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KARJAT-KHALAPUR-KHOPOLI

To

Dr. Iqbal Singh Chahal (I.A.S.),
Municipal Commissioner,
Brihanmumbai Municipal Corporation,
Fort, Mumbai 400 0001

Sub: Suggestions to making Mumbai Real Estate competitive

Respected Sir,

We urge your kind attention to few critical issues which hampered and likely to impact the new real estate development in Mumbai and requires your immediate positive action.

Please find herewith Key points / Suggestion for your kind perusal:

- 1) **Lift well to be counted once:** Lift well Area in respect to FSI – Our humble submission is to recover the premium only once as per NBC norms.
- 2) **Second staircase free of FSI without charging premium:** As per National Building Code (NBC) 2016, Lift well is to be counted one time in FSI. The same is as per practice in other Municipal Corporations such as Thane Municipal Corporation. We humbly request that lift well should only be charged one time for computing premium area under regulation 31(1).
- 3) **Open space deficiency to be counted once on ground floor :** MCGM charges open space deficiency premium to approve building plans that do not provide Open space in accordance with the requirement of DCPR for adequate natural light and ventilation. Regulation 41 table A of the DCPR The TDR/ FSI availed on payment of premium and TDR is 67.2% for the city and 70.3% for the Suburbs. Further as per previous practice of the MCGM under DCR 1991, open space deficiency was charged at 10% of the normal rate (i.e 2.5%) for premium FSI and TDR. The deficiency was pro-rata calculated and premium worked out accordingly. Thus it should be Charged only upto Plinth Level.
- 4) **Development charges @1% of RR :** As per law development charge for already developed land and building upto the extent of existing BUA cannot be recovered. i.e. to say in case an existing building is being redeveloped, no development charge cannot be levied for the land and the existing BUA. However, development charges can be levied for BUA over and above existing BUA i.e balance plot potential and TDR only.
- 5) **Development cess prior to 19/8/21 not to be charged :** The Government of Maharashtra vide Notification No. TPB-4319/189/CR-123/2019/UD-11 dated August 20, 2019 inter alia suspended the levy of development cess as provided under Regulation 30 sub regulation 7 for a period of 2 years. when there is any levy imposed by the Government and unless the notification so clearly provides any subsequent reduction of the levy is prospective in nature. Therefore, not to levy development cess to projects approved prior to 20th August 2019 would be an improper construction of the regulation and thus beyond the scope of Notification No. TPB-4319/189/CR-123/2019/UD-11 dated August 20, 2019.

Thank you and looking forward to positive response on the above points at the earliest.

Yours faithfully,
For CREDAI-MCHI

Boman Irani
President

Dhaval Ajmera
Hon. Secretary

Maharashtra Chamber of Housing Industry

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