **Lifts?**
Or elders climb to
3rd or 4th floor?

7. Is it convenient to
get a **Patient** down
through staircase
in **Emergency?**



8. Whether the **Existing Flat Area** is enough for your **Growing Family?**



9. Whether the available **Redevelopment Schemes** are beneficial?



10. Do you have Modern Facilities like...

- a) High speed lifts with attractive lobby.
- b) Wide staircases.
- c) Children play area & Gardens.



10. Do you have Modern Facilities like...

a) Intercom.

b) Security camera phone.

c) Modern Toilets.



10. Do you have Modern Facilities like...

- a) Fire fighting system.
- b) Uninterrupted water supply.
- c) Fitness center.





LINE OF ACTION OF

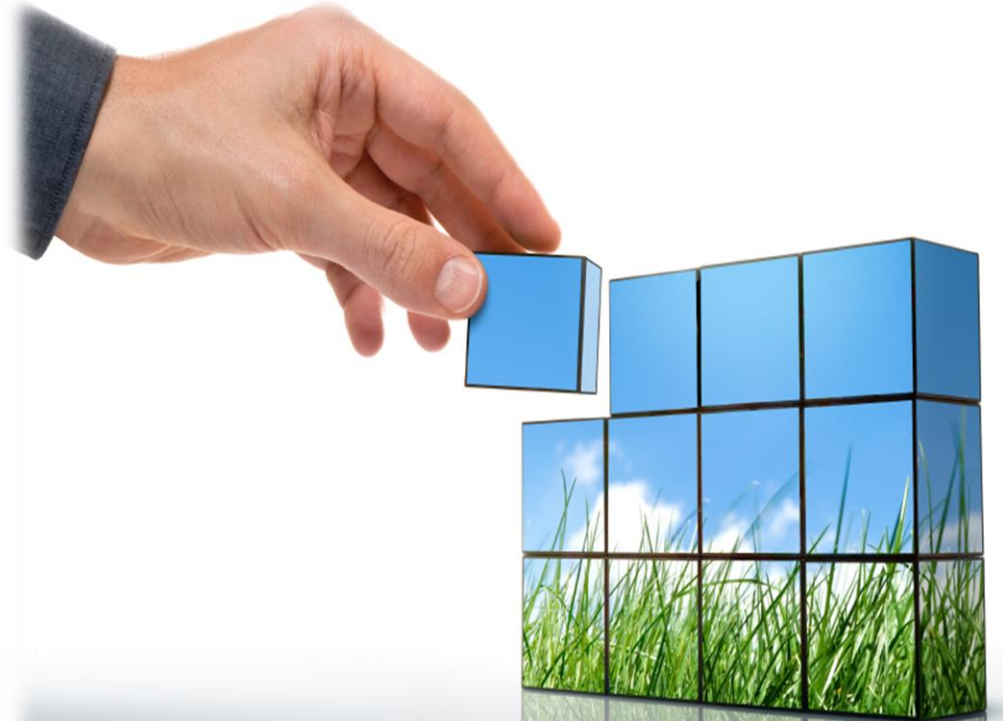
(As per the Guidelines of State Govt. of Maharashtra dtd. 4th July. 2019)

79A Guideline for REDEVELOPMENT

PROPOSAL FOR REDEVELOPMENT

a) **Not Less than**
1/5th of the
Society Members
should give an
application to
Secretary of the
Managing

Committee to arrange for SGM to Discuss about
the Redevelopment Process of Society Building.



79A Guideline for REDEVELOPMENT

Movement by MC

b) After receiving application, Managing Committee will take the decision within **8 days** & shall arrange



the Special General Body Meeting within **TWO Month** from the date of application.

79A Guideline for REDEVELOPMENT

Movement by MC

c) The Notice of the Spl. Gen. Body Meeting should be given **14 days** in advance to the Society Members.

d) Minimum Quorum for the Spl. Gen. Body Meeting shall be **2/3 of Total no. of Members of Society.**



79A Guideline for REDEVELOPMENT

Movement by MC

The proposed Society shall create website

All type of information in respect of the re-development like notice, minutes of the meeting and report of the Project Management Consultant etc. shall be kept on that web site.



TAKING QUOTATION FROM ARCHITECT

Before calling the said meeting, the managing committee of the society shall call **at least 3 quotations** for **preparing Project Report of the re-development work** of the building from the Project Management Consultant on the panel of Government/ Local Authority comprising of registered Architects from the Council of Architecture under the Architect Act, 1972 and one expert person amongst them shall be selected in the Special General Meeting.

- a) Discuss about the Scope of Work of Architect / P.M.C.



79A Guideline for REDEVELOPMENT

Agenda of SGM

1. To take primary decision by considering the demand of the members and the suggestions received regarding making the re-development of the building of the society.
2. To select expert and experienced Architect/Project Management Consultant on the panel of the Government/Local Authority for the work of re-development of the building and to fix the scope of work to be done by them and terms/conditions.
3. To submit the frame work of the programme of the re-development of the building.

