MUNICIPAL CORPORATION OF GREATER MUMBAI

No. Dy.Ch.Eng. / BP / ES / 1268 dated 17/08/2020

<u>Sub</u>: To allow payment of Development Charges before further CC instead of before issue of IOD /Amended Plans

Ref: 1) Representation from M/s PRL Developers Pvt. Ltd.

- 2)GoM Directives issued u/no.
- 3) CHE / DP/ 14770/ Gen dated 17/9/2019

Reference is please requested to the representation received from M/s PRL Developers Pvt.Ltd. requesting to allow to pay the development charges before issue of further CC instead of before issue of amended plan.

It is represented by the developers that the Development Charges are contemplated in MR&TP Act, 1966 and as per provision u/s. 124A of chapter VI-A of the said act, the Development Charges areto be levied for any development of land or building for which permission is required under MR&TP Act, 1966. Since the Commencement Certificate is considered as the Development Permission under MR&TP Act, Development Charges need to be recovered before granting/ endorsing of Commencement Certificate.

TheDeveloper has further referred to the clause No 1 of Clarification / Directives issued by the Government of Maharashtra u/s. 154 of MR&TP Act, u/no. Development Charges/TPS - 1294/341/ CR-48/94/4D-12 dated 10.08.1994 and subsequent MCGM Circular u/n CHE/2652/DPC dated 5/01/1995 wherein it is clarified that "if desired by the owner / developer, planning authorities / development authorities may issue Commencement Certificate / building permit / IOD in two stages and accordingly recover Development Charges in stages of construction component as under

Stage I - 50% of development charges payable before plinth CC

Stage -II – 50% of development charges before Further CC

The developer has accordingly requested to allow to pay the Development Charges before issue of further CC instead of before issue of amended plan.

In this regard, reference is requested to circular issued u/n CHE/DP/14770/Gen dated 17/09/2019 formulating the facility of installments in payments payable for grant of IOD/ CC for various fees / Charges / Deposits/ premiums to be paid in respect of building permission for providing stimulus to Housing Industry to facilitate its revival. As per clause-1 of the said circular the installment facility is not to be granted to following payments and are required to be paid at the initial stage i.e.IOD /Amended plan approval;

- i) Scrutiny Fees (shall be paid along with submission of proposal.)
- ii) IOD Deposit
- iii) Debris Deposit



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- iv) Labour CESS
- v) Development Charges.

Accordingly, as per provisions of the said circular, the Development Charges are being recovered before issue of IOD/Amended plan,where installment facility is requested. However, for other proposals where installment facility not requested, then payment of Development Charges are insisted at the time of CC/further CC.

It is felt that the directives issued by Government of Maharashtra prevail over the guidelines issued by the MCGM and since the Development Charges on construction area is an independent component, itcan be recovered before issue of CC instead of IOD / Amended Plans.

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In view of the above, proposal to "Recover Development charges before issue of plinth CC/ further CC instead of before issue of IOD / amended Plan irrespective of the receipt of request for installment facility", is submitted for perusal and approval please.

Submitted please.

13/08/20 20

Ex.Eng.(BP)ES-II

(Spl.Engg.)

<u>Dy.Ch.E.(B.P.)E.S.</u>

<u>Ch.E.(D.P.) & D.M.C.(S.E.)</u>

<u>Hon. M.C.</u>

Sir,

En vien of 'A' & 'B' or pre-page, the request of the Development charges before in ue of further C.C. instead of in ue of Amended Plan need to be approved plan. Submitted please.

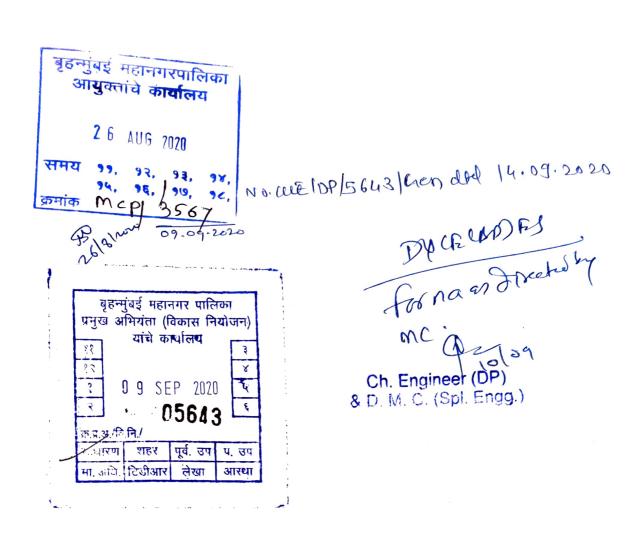
D. D. Faliana (1127) 2118/KUI बृहन्पुंबई महानगर पालिका 2 6 AUG 2020 Dyche (BP)ES. प्रगुख अभियंता (विकास नियोजन) यांचे कार्यालय approved as recommanded by dyche (A)

Gos as above marked B:

By he submovithed please. On receipt

By file, the same will be circulated to all

concered for implementation of Mary show A above is subsonited for 17 AUG 2020 04127 ताधारण पूर्व. उप मा अधि ट्रिडीआर 09.69.2020 Chief Engine 9 (Development File & Deputy Mun. Co.



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