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Raajesh Prajapati  
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Sachin Mirani  
Nikunj Sanghavi  
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Shyamal Mody  
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Vyomesh Shah  
Paras Gundecha  
Pravin Doshi  
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Rajnikant Ajmera  
Late G. L. Raheja  
Late Lalit Gandhi  
Late Babubhai Majethia

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Shrikant Shitole

**PRESIDENT, MIRA VIRAR CITY**  
Ashit Shah

**PRESIDENT, RAIGAD**  
Madhu Patil

**PRESIDENT, NAVI MUMBAI**  
Vijay Lakhan

To  
Shri Ajoy Mehta (I.A.S. Retd)  
Chairman  
MahaRERA,  
9th floor, Housefin Bhavan,  
Bandra Kurla Complex,  
Bandra (East), Mumbai - 400051.

Sub: Clarification required on the issue of whether the land owners are required to be named as "Promoters" in the Application for Registration of New Project, in cases where the Promoter Builders have acquired Development Rights with Full Power, paid the entire consideration before the application for registration of the Project and where there is neither area sharing nor revenue sharing arrangement with the land owners.

Respected Sir,

We would like to highlight an issue faced by our members while registering their projects with MahaRERA. Our members/developers seek clarification as to whether the land owners are required to be named as "Promoters" in the application for registration of New Projects, wherein the Promoter Builder have acquired Development Rights with full authority, paid the entire consideration and there is neither area sharing nor revenue sharing arrangement with the land owners. Only, the formality of Conveyance of the Land is not done as a result of which, the name of the Promoter/Developer is not yet mutated as Owners in the revenue records.

Recently, while registering new projects, few of our members/developers, have been directed by the MahaRERA Scrutiny Desk to include names of land owners as "Promoters" of the Project, which demand in our humble opinion is not in accordance of the MahaRERA Circulars Nos. 12 and 13 or the definition of Promoter provided in the Real Estate (Regulation and Development) Act, 2016 ("the said Act").

In these cases, the land owners are neither investors nor are they entitled to any share in revenue generated from the sale of apartments in the Project or in the area / apartment in the project, therefore, they do not fall under the category of "Promoters" of the Project. The said Act as well as Rules framed thereunder imposes certain liabilities and obligation on the Promoters of the real estate Projects.

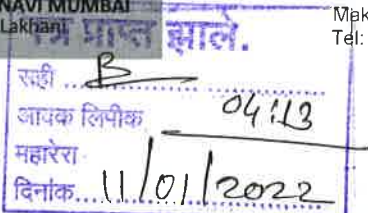
As mentioned in the above scenario unlike other Joint Venture or Joint development projects, here the land owner has sold all the rights to the new developer and are not having any area/revenue share in the said project. Then in such cases adding details of the land owner will make him the Co-promoter and will also make him liable under MahaRERA which is not justified, unfair and unwarranted.

CREDAI-MCHI Prayers

We humbly request you to kindly issue necessary clarification in this regard as many applications of our members are stuck for long time on account of this demand being raised by the Scrutiny Desk of MahaRERA while evaluating the applications for registration of New Projects.

CREDAI-MCHI

Maker Bhavan II, 4th Floor, 18, V. Thackersey Marg, New Marine Lines, Mumbai - 400 020.  
Tel: 42121421, Fax: 4212 1411/407 Email: secretariat@mchi.net Website: [www.mchi.net](http://www.mchi.net)



We hope that our above request will be considered positively and necessary directions/ clarification will be issued. In case of any further query or clarification, please provide us an opportunity to explain the issue in detail in person or online as per your convenience.

Thanking you for continuous support.

Yours faithfully,

For CREDAI-MCHI



**Deepak Goradia**  
President



**Pritam Chivukula**  
Hon. Secretary