

INDIAN PRIVATE BANKING FORUM, 2012

**REAL ESTATE - THE ART OF**  
**THE DEAL**

***- Parimal K. Shroff***

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& CO

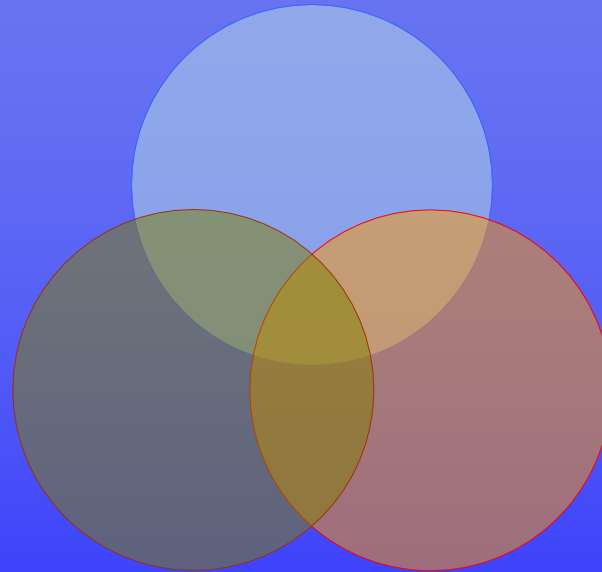
Advocates, Solicitors & Notary  
Mumbai, India

# REAL ESTATE CORE COMPONENTS

1. Commercial Office Space
2. Residential
  - Apartments
  - Bungalows / Villas
  - Group Housing (Flats)
  - Houses
  - Cottages
  - Farm Houses
3. Large Scale Sector Specific Developments
  - Industrial Parks
  - Residential Townships
  - IT Parks
  - Bio tech Parks
  - Food and Agro Parks
4. Hospitality
  - Hotels
  - Resorts / Health Spas
5. Leisure & Entertainment
  - Multiplexes / Cinema Halls
  - Clubs
  - Entertainment Centres
  - Amusements Parks
  - Theme Parks/Water Parks
  - Golf Courses
6. Retail
  - Retail Malls
  - Restaurants / F&B Outlets
  - Super Markets
  - Hyper Markets

# REAL ESTATE & CENTRAL LAWS

**Indian Contract Act, 1872**



**The Registration  
Act, 1908**

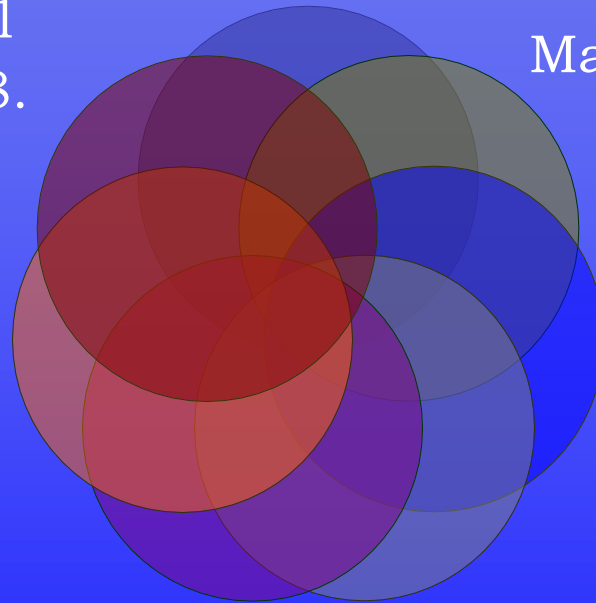
**Transfer of Property  
Act 1882**

# REAL ESTATE & STATE LAWS

Maharashtra Co-operative  
Societies Act, 1960.

Bombay Municipal  
Corporation Act, 1888.

Maharashtra Apartments  
Ownership Act, 1970



Maharashtra  
Ownership  
Flats Act, 1963.

Maharashtra Land  
Revenue Code, 1966

Bombay Stamp Act, 1958.

Maharashtra Regional  
Town Planning Act, 1966  
&  
Development Control  
Regulations Act, 1991

# DUE DILIGENCE

- What is Due Diligence ?
- Due Diligence on the OWNERSHIP.
- Due Diligence on the OWNER.
- Due Diligence on the TRANSACTION.

# TYPES OF DUE DILIGENCE

- Procedural Due Diligence
- Accounting Due Diligence
- Corporate Due Diligence
- Environmental Due Diligence  
(CRZ /Mangroves)
- Structural Due Diligence
- Planning Regulation Due Diligence
- Development Potential Due Diligence

# **DUE DILIGENCE in case of :**

- Private Limited Company
- Public Limited Company
- HUF
- Partnership Firm
- Membership of Cooperative Society

# DEVELOPMENT CONTROL REGULATIONS, 1991 :

- DCR 33 (5) for Redevelopment of Housing Schemes of MHADA for EWS, LIG AND MIG.
- DCR 33 (7) for Reconstruction of Cessed Buildings in Island City by Co-operative Societies or belonging to Corporation or Police.
- DCR 33 (9) for Redevelopment of Cessed Buildings under Urban Renewal Scheme in Island City.
- DCR 33 (10) for Redevelopment for Slums including pavement on Government land, Municipal land and lands belonging to MHADA etc.



# TRANSACTION PROCESS

## A. In case of premises :

- Letter of Allotment – its validity
- Registered Agreement for Sale

## B. In case of Real Estate Projects :

- Equity Participation
- Underwriting premises / areas

# STRUCTURING OF NEW DEALS

***THANK YOU***

**PARIMAL  
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