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Dharmesh Jain

IMMEDIATE PAST PRESIDENT  
Vimal Shah

PRESIDENT-ELECT  
Mayur Shah

VICE PRESIDENTS  
Nayan Shah  
Deepak Goradia  
Boman R. Irani  
Harish Patel

HON. SECRETARY  
Nainesh Shah

HON. TREASURER  
Sukhraj Nahar

CEO  
S. Shahzad Hussain  
I.A.S. (Retd.)

SPECIAL PROJECTS  
Bandish Ajmera  
Rasesh Kanakia  
Parag Munot

HON. JOINT SECRETARIES  
Ashok Mohanani  
Sandeep Runwal  
Lakshman Bhagtani

JOINT TREASURER  
Mukesh Patel

CO-ORDINATORS  
Jagdish Ahuja  
Pujit Aggarwal  
Domnic Romell

COMMITTEE MEMBERS  
Jayesh Shah  
Nayan Bheda  
Sanjay Chhabria  
Shailesh Sanghvi  
Tejas Vyas  
Jitendra Jain

INVITEE MEMBERS  
Sandeep Raheja  
Munish Doshi  
Navin Makhija  
Rushank Shah  
Deepak Gundecha  
Pratik Patel  
Rajeev Jain  
Diipesh Bhagtani  
Dhaval Ajmera  
Shyamal Mody  
Nikunj Sanghavi  
Digant Parekh

PAST PRESIDENT  
Paras Gundecha  
Sunil Mantri  
Pravin Doshi  
Mohan Deshmukh  
Mofatraj Munot  
Niranjan Hiranandani  
Rajni S. Ajmera  
Late G. L. Raheja  
Late Lalit Gandhi  
Late Babubhai Majethia

MCHI-CREDAI UNITS  
President, Thane  
Suraj Parmar  
President, Kalyan-Dombivli  
Pratul Shah  
President, Mira Virar City  
Ashit Shah  
President, Raigad  
Vikas Bhamre  
President, Navi Mumbai  
Arvind Goel

Ref. No. MCHI/PRES/15-16/165

January 19, 2016

To,  
Hon'ble Shri Devendra Fadnavis  
Chief Minister  
Government of Maharashtra,  
Mantralaya,  
Mumbai 400 032

मुख्यमंत्री कार्यालय  
महाराष्ट्र शासन  
मंत्रालय, मुंबई ४०० ०३२  
दिनांक २०/१/१६

Sub: Development of the land around COD Malad-Kandivali.

Sir,

With reference to the above subject, DO letters were submitted to Shri Ajoy Mehta, Municipal Commissioner, MCGM on December 9, 2015 bearing No. MCHI/CEO/15-16/167 and to Dr. Nitin Kareer, Principal Secretary - I, Urban Development Department on November 23, 2015 bearing No. MCHI/CEO/15-16/133. The copies of the acknowledged letters are attached for your ready reference.

In this regard, please find the following important notes/documents/orders:

- 1) Opinion of the Dy. Law Officer (Conveyance-I), Legal Department, MCGM dated 30<sup>th</sup> December 2011 alongwith the Annexures [Pg. No. C/1 to C/538]
- 2) Order of the Collector BSD dated 19<sup>th</sup> November 2008 [Pg.No.C/3 to C/21]
- 3) Order of the High Court dated 10<sup>th</sup> August 2011 [Pg.No. C/35 to C/42]
- 4) Order of the Hon'ble Municipal Commissioner Shri. Subodh Kumar granting occupation to Kalpataru Gardens dated 1<sup>st</sup> October 2011. [Pg.No. C/57 to C/63]
- 5) Order of the High Court dated 18<sup>th</sup> March 2014 [Pg.No. C/43 to C/44]
- 6) Opinion given by the Legal Department of the Municipal Corporation of Greater Mumbai dated 3<sup>rd</sup> September 2015. [Pg.No.C/101 to C/103]
- 7) The COD Kandivali as on 5<sup>th</sup> December 2015 written a letter to the Executive Engineer (Building Proposal) asking for details of the development around COD Kandivali. [Pg.No. C/115 to C/117]

#### Current situation

The current situation is that the entire development in the area around COD Malad Kandivali has been stopped and lacks of people are affected, thousands of buildings are not in a position to redevelop. Hundreds of flats are ready, awaiting Occupation Certificate, hundreds of flats have been demolished and Commencement Certificate is not being granted, hundreds of buildings are dilapidated and they are not in a position to redevelop.

From the above notes/documents/orders it is very clear that the entire action of the COD Malad Kandivali is illegal, arbitrary, high endedness and without force of law. They are governing only by way of circular and they cannot restrict development around COD Malad Kandivali and that without their NOC the development needs to be permitted.

**MCHI-CREDAI.**

As such we request as follows:-

1. To grant further development permissions for construction and also grant occupation of buildings (which are already constructed and awaiting Occupation Certificate) in accordance with the Provisions of MRTP Act and MMC Act and the DCR without calling for comments or insisting on NOC from COD/Defence Authorities.
2. In this regard, we request you to please call for a joint meeting of the Hon'ble Municipal Commissioner Shri. Ajoy Mehta, the Chief Engineer (DP), the Dy.Law Officer (Conveyance-I), Shri. Nitin Kareer, PS (UDD-I), to discuss and deliberate this matter and find a solution once for all without waiting for any further clarifications from Ministry of Defence.

Thanking you,

Yours Sincerely,  
For MCHI-CREDAI

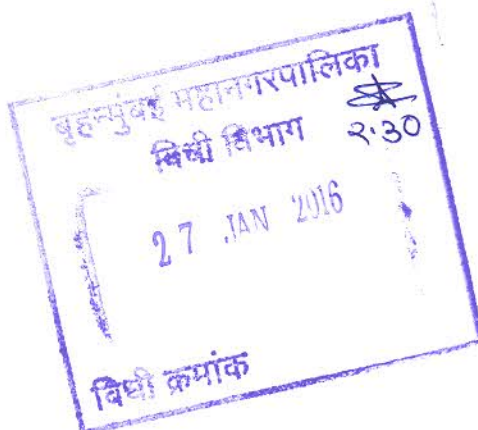


**Dharmesh Jain**  
President

Encls: As above

CC to :

- (1) Shri. Ajoy Mehta (I.A.S.), Municipal Commissioner, MCGM
- (2) Dr. Nitin Kareer (I.A.S.), Principal Secretary - I, UDD
- (3) Shri. Pravin Darade (I.A.S.), Secretary to Hon'ble Chief Minister
- (4) Shri Vinod Chitore, Ch. Engineer, DP
- (5) Ms. Priti Purandare, Dy. Law Officer (Conveyance -I)



Urban  
Mandraya, Mumbai - 400 075

20/1/16  
विद्युत विभाग  
मुख्यालय, मुंबई - 400 075