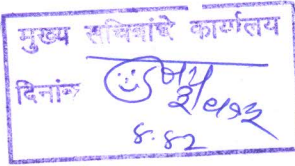


S. S. Hussain I.A.S. (Ex)
Chief Executive Officer

Ref. No. MCHI/CEO/13-14/183

September 2, 2013

To,
Hon'ble Shri Jayant Banthia (I.A.S.)
Chief Secretary
Government of Maharashtra
Mantralaya,
Mumbai - 400032



Sub: Restrictions imposed by Indian Metrological Department on Developments/Redevelopments of High-Rise buildings.

Dear *Shri Banthiaji*

MCHI-CREDAI, formed in 1982, is the most prominent and the only recognized body of Real Estate Developers in Mumbai and MMR. MCHI-CREDAI brings together members dealing in Real Estate Development on one common platform to address various issues facing the Industry. MCHI-CREDAI has a strong Membership of over 1500 leading Developers in Mumbai and has expanded across MMR, having its own units in Thane, Kalyan -Dombivli, Mira - Virar City, Raigad and Navi Mumbai.

In a major boost for redevelopment of over 14,000 cessed buildings in South Mumbai, the state government on Friday July 26, 2013 announced that a floor space index (FSI) of three will be extended to B and C category buildings (constructed prior to September 30, 1969). The buildings, pre-1969 tenanted properties in the island city, are classified into three categories: A (pre-1940), B (1940-1950) and C (1950-1969).

These projects shall be taken up subject to certain conditions and safeguards as enumerated in the Notifications issued by Urban Development Department on 4th May 2013 & 14th August 2013 (Copies of Notifications enclosed).

We highly appreciate the sincere effort made by the State Government to provide the long awaited impetus for fast track redevelopment of all the cessed properties in the island city of Mumbai. Some of the recent initiatives on redevelopment taken by the State Government are listed below:

1. Increasing the tenement size from 225 sq.ft to 300 sq.ft.
2. Providing additional FSI for increased tenement size from 2.5 to 3.0
3. Enhanced FSI of 4.0 for cluster redevelopment.
4. Exempting rehabilitation area from payment of premium for fungible FSI.
5. Removing impediments from the Cluster development under 33(9).
6. Providing FSI of 3.0 to B and C category cessed buildings.

The above will definitely go a long way in speeding up the snail pace process of redevelopment to fast track redevelopment process.

However, one of the recent provisions of the MCGM has brought the process of redevelopment of cessed buildings and other high rise building development to a complete halt. The MCGM has no role to play in this but totally accepted the conditions imposed on development by Indian Metrological Department (IMD) who have installed the Doppler Radar on Archana Building in Navy Nagar Colaba, the height restriction imposed by the IMD in the radius of 10 kilometers has suddenly put a full stop on all the redevelopment projects as they are all in island city close to the Doppler Radar site, the building by-laws and the redevelopment regulations provide for in situ development with enhanced rehabilitation area and provision imposed by MCGM in respect of refuge floors, minimum number of parking, fungible FSI, compulsory open spaces, Road setback, reservations on Plot, Provision for Fire Safety and other compulsory amenities to be provided in the new buildings all of them increase the height of the buildings and none of them can be compromised even a bit. Our members from MCHI take up many developments in factory land, mill land areas as well as slum areas where FSIs of 2, 2.5, 3 & 4 have to be consumed and unless height is increased such areas cannot be developed. Now the MCGM has put restrictions and conditions of an NOC from Indian Metrological Department (IMD) for any High Rise Building and the IMD insists that any building taller than 75 mtrs., and within a radius of 10 km. of the Radar should be approved by it. Unfortunately, this 10 km. radius covers the entire island city of Mumbai.

It is very clear; if the required height is not permitted for by the local authorities no developments in island city can take place. Thus the placement of Doppler Radar alongwith its restrictive conditions, would kill the development projects.

It is pertinent to mention here that already many high rise structures exist in the vicinity of Doppler Radar (about 50 or so) including many owned by the Government and they are already obstructing the working of Doppler Radar and these high rise structures cannot be pulled down now, hence the present location cannot give the optimum results anyway. The highest point in the city is 450 m (1,476 ft) from MSL at the Powai-Kanheriranges at Sanjay Gandhi National Park. Whereas the present Doppler Radar is placed at the height of approx. 70 meters on top of Archana Building in Navy Nagar.

We clearly understand the importance of weather forecasting for the city and appreciate that a robust system of reliable forecasting to ensure that the 26th July 2005 deluge like situation does not catch the populace of this grand city by surprise!


As we understand the height restriction imposed for development around 10 kilometer radius of Doppler is due to installation on the building with height of mere 70 meters, if the

Doppler is installed at a greater height then not only it will have an unobstructed reach but will also not impose the restrictions on the height of buildings to be developed within the city limits.

We humbly request the State Government to take this issue with the IMD and work out an amicable location for installation of Doppler Radar at the height which will not impose restrictions on the height of buildings being developed in its radius. I would suggest that the placement of this important Radar could be taken away to a safer distance, where High Rise Buildings are not being constructed or where already restrictions are available viz. some areas in Raigad & Nhava Sheva etc.

