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Ref. No. MCHI/PRES/19-20/518

June 17, 2020

To,
Shri Eknath Shinde
Hon'ble Minister
Urban Development Department
Government of Maharashtra

Sub: Suggested/ Correction to the Draft Unified Development Control & Promotion Regulation for the State of Maharashtra - Affordable Housing

Respected Sir,

The State of Government of Maharashtra has proposed the draft Unified Development Control & Promotion Regulations for the State of Maharashtra. The Unified DCPR Regulation is in process and we have given our suggestions and objections on earlier occasions on behalf of our member developers.

Sir, there are certain Reservations zones which are specified in the Unified Development Plan which can be developed as per respective Accommodation Reservation policy. However, land with Reservations specified is Special Scheme Affordable Housing under chapter 14 can also be developed as per below 3 options:

Option 1: Development by Government after acquiring land from the land owners

Option 2: Under Accommodation Reservation Policy by private developers constructing the built up amenity and allowing full potential on balance land.

Option 3: Affordable Housing reservation: The land owner constructs the entire land for small affordable tenements below 60 sq mts as per norms of FSI + TDR corresponding to the Road Width.

This option was already in existence as per the earlier issued clarification by UDD vde Notification no. TPS-1216/1699/C.R.162/16/UD-12 dated 10.03.2017 for the Bhiwandi Surrounding Notified Area (BSNA) with MMRDA as the Special Planning Authority ,by adding the following proviso to Affordable Housing Rule 10.2.4 (i) gave the developer for land in affordable housing zone an option to develop " the owner / developer may be allowed to develop the land as permissible in Residential zone as per prevailing Development Control Regulations subject to the condition that the area of the tenements to be constructed with the entire potential of the land, shall be of affordable housing scheme. However, if the provisions of inclusive housing stipulated in Notification dated 8/11/2013 and 3/9/2015 are applicable in this area then, it shall be made applicable to such land".

We believe this Notification has been missed out under the draft Special Scheme Affordable Housing in the Unified DCPR.

Sir, we humbly request you to please incorporate our above suggestion in the draft Unified DCPR with option 3 to encourage more developers to take up this Affordable Housing scheme. create an affordable housing stock for the state of Maharashtra.

Based on this, any landowner/ developers wishes to develop the land reserved for Affordable Housing can develop affordable housing units below 60 sq. mtrs (RERA carpet area).

Kind request you to please consider our request to make the above correction in the draft Unified DCPR and oblige.

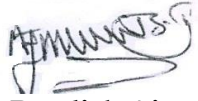
Thanking you

Yours Sincerely,

For CREDAI-MCHI



Nayan A. Shah
President



Bandish Ajmera
Hon. Secretary

Encl: As mentioned above

URBAN DEVELOPMENT DEPARTMENT

4th Floor, Main Building, Mantralaya, Mumbai 400 032, dated 13th June 2017.

CORRIGENDUM

MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966.

TPS. 1216/1169/C.R-162/16/UD-12.—Whereas, in accordance with sub-section (1) of section 31 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as the 'said Act'), the State Government has sanctioned the Excluded Part namely EP-254 of the Development Plan of Bhiwandi Surrounding Notified Area, which includes the area of 51 villages (revised 60 villages) from Bhiwandi Tahsil of Thane District *vide* Notification No. TPS. 1216/1169/C.R. 162/16/UD-12, dated 10th March 2017 with modification as specified in the Schedule annexed with the notification (hereinafter referred to as 'the said Excluded Part');

And whereas, it is observed that some errors are needed to be corrected in accordance with the Government approval in the said sanctioned Excluded Part (Schedule) No.254 and for that purpose it is necessary to issue Corrigendum for the same as mentioned in Annexure attached hereto.

Now, therefore, this Corrigendum is issued in respect of such correction for the said Sanctioned Excluded Part (Schedule IV) EP-254 as mentioned in Annexure attached hereto.

Copy of this Corrigendum is kept open for the inspection of general public during office hours on all working days, for the period of two years in the office of the Chief, Planning Division, MMRDA, 6th Floor, New Building, E-Block, Bandra-Kurla Complex, Bandra (E.), Mumbai 400 051.

ANNEXURE

Corrigendum to the sanctioned Excluded Part of the Development Plan of the Bhiwandi Surrounding Notified Area, Taluka Bhiwandi, Dist. Thane *vide* Notification No. TPS. 1216/1699/C.R. 162/16/UD-12, dated the 10th March 2017.

