

DINESH MALEKAR
B.Com., L.L.B.
Advocate High Court

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Borivali (W), Mumbai – 400 092.
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TITLE CERTIFICATE

TO WHOMSOEVER IT MAY CONCERN

My clients, **M/s. Yogsiddhi Developers**, a partnership firm registered under the provisions of the Indian Partnership Act, 1932 and having their Principal place of business at Shree Sumukh Darshan, Block No. 103, behind Parekh Nagar, Near Swami Vivekanand International School, Kandivali (West), Mumbai – 400 067, (hereinafter referred to as “**my Clients**”) have handed over to me, copies of certain documents/title deeds with instructions to investigate their right and entitlement to the property more particularly described in the **Schedule** hereunder written (hereinafter referred to as the “**Said Property**”). In the course of investigation of title, I have caused searches to be taken with the offices of the Sub-Registrar of Assurances at Mumbai, Bandra and Borivali for the years 1983 to 2012 (30 years) and my clients have also published a public notice in the Free Press Journal and Navshakti both dated 3rd September, 2007, informing the public at large in respect of the development carried out by my clients on the Said Property. I have perused copies of the various documents/title deeds referred to in this Report. The following emanates there from:

1. My Clients are undertaking redevelopment of the Said Property under the provisions of Regulation 33 (10) of the Development Control Regulations for Greater Mumbai, 1991 (hereinafter referred to as “**the DCR, 1991**”).
2. The Said Property as per the Property Registered Card belongs to State of Maharashtra.



3. The Said Property is a censused slum area as per the provisions of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971.
4. The Municipal Corporation of Greater Mumbai (hereinafter referred to as "**the MCGM**") has formulated and approved a policy for the re-development of Slums (hereinafter referred to as "**the Said Policy**") through participation of slum dwellers under the slum rehabilitation scheme as per the provisions contained in Regulation 33 (10) of the DCR, 1991, which has been approved by the Government of Maharashtra. The term "**the Said Policy**" wherever the same appears hereinafter, shall also mean to include all additions, alterations and modifications made thereto from time to time.
5. The Slum Rehabilitation Authority (hereinafter referred to as "**the SRA**") is designated as the Planning Authority, under the provisions of the Maharashtra Regional and Town Planning Act, 1966, for implementing the Said Policy in Mumbai.
6. The Said Property was occupied by 261 (Two Hundred and Sixty One) slum structures which are occupied by various slum dwellers as per Annexure II issued by the Additional Collector, Encroachment & Eviction (hereinafter referred to as "**the Slum Dwellers**").
7. All the Slum Dwellers had in furtherance of their intent to get the Said Property redeveloped under the Said Policy, agreed to form themselves into a proposed co-operative society/association namely Bandongri Ekta Co-operative Housing Society (Proposed) (hereinafter referred to as "**the Proposed Society**").
8. By and under a Development Agreement dated 13/1/2005 made by and between my Clients, of the One Part and Bandongri Ekta Co-operative Housing Society (Proposed) of the other part, the said Bandongri Ekta Co-operative Housing Society (Proposed) granted full and exclusive



development rights to and in favour of my Clients in respect of the Said Property, for consideration and other terms and conditions more particularly contained therein.

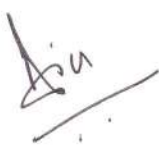
9. The said Bandongri Ekta Co-operative Housing Society (Proposed) also executed an Irrevocable Power of Attorney dated 13/1/2005 in favour of nominees/partners of my Clients, thereby conferring various powers and authorities in respect of the Said Property. The members of the proposed society also gave their consent to my clients *by entering into an Joint Development Agreement* dated 13/1/2005.
10. My Clients are thus appointed as the developer by the Proposed Society formed by the Slum Dwellers occupying the Said Property in accordance with the provisions of Regulation 33 (10) of the DCR, 1991 in respect of the Said Property and thus became entitled to develop the same under the Said Policy.
11. My Clients thereafter prepared and submitted the requisite scheme for the redevelopment of the Said Property to the SRA and in pursuance thereof, the concerned authorities have issued requisite the Annexure I, Annexure II and Annexure III to my Clients for redevelopment/development of the Said Property.
12. As per the Annexure II issued by the Additional Collector, Encroachment & Eviction, out of the 261 (Two Hundred and Sixty One) Slum Dwellers occupying the slum structures on the Said Property, 189 (One Hundred and Eighty Nine) Slum Dwellers are declared as protected structures under the Said Scheme and are declared as eligible for rehabilitation. Out of the 189 (One Hundred and Eighty Nine) eligible slum structures, 163 (One Hundred and Sixty Three) slum structures are residential structures, 11 (Eleven) slum structures are commercial structures, 07 (Seven) slum structures are residential-cum-commercial structures and 09 (Nine) structures are designated as an Ex. Amenities structures.



