

**PRESIDENT**  
Mayur Shah

**IMMEDIATE PAST PRESIDENT**  
Dharmesh Jain

**PRESIDENT-ELECT**  
Nayan Shah

**VICE PRESIDENTS**  
Deepak Goradia  
Boman Irani  
Harish Patel  
Nainesh Shah

**HON. SECRETARY**  
Domnic Romell

**HON. TREASURER**  
Sukhraj Nahar

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

**SPECIAL PROJECTS**  
Navin Makhija  
Rasesh Kanakia

**HON. JOINT SECRETARIES**

Parag Munot  
Sandeep Runwal  
Lakshman Bhagwati  
Bandish Ajmera

**JOINT TREASURER**  
Mukesh Patel  
Jayesh Shah

**CO-ORDINATORS**  
Nayan Bheda  
Munish Doshi  
Tejas Vyas  
Pratik Patel  
Dhaval Ajmera  
Sandeep Shah

**COMMITTEE MEMBERS**

Jagdish Ahuja  
Sanjay Chhabria  
Shailesh Sanghvi  
Jitendra Jain  
Deepak Gundecha

**INVITEE MEMBERS**

Sandeep Raheja  
Rajesh Prajapati  
Shailesh Puranik  
Pratul Shah  
Sachin Mirani  
Rushank Shah  
Rajeev Jain  
Diipesh Bhagtani  
Shyamal Mody  
Nikunj Sanghavi  
Digant Parekh  
Pritam Chivukula

**PAST PRESIDENTS**

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

**CREDAI-MCHI UNITS**

**PRESIDENT, THANE**  
Ajay Ashar

**PRESIDENT, KALYAN-DOMBIVLI**  
Manoj Rai

**PRESIDENT, MIRA VIRAR CITY**  
Ashit Shah

**PRESIDENT, RAIGAD**  
Vilas Kothari

**PRESIDENT, NAVI MUMBAI**  
Prakash Baviskar

Ref. No. MCHI/PRES/17-18/212

April 13, 2018

To,  
Shri Prakash Bhukte  
Joint Director of Town Planning  
Konkan Division,  
Konkan Bhavan, C.B.D. Belapur,  
Navi Mumbai.

Sub: Suggestions /Objections to the Proposed modification to Development Control Regulation of Municipal Corporation regarding "Accommodation Reservation Principle" under section 37 (IAA) No. TPB-4317/103/CR6112017/UD-11 dated 16<sup>th</sup> March, 2018.

Ref: 1. Accommodation Reservation policy vide u/no.TPS-1813/3067/CR- 492/MCORP/ AR/UD-13 dated 02.05.2016.

2. Notice issued by the U.D. Dept under section 37 (IAA) No. TPB 4317/103/CR /6112017/UD-II dated 16th March, 2018 for modification to the AR Policy and inviting suggestions/ objections within one month thereof.

Respected Sir,

CREDAI-MCHI is an apex body consisting of members from the Real Estate Industry among Mumbai Metropolitan Region (MMR). We have recently signed Memorandum of Understanding with your honour for construction of 2.50 lakhs Affordable Houses in MMR area.

We really appreciate that, Government of Maharashtra has come up and sanctioned the new Accommodation Reservation policy vide u/no. TPS-1813/3067/CR-492/MCORP/AR/UD-13 dated 02.05.2016 (AR Policy - Exhibit 1) with the intention to develop the amenity on the reserved plots in a proper manner and at the same time providing compensation to the land owner by allowing him to develop the remaining portion of the land for his own exploitation as per the prevailing DC Regulations. Further, by this manner the Planning Authority is also getting the developed amenity building totally free of cost without spending any amount from its scarce resources.

Now the U.D. Dept had issued notice for the suggestions / objections to the general public under section 37 (IAA) No. TPB-4317/103/CR6112017/UD-11 dated 16<sup>th</sup> March, 2018 wherein Govt has proposed to delete the said condition and now have proposed to allow the development of the Educational reservation in parts.

In our view, this step is a welcome step in the right direction by the Government to allow the development of the reservation in parts.

