

Government of Maharashtra

Number: TPB - 4319/260/C.No.146/2019/UD-1
Urban Development Department, 4th Floor,
Mantralaya, Mumbai - 400032
Date: 06/08/2020

To,
Commissioner,
Municipal Corporation of Greater Mumbai

Sub: Applicability of provision 33(7) (A) & 33(7) (B) to ongoing proposal of redevelopment of existing buildings.

Ref: 1) DO letter of Municipal Commissioner, MCGM bearing No. MCP/6239, Dtd. 22/7/2019

2) Letter from Urban Development Department, Govt. dtd. 13/09/2019

3) DO letter of Municipal Commissioner, MCGM bearing No. MCP/1609, Dtd. 27/2/2020

Sir,

Please review your reference letter.

With reference to the above DO letter No. 1, the explanation has been given by the Urban Development Department vide its letter dated 13/09/2019. Now, as requested vide DO letter referred No. 3, the explanation given by the Urban Development Department vide its letter dated 13/09/2019 stands cancelled, and I have orders to inform the following explanation as per provision 4 (3).

If the existing buildings have been demolished before or after publication of Draft Development Control and Promotion Rules - 2034 on 27.05.2016, under Section 26 by submitting redevelopment proposal to BMC and getting its approval as per DCR 1991 or prevailing DCPR-2034, in such cases, if it is confirmed that such buildings were in existence as on 27.05.2016, and are being complied with as per the provisions 33 (7)(A)/Provision 33 (7) (B) of DCPR-2034 (except existing buildings), in such cases, the conversion of DCPR-2034 to Regulation 33 (7) (A)/Regulation 33 (7) (b), is making it relatively permissible with following conditions:-

Condition :

- 1) The rights of the issuing above conversion permissions will be to only to Municipal Commissioner.
- 2) The Project Proponents shall be binding to the fulfillment of conditions applied by the Municipal Commissioner for conversion permissions
- 3) BMC should ensure that the development permission given by BMC is valid under section 48 of Maharashtra Regional and Town Planning Act.

(Nirmalkumar P. Chaudhari)

Under Secretary, Government of Maharashtra

1. Director, Town Planning, Govt. of Maharashtra
2. Dy. Director, Town Planning, Mumbai
3. Nivad Nasti- (UD 1)