

## **LIBERAL TRANSLATION**

Notices not to be sent again to the concerned parties from the Revenue Department for mutation entry with respect to Deemed Conveyance.

### **GOVERNMENT OF MAHARASHTRA**

#### **REVENUE AND FOREST DEPARTMENT**

Government Circular No. Sankirna 2012 / P.K. 442/L1  
Mantralaya, Mumbai;

**Dated 23.11.2012**

#### **PREAMBLE:**

In case where the single or multi-storeyed building/s of flats were constructed on the private plot of land by taking previous sanctions and after completion sold to various purchasers, but the names of the Original Owners of the plot of land or the Developers were continued to be recorded in the Records of Rights instead of the name of Cooperative Housing Societies, the Government of Maharashtra has amended Section 11 (3) of the Maharashtra Ownership of Flats (Regulation of the Promotion of Construction, Sale, Management and Transfer) Act, 1963 by incorporating the provisions for Unilateral Deemed Conveyance. For this purpose, the Government of Maharashtra has directed the concerned officer to pass the orders after giving an opportunity of being heard to the concerned parties.

2. The State Government has authorized the officers from the Department of Cooperation for passing the orders for such Deemed Conveyances. The officers from the Cooperative Department, as per the rule of natural justice, give an opportunity of being heard to the original landowners or the Developers by issuing show cause notices to the original landowners or the Developer to show cause why the order of Deemed Conveyance should not be granted to the concerned Cooperative Housing Society to record its name in the Record of Rights of the Revenue Department. After the issuance of order granting Deemed Conveyance by the officers from the Cooperation Department, such Deemed Conveyance is registered with the Sub-Registrar. On the basis of the Registered Deemed Conveyance, the concerned Cooperative Housing Society applies to the Talati or the City Survey officer for incorporating its name in the Record of Rights (the Village Form 7/12 or the property card) along with all the necessary documents.

3. As per the prevailing practice, the Talati / the City Survey Officer before mutating the Record of Rights again issues notices to all the concerned parties by giving 15 days time to put their case with respect to the proposed mutation. It was decided to introduce change in the aforesaid procedure. Accordingly, the following circular is issued.

**Circular:**

In case where the single or multi-storeyed building/s of flats were constructed on the private plot of land by taking previous sanctions and after completion sold to various purchasers, but the names of the Original Owners of the plot of land or the Developers were continued to be recorded in the Records of Rights instead of the name of Cooperative Housing Societies, the Government of Maharashtra has amended Section 11 (3) of the Maharashtra Ownership of Flats (Regulation of the Promotion of Construction, Sale, Management and Transfer) Act, 1963 by incorporating the provisions for Unilateral Deemed Conveyance. For this purpose, the Government of Maharashtra has directed the concerned officer to pass the orders after giving an opportunity of being heard to the concerned parties.

2. There is no need to issue further notice as required under Rule 36 of the Maharashtra Land Revenue Record of Rights and Register (Preparation and Maintenance) Rules, 1966 of the Maharashtra Land Revenue Code, 1961, to the concerned parties on an application being made to the Talati or the City Survey Officer for recording the name of Cooperative Housing Societies on the basis of Registered Deemed Conveyance.
3. This information may be brought to the notice of the offices under your jurisdiction.
4. This Government Circulars is available on the website of the Government of Maharashtra having code 201211231029262619.

In the name and as per the order of the Governor of Maharashtra.

Sd/-  
(Vidya Waghmare)

Divisional Officer, Revenue Department