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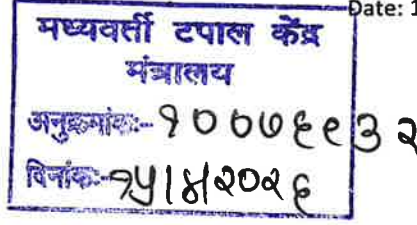
WOMENS WING CHAIRPERSON

Alka Doshi

Ref. No. MCHI/PRES/26-27/007

Date: 13/4/2026

To,
 ✓ Shri Assem Kumar Gupta (I.A.S.)
 Additional Chief Secretary,
 Urban Development Department,
 Government of Maharashtra,
 Mantralaya, Mumbai 400 0032



Sub: UDD Notification Ref. No. 4320/314/CR-162/2020/UD-11 dated 29th February 2024

Respected Sir,

Vide Notification Ref. No. 4320/314/CR-162/2020/UD-11 dated 29th February 2024, Government issued directives under Section 154 (1) of MRTP Act bringing into force Reg. 33(23) of DCPR 2034 i.e. Transit Oriented Development (TOD), pending sanction to Proposed Modification under clause (C) of Section 37(1AA) of MRTP Act. Accordingly, FSI under TOD regulation could be availed for development.

The following are the key concerns with respect to TOD regulation:

Regulation	Key Concern
<p>1</p> <p>Reg. 33(23)(2.2):</p> <p>"2.2 Impact Assessment and Integrated Mobility Plan:-</p> <p><i>Such TOD FSI over and above the Principal FSI, shall be granted by the Municipal Commissioner, BMC from where the underground Metro Rail Line is passing through, <u>subject to condition that the land proposed to be developed under this regulation is connected or proposed to be connected directly with the underground Metro Station by a vestibule of a minimum clear 3.5M width for pedestrian movement or more subject to a maximum length of 500 mtrs or less and further as may be determined by the MMRCL/ Metro Proponent and such a vestibule shall open directly into the land proposed to be developed under this regulation and further subject to the Impact Assessment of the impact on the city and sector level infrastructure and amenities as well as on traffic and environment and which Impact Assessment study shall be carried out by the project proponent.....However, the cost of construction of the vestibule from the Metro Station upto the land proposed to be developed under this regulation shall be borne by the landowner / developer. In case the vestibule connecting the Metro Station passes through BMC Road/footpath, the BMC shall give its NOC for the same subject to the owner/developer bearing the cost of shifting any utilities. The same shall apply to any Road Footpath on Government Land/ MHADA Land /MMRDA Land/ any Government Authority. However, in case the vestibule passes through any property other than Road/Footpath, the MMRCL/ Metro Proponent shall obtain at the cost of the project proponent the NOC from the land owner so affected for construction of the vestibule. <u>The project proponent shall only be entitled to</u></u></i></p>	<p>In accordance with Reg. 33(23)(2.2), several project proponents approached MMRCL and entered into MoU's for construction of Vestibules connecting TOD developments to the Metro Stations of Metro Line 3. Project proponents thereafter approached BMC for approval under TOD Regulation, paid the requisite TOD premiums, and obtained IOD/CC to commence constructions. Further, it is to be noted that Reg. 33(23)(2.2) clearly specifies the role of the project proponent is only limited to bearing the construction cost of the vestibule. To enable the project proponents to make payment of such construction cost of the vestibule, an Agreement is required to be executed with MMRCL as a follow up to the MoU, formalizing details such as construction plan & methodology, total quantum of construction cost's to be incurred, timeline for payments, construction timelines, etc. However, despite several follow ups, MMRCL has not progressed to execute Agreements in any of such TOD projects for construction of vestibule and as a result, construction of any vestibules is yet to commence till date.</p>