In event of no solution being worked out, we are absolutely certain that no building could be taken up for the vertical development henceforth in the island city of Mumbai. It would adversely affect not only the general redevelopment but all the recently approved projects by Govt of Maharashtra in Dharavi and Mohd. Ali Road as well.

Looking at the gravity of the issue we request the State Government to urgently resolve the issue with the IMD. In case any assistance required from our side we will be more than happy to be of help in resolving the issues.

With Best personal regards
Yours Sincerely


S. S. Hussain

To,
Hon'ble Shri Jayant Banthia (I.A.S.)
Chief Secretary
Government of Maharashtra
Mantralaya,
Mumbai - 400032

Encl : As above

URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Mumbai 400 032,
dated the 4th May 2013

Notice

MAHARASHTRA REGIONAL AND TOWN PLANNING ACT,
1966.

No. TPB. 4313/7123/CR-47/2013/UD-11.
Whereas, Development Control Regulations for Greater Mumbai, 1991 (hereinafter referred to as "the said Regulations") have been sanctioned by Government in the Urban Development Department, under section 31(1) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") vide Notification No. DCR. 1090/RDP/UD-11, dated the 20th February 1991 so as to come into force with effect from the 25th March 1991;

And whereas, the Regulation No. 33(5) of the said Regulations deals with the low Cost Housing Schemes of the Maharashtra Housing and Area Development Authority (MHADA);

And whereas, the Government in the Housing Department has declared the "Housing Policy" for the State (hereinafter referred to as "the said Policy");

And whereas, the said Policy proposes to allow redevelopment of MHADA colonies by providing higher FSI and to revise the size of old tenements so as to enable the present occupants to have better accommodation as well as to create additional housing stock;

And whereas, the Government in the Urban Development Department, vide Notification No. TPB. 4308/74/CR-11/UD-11, dated 6th December 2008 has modified the said Regulation for enhancing the FSI alongwith other stipulations;

And whereas, the Government in the Urban Development Department vide Government, Resolution No. TPB. 4312/CR-35/2012/UD-11, dated 10th September 2012 has constituted a Study Group (hereinafter referred to as "the said Study Group") to study all the Sub-Regulations under Regulation 33 of the DCR, 1991 with a view to making suitable recommendations for its more effective implementation;

And whereas, the Study Group after deliberations has submitted its report on Regulation 33(5) of the DCR, 1991 as Part-1 of the said Study Report alongwith the draft of modified sub-Regulation 33(5);

And whereas, the Government after duly considering the Report of the said Study Group is satisfied that in the public interest, it necessary to carry out urgently a modification to incorporate new Regulation 33(5) in the said Regulations by replacing the existing Regulation 33(5) (hereinafter referred to as "the said proposed modification").

Now, therefore, a draft of modification as per the Schedule appended hereto, which the State Government proposes to make in exercise of the powers conferred by sub-section (1AA) of section 37 of the said Act and of all other power enabling it in this behalf, is hereby published as required by clause (a) of sub-section (1AA) of section 37 for information of all the persons likely to be affected thereby; and notice is hereby given that the said draft will be taken into consideration by the Government of Maharashtra after the expiry of one month from the date of publication of this notice in the *Maharashtra Government Official Gazette*.

The Government is pleased to inform that any objections/suggestions upon the said proposed modification be forwarded before the expiry of one month from the date of publication of this notice in the *Maharashtra Government Official Gazette* to the Deputy Director of Town Planning Greater Mumbai, having his office at ENSA Hutments, E-Block, Azad Maidan, Mahapalika Marg, Mumbai 400 001, any objection or suggestion, which may be received by the Deputy Director of Town Planning, Greater Mumbai within the said period shall be dealt with in accordance with the provisions of the said sub-section (1AA) of section 37.

Schedule

The existing Regulation 33(5) of the said Regulation be substituted by the following new Regulation —

33(5) Development/Redevelopment of Housing Schemes of Maharashtra Housing and Area Development Authority (MHADA)

(1) The FSI for a new scheme of Low Cost Housing, implemented by MHADA departmentally on vacant lands for Economically Weaker Sections (EWS), Low Income Group (LIG) and Middle Income Group (MIG) categories shall be 3.0 on the gross plot area (exclusive of the Fungible FSI) and at least 60% built-up area in such

scheme shall be in the form of tenements under the EWS, LIG and MIG categories, as defined by the Government in Housing Department from time to time.

(2) For redevelopment of existing housing schemes of MHADA, containing (i) EWS/LIC and/or (ii) MIG and/or (iii) HIG houses with carpet area less than the maximum carpet area prescribed for MIG the total permissible FSI shall be 3.0 on the gross plot area (exclusive of the Fungible FSI).

