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Ajay Ashar

President, Kalyan Dombivli
Ravi Patil

President, Mira Virar City
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Vilas Kothari

President, Navi Mumbai Unit
Prakash Baviskar

Ref: No. MCHI/PRES/18-19/010

August 28, 2018

To

Hon'ble Shri Devendra Fadnavis

Chief Minister

Government of Maharashtra

Mantralaya,

Mumbai 400032.

मुख्यमंत्री सचिवालय
मंत्रालय, मुंबई - 400 022

दिनांक 20/8/19

Ref : Draft DPCR 2034 for Mumbai City and Suburbs

Sub : Important points for all round development of Mumbai and making Affordable Housing a reality.

Respected Sir,

CREDAI-MCHI would like to represent few important points regarding the Draft DPCR 2034 of Mumbai city and suburbs for which your kind attention is required in the interest of making Affordable Housing a reality and in the real estate industry.

1. Proper transition policy to be incorporated in regulation No 9(5) and 9(6) of DPCR 2034.
2. As per TDR policy all roads which are below 9.00 mtr should be prescribed to min. 9.15 mtr RL in time bound manner and also all the right of way given by Govt/ MCGM should be widened to minimum 9.15 mtr as per site conditions and should be considered as access road.
3. Total premiums levied by the various departments of MCGM and other government authorities towards the development of any proposal should not be more than 50% of the RR rate of land in Totality, which may include all premiums paid towards approval of plans, fungible and govt. TDR, Development charges, LUC, Open Space Deficiency, Staircase and lift premiums, Extra water charges etc. as one time cost.
4. Open space deficiency for all FSI/ TDR whether slum/general /premium FSI / fungible FSI shall be charged uniformly at 10% of the normal premium. i.e. 2.5% of RR rate of developed land.
5. Regulation No. 33 (7) (A) and 33 (7) (B) which deals with redevelopment should be at par with other redevelopment regulations such as 33(7), 33(10) etc. in terms of the incentive FSI, relaxation in open spaces,

premium at the rate of 2.5% of RR rates, etc, so that the redevelopment of Co-operative housing societies actually happens.

6. The plot area requirement for cluster development under Reg. No 33 (9) is to be reduced to 4000 sq. mtr. from 10000 sq. mtr in both Island City as well as Suburbs uniformly and to be incentivised at par..
7. Minimum Plot area requirement for SDZ DCR 33(8) should be 4000 sq. mt. instead of 2 Ha. and in the ratio of 67% to the developer and 33% to the Government/MCGM , [Affordable Homes, other Amenities and Public Open Space). This ratio is reasonable to encourage Land Owners Developers to come forward to build affordable Housing.
8. Under Regulation No. 14 (A) – Amenities, the following should be excluded in case of 33(7)(A), 33(7)(B), 33(10). Similarly, for Regulation No. 15, Inclusionary Housing the following should be excluded in case of 33(7)(A), 33(7)(B), 33(10), as in case of redevelopment of Societies and Cess Buildings, it will not be possible to provide the amenities or Inclusionary Housing.
9. Regarding Regulation, No 17 for the reserved plots which are developed under Accommodation reservation policy, condition of Provision of Regulations of inclusive Housing (DCPR 15), Amenity space (DCPR 14), Layout Open Space (DCPR 27) if any shall not be insisted upon for development under this regulation as per condition No. 8 of the AR policy of 2nd May 2016. Validity of benefit under accommodation reservation should be allowed to be continued provided the development premium is granted within five years of the date of publication of DCPR 2034.

Further premiums towards the open space deficiency shall be at par with those under DCR 33(10).

10. In respect of handing over of any reservation/setbacks the FSI potential of proposed development the Occupation Certificate should be restricted and 25% should be held back and rest OCC should be granted.
11. Shopping in R1 Zone shall be allowed on any road having width more than 13.40 mt. upto 36.00 mts.
12. Road width:
 - a) Max. x. FSI will be permitted for all development which are obtaining road width of 18.30 meters and above.
 - b) Max. FSI for projects under DCR 33(7), 33(7A), 33(7B), 33(10) will be allowed on road width of 9 meters and above.

13. TDR – premium FSI or Garden TDR, Slum TDR all should to be allowed to be interchangeable for a period of 5 years or atleast open space reservations TDR or Slum TDR should interchangeable and open space deficiency condition should be at 2.5% of RR rate.
14. Sale area of 33(7), 33(9), 33 (10) should be allowed to be combined for any open plot which is developed for IH, PTC for any rehab component within 5 kilometres or 9 kilometres.
15. DCR (23), Any plot in a layout which is already subdivided irrespective of the distance for the Municipal road the benefit of road width to that plot will be allowed.
16. 35% fungible area should be allowed on the rehab component for 33(5), 33(7A) and 33(7B)
17. Open space deficiency should be calculated by formula H(5) and H(6)
18. All the lands which are reserved in RR 2.1 and RR 2.2 should be treated at par with DCR 33 (20B) with the same terms and conditions as implied in DCR 33(20B).
19. If the SRS is sanctioned considering proposals of 1991 Development plan and also rearranging the reservations and road proposals of 1991 D.P. and such sanction is still valid and if new reservations are proposed in 2034 D.P. on such land, then new reservations of 2034 D.P. shall be deemed to be deleted. In such cases, the rearranged proposal as per sanctioned SRS, if any, shall prevail over 2034 D.P. However, in case such an on-going project comes up for revised LOI or change of developer or any other change, including recording and resubmission with or without change in slum boundary then at the option of owner/developer, the proposal can be converted as per DP 2034 in toto. In such case of conversion of project to DP 2034, the DP proposals shall be allowed to be developed as per DCPR 2034.
20. For slum Rehabilitation schemes road of width 9 M shall be adequate for height of building upto 120 m and road of width 12.2 m for any height of building {clause 19 (2) (c)}.
21. General DCR conversion clause (clause 9(6) to be applicable for slum schemes (delete clause 33(10) (11)) DP Applicability clause to be modified {clause 17(3) (D)}

22. In respect of the new clause 33(13) i.e. New IT Policy, the road width permissible for Additional FSI should be 12 mtrs, which was earlier the same and the same should be applicable to 33(13)(A) i.e. New Fintech policy as per relevant table.
23. In case the DPCR is not approved and implemented by 31st August 2018 then we request you to continue DCR 1991 till such time DCPR 2034 is approved and implemented in toto.

Sir, Kindly grant us an appointment to discuss the above issues.

Sincerely yours,
For CREDAI-MCHI.


Nayan Shah
President


Bandish Ajmera
Hon. Secretary


S. S. Hussain, I.A.S. (Retd.)
Chief Executive Officer

CC to:

(1) **Shri Ajoy Mehta (I.A.S.)**
Municipal Commissioner,
Municipal Corporation of Greater Mumbai
Mumbai - 400 001
Sir, with respect to the above points, we request for an urgent meeting with yourself.

(2) **Dr Nitin Kareer (I.A.S.)**
Principal Secretary - I
Urban Development Department
Government of Maharashtra
Mantralaya, Mumbai - 400 032
Sir, with respect to the above points, we request for an urgent meeting with yourself.


28/8/18
Urban Development Department
Mantralaya, Mumbai - 400 032

