

Memorandum of Agreement

Between

**The Government of India through
The Ministry of Urban Development**

And

**The State Government of Maharashtra
Through the Department of Urban Development**

And

The Municipal Corporation of Nashik

Under

Jawaharlal Nehru National Urban Renewal Mission

(1)

THIS AGREEMENT is made on this **29th day of November, 2006** between the Government of India, through the Ministry of Urban Development, of the **Part I**

AND

The State Government of Maharashtra through the Department of Urban Development, of the **Part II**

AND

The Municipal Corporation of Nashik, through its Municipal Commissioner, of the **Part III**

WHEREAS the Part III seeks financial assistance from the Part I under the Jawaharlal Nehru National Urban Renewal Mission (JNNURM);

WHEREAS the Part III, in pursuance of the requirements for assistance has developed a City Development Plan (CDP).

AND WHEREAS the Part II and Part III have undertaken to implement the reform agenda as per the guidelines of the JNNURM and as per the timelines indicated in detail in Annexure-A, B and C, respectively.

AND WHEREAS the Part I has considered the documents mentioned in Annexure-A, B and C and found them consistent with the goals and objectives of the JNNURM;

AND WHEREAS the Part I agrees to release the first installment of grant to the Part III through the State Level Nodal Agency (SLNA), for the projects sanctioned under the JNNURM by the Part I, in accordance with the terms and conditions specified here-in-after in this agreement.

NOW THE PARTIES WITNESSED as follows:

1. That the Part I shall release the first installment of grant to the Part III through the State Level Nodal Agency (SLNA) for the projects sanctioned under the JNNURM by the Part I, upon signing of this Memorandum of Agreement (MoA) and submission of the above mentioned documents which are annexed with the agreement as Annexure A, B and C;
2. Any further central assistance under the JNNURM shall be considered only if the timelines indicated in detail in Annexure A, B and C to this MoA to implement the reform agenda as per the guidelines of the JNNURM are adhered to;
3. That the Part I or an agency nominated by it, may undertake site visits to ascertain the progress of the ongoing projects and also the implementation of reforms through designated representatives periodically;
4. That Part III shall submit a Quarterly Report through the SLNA to the Part I in respect of the utilization of the grant, corresponding matching State and ULB/ Parastatal share and implementation of reforms. In case Part III fails to submit such a report, further installment of grant may be withheld until such submission;
5. Similarly, the Part II through the SLNA shall submit a quarterly report of the progress in respect of the implementation of the reform agenda as per the guidelines of the JNNURM and as per the timelines indicated in detail in the Annexure-A, B and C, respectively;
6. That the Part II and the Part III shall submit a complete report regarding the outcome of the JNNURM on the completion of the projects;
7. That the Parties to the agreement further covenant that in case of a dispute between the parties, the matter will be resolved through mutual discussion;
8. That in case there is any delay in the implementation of the reforms agenda or submission of any periodic reports, etc. by the Part II and/or by the Part III, due to the circumstances beyond the control of the Part II and/or the Part

III i.e., *Force Majeure* or any other reason, the decision on the matter of extension of time for the implementation of the reforms shall be at the discretion of the Part I;


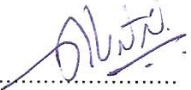
9. That in case of any breach regarding the terms and conditions of the JNNURM, the Part I shall be entitled to withhold subsequent installments of the grant.

IN WITNESS HEREOF all the parties have put their hands on these presents of Memorandum of Agreement in the presence of witnesses.

SIGNATORIES:

- | | | |
|---|---|--|
| 1. For Government of India through the Ministry of Urban Development (Part-I) | } | 
M.
Shri Rajamani
(Joint Secretary, MoUD) |
| 2. For Government of Maharashtra (Part-II) | } | 
Shri K. N. Khawarey
(Principal Secretary-II)
Deptt. of Urban Development |
| 3. For the Nashik Municipal Corporation (Part-III) | } | 
Shri Vilas Thakur
Commissioner
Nashik Municipal Corporation |

WITNESS:

1. 
.....
(Shri Balasaheb Sarap)
Mayor, Nashik
2. 
.....
(Shri Suresh Patil)
Chairman
Standing Committee,
NMC Nashik.

Part-I

Part-II

Part-III