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CREDAI-MCHI CHAPTERS

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	<p><u>avail the FSI under this regulation after signing of an agreement/MoU with Mumbai Metro Rail Corporation Ltd. (MMRCL). However, Occupation Certificate to the development shall only be granted after the actual vestibule connecting the land from the Metro Station is constructed and opened to public use. Necessary NOC to this effect shall be insisted by the BMC/Planning Authority from the MMRCL/Metro Proponent before grant of Occupation Certificate to the development undertaken as per this regulation."</u></p>	<p>Nearly 2 years have lapsed since the sanction of the TOD regulation and Project proponents have completed their obligations under the regulation of executing MoU for construction and payment of TOD requisite premiums and since there is no delay as such on the project proponents part. Work at site for all such proposals under TOD regulations have progressed significantly while some are nearing completion.</p> <p>Now, it is unlikely that all the vestibule's construction and completion will align with completion of the TOD projects thereby resulting in undue hardship, project completion delays, and several financial implications to all such TOD projects.</p>
<p>2.</p>	<p>Reg. 33(23)(12)</p> <p>Provision of Amenities [(Regulation 14(A)], Inclusive Housing (Regulation 15) and development cess (Regulation 30(7)) shall not be applicable to projects undertaken under this regulation. <u>However, in case the cost recovered by the MMRCL / Metro Proponent for construction of the vestibule as provided under this regulation from the project proponent is less than the applicable development cess under Regulation 30(7), then in such a case the project proponent shall be liable to pay the difference to the BMC before grant of Occupation Certificate to the development.</u></p>	<p>It is requested Occupation Certificate's for TOD projects by recovering cost equivalent to the applicable Development Cess.</p>
<p>3</p>	<p>Reg. 33(23)(18)</p> <p>"18. TOD Zone local area planning:</p> <p><u>a) On publication of this notice, BMC with the help of MMRDA, shall prepare the local area plans for TOD zones of each individual station areas by carrying out existing land use survey within 2 months. In case the preparation of plans is delayed beyond 2 months, then in such a case the BMC shall grant permission to the project proponent under this regulation subject to clause 2.2 of this regulation....</u></p> <p><u>e) The local area plan will be sanctioned by the Municipal Commissioner and the copy of the same shall be published on website and submitted to Director, Town Planning and Urban Development Department for information along with the proposed modifications required in sanctioned DP, if any and further 50% of the TOD FSI premium collected by the BMC shall be utilized for implementing the local area plan only. The BMC shall maintain a separate account for the same."</u></p> <p style="text-align: right;"><i>N</i></p>	<p>It is requested that BMC/MMRDA/MMRCL expedite the process of finalising the Local Area Plans for all TOD including the finalisation of station alignments and the number and location of vestibules, so that projects intending to avail TOD FSI can be planned holistically in sync with these plans. Early finalisation will ensure that development proposals near metro line -3 stations achieve seamless connectivity with the specified vestibules and align with the TOD planning framework, thereby optimising public transport integration which is the key objective of the TOD regulation.</p>

The implementation of TOD regulations, from a city-level infrastructure perspective, is a complex and multi-agency exercise requiring coordinated planning and execution. Accordingly, the finalisation and sanction of Local Area Plans for TOD Zones, including the planning and construction of vestibules and connecting infrastructure, has been delayed due to various challenges. Consequently, while several TOD development projects have substantially progressed and/or are nearing completion, the corresponding metro-side vestibule works have not yet commenced. In view of the above, the Occupation Certificate being linked to the construction or completion of vestibules is likely to result in undue hardship, project completion delays, and financial implications for ongoing TOD developments. However, early resolution of these challenges remains essential to achieve the intended objectives of TOD, such as seamless public transport integration, improved accessibility, and enhanced metro ridership.

In view of the above facts, it requested that a meeting be scheduled at the earliest with all stakeholders including MMRL and BMC and the representatives of CREDAI-MCHI to address the abovementioned issues.

Thanking you,

Yours sincerely,
For CREDAI-MCHI

A handwritten signature in blue ink, appearing to read 'Sukhraj Nahar'.

Sukhraj Nahar
President

A handwritten signature in blue ink, appearing to read 'Rushi Mehta'.

Rushi Mehta
Hon. Secretary