

PRESIDENT
Nayan A. Shah

IMMEDIATE PAST PRESIDENT
Mayur Shah

VICE PRESIDENTS

Deepak Goradia
Boman Irani
Harish Patel
Nainesh Shah
Domnic Romell

ADDL. VICE PRESIDENT

Sukhraj Nahar

HON. SECRETARY

Bandish Ajmera

TREASURER

Mukesh Patel

SPECIAL PROJECTS

Parag Munot
Sandeep Raheja
Jayesh Shah
Sanjay Chhabria
Rasesh Kanakia

HON. JOINT SECRETARIES

Navin Makhija
Sandeep Runwal
Shailesh G. Puranik
Dhaval Ajmera
Pratik Patel

JOINT TREASURER

Nayan Bheda
Munish Doshi

CO-ORDINATORS

Sandeep Shah
Tejas Vyas
Shailesh Sanghvi
Pritam Chivukula

COMMITTEE MEMBERS

Jagdish Ahuja
Jitendra Jain
Deepak Gundecha

INVITEE MEMBERS

Pratul Shah
Rajesh Prajapati
Sachin Mirani
Nikunj Sanghavi
Rajeev Jain
Shyamal Mody
Digant Parekh
Rushank Shah
Samyag Shah
Jayesh C. Shah
Sunny Bijlani
Sahil Parikh
Naman Shah
Suhail Khandwani
Ricardo Romell

PAST PRESIDENTS

Dhamesh Jain
Vyomesh Shah
Paras Gundecha
Pravin Doshi
Mohan Deshmukh
Mofatraj Munot
Rajnikant Ajmera
Late G. L. Raheja
Late Lalit Gandhi
Late Babubhai Majethia

CREDAI-MCHI UNITS

PRESIDENT, THANE
Ajay Ashar

PRESIDENT, KALYAN-DOMBIVLI
Ravi Patil

PRESIDENT, MIRA VIRAR CITY
Ashit Shah

PRESIDENT, RAIGAD
Ateeque Khot

PRESIDENT, NAVI MUMBAI
Prakash Baviskar

Ref. No. MCHI/PRES/18-19/252

To,
✓ **Shri Ajoy Mehta (I.A.S.)**
Municipal Commissioner,
Municipal Corporation of Greater Mumbai
Mumbai - 400 001



April 17, 2019

Sub: Request for clarification in respect of rate of Development Charge for mixed used developments

Respected Sir,

As per Maharashtra Regional & Town Planning Act 1966, clause 124B which reads as under

"124B(1)(a) For the purposes of assessing the development charge, the user of land and building shall be classified under the following categories, namely:-

- (i) Industrial
- (ii) Commercial
- (iii) Residential
- (iv) Institutional

(b) In classifying the user of land and building under any of the categories mentioned in clause (a), the predominant purpose for which such land and building is used shall be the basis for such classification."

As per DPRCR 2034 Regulation no 2(129), "Wing of a building" means part of building with independent access, staircase & lift connected to other parts with common basement /stilt / podium / terrace / common wall / connecting passages. "


Thus, we submit that that in case of a development with multiple wings which are one building as per the definition in DPCR 2034, building development charge is to be calculated based on the pre-dominant user i.e. user for which > 50% of the total FSI used in the said building has been used.

In case of land, the development charge is being calculated on the basis of pre-dominant user i.e. user for which > 50% of the total FSI used on the said land has been used. However, it appears that in some cases of building proposals this practice is not being followed for building development charge and the same is being calculated on wing-wise user which is not the intent of the MR&TP Act or the DPCR.

We request you to kindly issue necessary clarification in regards to this and oblige.

Thanking you,

Yours sincerely,
For CREDAI-MCHI


Nayan A. Shah
President


Bandish Ajmera
Hon. Secretary


Sanjiv S. Chaudhary MRICS
COO, CREDAI-MCHI