13. The Said Property is government land belonging to the State of Maharashtra. Accordingly, as per the provisions of the Said Scheme, a person undertaking a redevelopment scheme under the provisions of Regulation 33 (10) of the DCR, 1991 has to pay a premium to the SRA for the purpose of undertaking development thereof.
14. The SRA had issued a Letter of Intent dated 21st June, 2007 bearing number SRA/ENG/1229/RS/STGL/LOI in favour of my Clients. Pursuant thereto, the SRA has issued two Revised Letter of Intent to my Clients dated 30th September, 2009 bearing number SRA/ENG/1229/RS/STGL/LOI and Letter of Intent dated 11th December, 2012 bearing number SRA/ENG/1229/RS/STGL/LOI in favour of my Clients for undertaking development of the Said Property.
15. Pursuant thereto, the SRA approved the plans for construction of the buildings to be constructed on the Said Property and issued in favour of my Clients, three Intimation of Approvals dated 12th November, 2007, 24th February, 2010 and 11th December, 2012 all bearing number SRA/ENG/1977/RS/STGL/AP in respect of the buildings which would comprise the rehabilitation units of the eligible Slum Dwellers and for the building/s, which would comprise the free sale area (which my Clients are entitled to sell in the open market) and thereby approved plans for building to be constructed on the Said Property.
16. The Slum Dwellers have vacated their respective premises on the Said Property and my Clients have thereafter demolished the existing structures standing on the Said Property.
17. The SRA has thereupon issued a Commencement Certificate dated 26th February, 2008 bearing number SRA/ENG/1977/RS/STGL/AP and Proposed Sale Buildings, thereby has permitted my Clients to commence construction of the Proposed Rehab Building and the Proposed Sale Building. The said Letters of Intent, said Intimations of Approval and said Commencement Certificate shall be hereinafter collectively referred to as the "**Building Approvals**".



18. The proposed society is now a registered society known as BANDONGRI EKTA CO-OPERATIVE HOUSING SOCIETY LIMITED, bearing no. MUM/SRA/HSG/(TC)/11452/2008.
19. The Maharashtra Pollution Control Board has granted its consent for the said project/scheme vide letter dated 24/12/2010 bearing consent no. BO/RO(HQ)/Pune/CE/CC-39 to my clients.
20. The Government of Maharashtra through its Secretary (Environment Department & MS. SEIAA) vide letter dated 5th February, 2011 bearing no. SEAC 2010/CR.472/TC2 has granted environmental clearance for the said scheme of my clients. My clients have also published a public notice in two local newspapers namely the Free Press Journal and Navshakti informing the public at large that the project has been accorded environmental clearance and copies of the clearance letter are available with the Maharashtra Pollution Control Board and may also be seen at the website mentioned therein.
21. In pursuance of the Public Notices, published by my clients in two newspapers viz. Navshakti and Free Press Journal both dated 3rd September, 2007 informing the public at large about the Development of said property to be carried out by my clients, my clients confirm that till date they have not received any claims in response thereto.
22. I have inspected the originals of the Development Agreements dated 13/1/2005, Joint Consent/Development Agreement and also the Power of Attorney dated 13/1/2005 and I have perused copies of the remaining documents referred to above.
23. In view of the aforesaid, subject to the information provided by my clients in so far as inviting objections and/or intimating the public at large in respect of development of the said scheme by way of publication in the local newspapers, I am of the considered opinion that my Clients are entitled to carry on full and exclusive development of the Said Property in accordance with the



terms and conditions of the documents recited above and further in accordance with the Building Approvals that have been issued and which may be further issued to my Clients and that the entitlement of my Clients viz. M/s. Yogsiddhi Developers to the development of the Said Property is clear and free from reasonable doubts and encumbrances.

THE SCHEDULE ABOVE REFERRED TO

All that piece and parcel of land and ground bearing C.T.S. No. 147 of Village Akurli, Taluka Borivali admeasuring 7767.20 square meters of area approximately lying, being and situate at the Kandivali (East), Municipal Ward R/South Ward, Kandivali (East), Mumbai 400 101 in the registration district and sub-district of Mumbai Suburban and is bounded as follows:

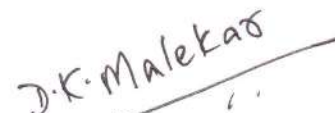
On or towards North by : C.T.S. No. 146

On or towards South by : C.T.S. No. 136

On or towards West by : C.T.S. No. 146/7

On or towards East by : Western Express Highway

Dated this 9th day of April, 2013.


DINESH MALEKAR
(ADVOCATE, HIGH COURT)