79A Guideline for REDEVELOPMENT

Decision of SGM

- e) Minimum Quorum for the Spl. Gen. Body Meeting shall be **2/3 of Total no. of Members of Society.**
- f) After brain storming, the decision for the redevelopment will be taken by Min. Majority of **51%**. Of total number of Members of Society.
- g) Appointment of Architect and Finalize the Line of Action for the Redevelopment Process.

79A Guideline for REDEVELOPMENT

Immediate Duty of Managing Committee after SGM

- a. Circulate the Copy of the Minutes all members within 7 Days of Meeting and Received acknowledgement.**
- b. Take Individual written Consent from all members who register their VOTE in favor of Redevelopment**
- c. Give Appointment Letter to Architect / PMC within 30 Days**

WORK TO DONE BY ARCH/ PMC

1. To conduct survey of the building and land of the society.
2. To take information about the conveyance of land of the society.
3. Take information about the F.S.I. and T.D.R. available according to the buildings and land
4. To prepare realistic feasibility report
5. Submit feasibility report within two months from the date of their appointment to the Managing Committee of the society.

WORK OF MC

- a) The Tender Notice will be Published in Reputed News Papers. The Soc. Members may ask known reputed developers to participate in Tendering process.
- b) The Tender document will be released from the office of Architect & will be submitted in the Society office in a given time period.

COMPARATIVE ANALYSIS COMPARE

- a) All the received offers will be **Handed Over** to Architect for his assessment.

- b) The Architect will prepare **Techno-Commercial Comparative Analysis** & will submit to the Managing Committee to circulate the same to all the Soc. Members.



CALL FOR SGM – SELECTION OF DEVELOPER

- a) 14 Days Advance Notice to Members
- b) Appointment of Authorized Office from Registrar Office
- c) Arrangement op Video Shooting
- d) Quorum for SGM Shall be 2/3 rd members of Society



AGENDA OF SGM

1. To give comparative information regarding the tenders selected for the presentation. (Regarding Redevelopment Work)
2. To Present Tenders (Presentation of Tenders)
3. To Select 1 Developer and Finalize the Tender
4. To take consent from the developer/contractor selected.
5. To take information of the next course of actions.

All Above Agenda pass with consent of not less than minimum 51% of Members of Society

DEVELOPMENT AGREEMENT & POWER OF ATTORNEY

- a) Development Agreement should be **Executed within THREE Month** from the date of finalization of Developer.



POINTS TO BE CONSIDERED BY SOCIETY

1. According to the size of the Re-development Project, the **completion period of the project of Re-development/Construction** of the Society shall not be **more than 2 years** and in **exceptional case** not more than **3 years** from the date of first commencement certificate.
2. The **Developer shall give 20%** of the total cost of the re-development project as **bank guarantee to the Society**.

POINTS TO BE CONSIDERED BY SOCIETY.

3. The Developer shall make available **alternative residential facility** till the completion of project in the same area if possible to the members in the re-development period or shall make an **arrangement of making payment of such monthly rent and deposit** as acceptable to members or shall make available such **transit camps.**
4. The Development Agreement with the Society and Permanent Alternative Accommodation Agreement with the individual member shall be registered under the Registration Act, 1908.

POINTS TO BE CONSIDERED BY SOCIETY.

5. **New members will be admitted** in the Society after the completion of the Re-development Project and with the **approval of General Body Meeting** of the Society only.
6. Clear mention of the due **Carpet Area** should be made in the Agreement according to the Real Estate (Regulation and Development) Act, 2016.
7. The **rights given to the Developer shall be non-transferable.**

POINTS TO BE CONSIDERED BY SOCIETY.

8. The tenement holders shall **vacate the tenements** only after getting all legal approvals for the re-development of the building and **after registration of the Permanent Alternative Accommodation Agreement** with the individual members.
9. The rights of those who have flats in their possession shall be un-affected.
10. If any dispute, arise in the re-development work, then the provision should be made in the agreement between the society and the said Architect/Contractor to solve it **under section 91 of the Act.**

POINTS TO BE CONSIDERED BY SOCIETY.

11. While making allotment of the flats in the Re-development **after getting Occupancy Certificate**, the allotment should be made where possible according to the floor number as per present situation and if it is necessary to allot the flats by lottery system, then after completion of the building, the developer should make an arrangement of the lottery system and at time the allotment of the **flats should be made by the lottery system** in the presence of the Representative of the Registrar and video shooting of it should be made.

POINTS TO BE CONSIDERED BY SOCIETY.

- ~~12. Any Member or his relative or Office bearers of the Society should not be a Developer~~
- 13. Building** plans sanctioned by the Municipal Corporation/Competent Authority should be submitted before the General Body Meeting again for the information and if any member demanded certified copy of the documents then they should made written application to the Society in that regard. It is binding on the Managing Committee to provide the information by charging due fee.

THANK YOU