EP No.	Instead of	Read as
EP-254	<p>Regulation No. 6.14 is deleted.</p> <p>Regulations for Affordable Housing Scheme is sanctioned with following modifications.</p> <p>Regulation No.10.2- Affordable Housing</p> <p>10.2.1 is modified as follows:-</p> <p>In order to promote construction of affordable housing stock on private lands, the Planning Authority may permit implementation of Affordable Housing Scheme in accordance with the provisions of these Regulations. Affordable Housing Schemes (hereinafter referred to as 'the Scheme') shall be permissible only on the lands situated within the limits of the Bhiwandi Surrounding Notified Area in the Mumbai Metropolitan Region (MMR).</p> <p>10.2.1(i) is modified as follows:-</p> <p>Affordable Housing Scheme shall be permissible in Residential Zone/ Affordable Housing Zone shown on Development Plan only and on plots having access from an existing or proposed Development Plan Road having width equal to or in excess of 18 mt. or an existing road in respect of which Regular Line of Street has been declared under the relevant provisions of Maharashtra Municipal Corporation Act, Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 for a width of 18 mt. or more, provided permissible FSI on such plot is -0.95 or more TDR/additional FSI on payment of premium more than 0.6 is allowable. However, in case of a proposed road, the land under the said proposed road shall be acquired before the approval of building plans for the Affordable Housing Scheme. Affordable Housing Scheme shall not be allowed in areas where FSI is less than 0.95 or where use of TDR is not permissible.</p> <p>Following proviso shall be added in the Rule No. 10.2.4(i)</p>	<p>Regulation No. 6.14 is deleted.</p> <p>Regulations for Affordable Housing Scheme is sanctioned with following modifications.</p> <p>Regulation No.10.2- Affordable Housing</p> <p>10.2.1 is modified as follows:-</p> <p>In order to promote construction of affordable housing stock on private lands, the Planning Authority may permit implementation of Affordable Housing Scheme in accordance with the provisions of these Regulations. Affordable Housing Schemes (hereinafter referred to as 'the Scheme') shall be permissible only on the lands situated within the limits of the Bhiwandi Surrounding Notified Area in the Mumbai Metropolitan Region (MMR).</p> <p>10.2.1(i) is modified as follows:-</p> <p>Affordable Housing Scheme shall be permissible in Residential Zone/ Affordable Housing Zone shown on Development Plan only and on plots having access from an existing or proposed Development Plan Road having width equal to or in excess of 18 mt. or an existing road in respect of which Regular Line of Street has been declared under the relevant provisions of Maharashtra Municipal Corporation Act, Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 for a width of 18 mt. or more, provided permissible FSI on such plot is -0.95 or more TDR/additional FSI on payment of premium more than 0.6 is allowable. However, in case of a proposed road, the land under the said proposed road shall be acquired before the approval of building plans for the Affordable Housing Scheme. Affordable Housing Scheme shall not be allowed in areas where FSI is less than 0.95 or where use of TDR is not permissible.</p> <p>Following proviso shall be added in the Rule No. 10.2.4(i)</p> <p>For lands in Affordable Housing Zones, the owner/developer may be allowed to develop the land as per the Rules of the Affordable Housing Policy</p>

<p>For lands in Affordable Housing Zones, the owner/developer may be allowed to develop the land as per the Rules of the Affordable Housing Policy with the proviso that free sale to Affordable Housing FSI ratio will be 1.8:1 instead of 1.66:1 and the maximum FSI will be 2.5.</p> <p>"Urban Local Body" word is read as "Special Planning Authority" for Bhiwandi Surrounding Notified Area wherever applicable in these regulation.</p> <p>In the Regulations of Affordable Housing Schemes, after the word "Municipal Commissioner of Municipal Corporation/ Chief Officer of Municipal Council", the words "Chief Executive Officer of Special Planning Authority" is added.</p>	<p>with the proviso that free sale to Affordable Housing FSI ratio will be 1.8:1 instead of 1.66:1 and the maximum FSI will be 2.5.</p> <p>or</p> <p><i>the owner /developer may be allowed to develop the land as permissible in Residential zone as per prevailing Development Control Regulation subject to the condition that the area of tenements to be constructed with entire potential of the land, shall be of affordable housing scheme. However if the provisions of inclusive housing stipulated in Notification dated 8/11/2013 and 3/9/2015 are applicable to this area then, it shall also be made applicable to such land.</i></p> <p>"Urban Local Body" word is read as "Special Planning Authority" for Bhiwandi Surrounding Notified Area wherever applicable in these regulation.</p> <p>In the Regulations of Affordable Housing Schemes, after the word "Municipal Commissioner of Municipal Corporation/ Chief Officer of Municipal Council", the words "Chief Executive Officer of Special Planning Authority" is added.</p>
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This Corrigendum is also published on the web Site of Government of Maharashtra at www.Maharashtra.gov.in

By order and in the name of the Governor of Maharashtra,

ASHOK K. KHANDEKAR,
Section Officer.