1<sup>st</sup> Suggestion

1. However we had made a suggestion to the authorities that when our members submit proposal for approval under the A R Policy the authorities insist for a

11/02/18  
1314118



CREDAI - MCHI

further NOC from the Education Department, Govt of Maharashtra on case to case basis. Although no such condition is mentioned in the A.R. Policy dated 02.05.2016.

2. When it is clearly mentioned that 50% built up amenity should be handed over to Planning Authority then they should not insist any kind or an type of NOC from Education Department, Government of Maharashtra because the Accommodation reservation policy itself is sanctioned and approved by the Government of Maharashtra and as such there is no requirement under the policy for fresh government NOC. Insisting on such conditions and NOCs again from the Government is only delaying the process of the development of the reservation and the society at large is suffering due to the delay of development of the constructed amenity and consequently handover of developed amenity viz. School/College/Educational institution. It is against the principle of "Ease of doing business" and delaying "Skill India" movement to be a success.
3. Since, Education buildings are clearly mentioned in the DCR Rules, different is asked for. Hence, we should avoid duplication of work and also in case of the Housing for All.
4. As such we request you that the Planning Authority should not insist on any kind of NOC from the Education Department of Government or MCGM of Maharashtra for the development of the school/college/education institution under Clause 6 (a),(b),(c) (d) of the said AR Policy since no specific NOC is required under the AR Policy.
5. This clarification is required to be issued immediately.

#### 2<sup>nd</sup> Suggestion

1. There is one more modification proposed in the notification to allow the development of the reservations under the accommodation reservation policy by allowing relaxation in the side margins. This modification was again much required for the effective development of the land under the AR policy regulations because if margin relaxations are not given then it was not possible to consume the FSI / FAR.
2. Since the Owner /Developer is entitled to avail full permissible BUA of the entire plot for other permissible uses in the zone on the remaining plot, the FSI to be consumed by the Owner / Developer on the plot remaining with him is very high. Such high FSI is not possible to consume without concession for open space.
3. If the Open space deficiency premium is charged by MCGM for granting concession in open space requirements for consuming such FSI to the Developer, then the proposal itself becomes unfeasible due to high Open Space Deficiency premium.

4. If the proposal becomes unfeasible, the Owner / Developer will not come forward for handover of reservations under the AR provision since he is parting with 50% of his land permanently to MCGM.
5. As such it is a suggestion that it needs to be clarified that Open Space Deficiency Premium (OSD) for use of Plot FSI, TDR FSI, Fungible FSI, Premium FSI and/or any other FSI which is permissible as per the DC Regulations for the development of the full potential of the plot should not be charged for the reservations being developed by constructing the amenity under Accommodation Reservation Policy, as the owner giving more than 50% land with 50% built up Amenity free of cost to the Planning Authority.

**To summarize**

**Our Suggestions :-**


1. Kindly issue a clarification to all Planning Authority that the proposal for development of reserved plots reserved for MAP. Primary School, Secondary School, Colleges, Educational Complex for Educational purpose under Clause 6 (a),(b),(c),(d) of the Accommodation Reservation policy dated 02.05.2016, specific NOC from the Education Department, Government of Maharashtra and MCGM should not be insisted upon by the Planning Authority.
2. Open space deficiency premium (OSD) for use of Plot FSI, TDR FSI, Fungible FSI, Premium FSI and/or any other FSI which is permissible as per the D C Regulations for the development of the full potential of the plot should not be charged for the reservations being developed by constructing the amenity under Accommodation Reservation Policy.

Please treat these suggestions as the Suggestions /Objections to the Proposed modification to Development Control Regulation of Municipal Corporation regarding "Accommodation Reservation Principle" under section 37 (IAA) No. TPB-4317/103/CR6112017/UD-11 dated 16<sup>th</sup> March, 2018.

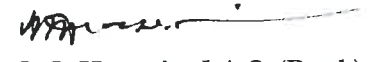
Kindly do the needful and oblige.

Thanking you,

Yours faithfully,  
For CREDAI-MCHI

  
**Mayur Shah**  
President

  
**Domnic Romell**  
Hon. Secretary

  
**S. S. Hussain, I.A.S. (Retd.)**  
Chief Executive Officer