2.1 Where redevelopment of buildings in existing housing schemes of MHADA is undertaken by the Housing Co-operative Societies or the occupiers of such buildings or by the lessees of MHADA the Rehabilitation Area Entitlement, Incentive FSI and sharing of balance FSI shall be as follows :—

(A) Rehabilitation Area Entitlement

(i) Under redevelopment of buildings in existing Housing Schemes of MHADA the entitlement of rehabilitation area for an existing residential tenement shall be equal to sum total of —

(a) a basic entitlement equivalent to the carpet area of the existing tenement plus 35% thereof, subject to a minimum carpet area of 300 sq ft, and

(b) an additional entitlement, governed by the size of the plot under redevelopment, in accordance with Table-A below :—

TABLE A

| Area of the plot under Redevelopment | Additional Entitlement (As % of the Carpet Area of the Existing Tenement) |
|--------------------------------------|---|
| Upto 4000 Sq.m. | Nil |
| Above 4000 to 2 hect. | 15% |
| Above 2 hect. to 5 hect. | 25% |
| Above 5 hect. to 10 hect. | 35% |
| Above 10 hect. | 45% |

Explanation. — The plot under redevelopment, means the land demarcated by MHADA for redevelopment :

Provided that the maximum entitlement of rehabilitation area shall in no case exceed the maximum limit of carpet area prescribed for MIG

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category by the Government as applicable on the date of approval of the redevelopment project.

Provided further that the entitlement of rehabilitation area as admissible under this regulation shall be exclusive of the area of balcony.

(ii) Under redevelopment of buildings in existing Housing Scheme of MHADA, the entitlement of rehabilitation area of any existing commercial / amenity unit in the Residential Housing Scheme shall be equal to the carpet area of the existing unit plus 20% thereof.

(B) Incentive FSI.—Incentive FSI admissible against the FSI required for rehabilitation, as calculated in (a) above shall be based on the ratio (hereinafter referred to as "Basic Ratio") of Land Rate 9LR) in Rs/Sqm. of the plot under redevelopment as per the Annual Schedule of Rates (ASR) and Rate of Construction (RC) * in Rs/Sqm applicable to the area as per the ASR and shall be a given in the Table B below :—

TABLE B

| Basic Ratio (LR/RC) | Incentive (As % of Admissible Rehabilitation Area) |
|--------------------------|--|
| Above 6.00 | 40% |
| Above 4.00 and upto 6.00 | 50% |
| Above 2.00 and upto 4.00 | 60% |
| upto 2.00 | 70% |

Explanation.—

* RC is the rate construction in respect of R.C.C. Construction, as published by the Chief Controlling Revenue Authority and Inspector General of Registration, Maharashtra State in the Annual Schedule of Rates :

Provided that the above incentive will be subject to the availability of the FSI on the Plot under redevelopment and its distribution by MHADA.:

Provided further that in case there are more than one land rate applicable to different parts of the plot under redevelopment a weighted average of all the applicable rates shall be taken for calculating the Average Land Rate and the Basic Ratio.

Provided further that the Land Rate (L.R.) and the Rate of Construction (RC) for calculation

of the Basic Ratio shall be taken for the year in which the redevelopment project is approved by the authority competent to approve it.

(C) Sharing of the Balance FSI:

The FSI remaining in balance after providing for the rehabilitation and the incentive components, calculated as per (a) (b) above respectively, shall be shared and between the Co-operative Housing Society and MHADA in the from of built-up area, as given in Table C below and the share of MHADA shall be handed over to MHADA free of cost :—

| Basic Ratio (LR/RC) | TABLE (C) Sharing of Balance FSI | |
|-----------------------------|-------------------------------------|----------------|
| | Co-operative Society Share | MHADA Share |
| Above 6.00 | 30% | 70% |
| Above 4.00 and upto 6.00 | 35% | 65% |
| Above 2.00 and upto 4.00 | 40% | 60% |
| upto 2.00 | 45% | 55% |

2.2. Where redevelopment of buildings in the existing Housing Schemes of MHADA is undertaken by MHADA or jointly by MHADA along with the housing societies or the occupiers of such building or by the lessees of MHADA, the Rehabilitation Area Entitlement, Incentive FSI and sharing of balance FSI shall be as follows :—

(A) Rehabilitation Area Entitlement :

The Rehabilitation Area Entitlement shall be increased by 10% of the existing carpet area, over and above the Rehabilitation Area Entitlement calculated in (A) of 2.1 above, subject to the maximum of the size of MIG prescribed by the Government in the Housing Department.

(B) Incentive FSI : Incentive FSI shall be the same as in (B) of 2.1.

(C) Sharing of the balance FSI : Sharing of the balance FSI shall be the same as in (C) of 2.1.

(3) For the purpose of calculating the FSI the entire area of the layout including Development Plan roads and internal roads but excluding the land under the reservation of public amenities shall be considered sub-division of plots shall be permissible on the basis of the compulsory open

spaces as in these Regulations. For low cost housing schemes of MHADA for EWS/LIG categories the Regulations in Appendix-I [(excluding 1(b)] shall apply :

Provided that there shall be no restriction on the utilization of the FSI permissible under this Regulation except for the restrictions under any law, rule or regulation.

(4) For the purpose of this Regulation, the carpet areas for EWS, LIG or MIG tenements shall be as determined by the Government from time to time.

5. (a) For providing the requisite infrastructure for the increased population, an infrastructure charge at the rate of 7% of the land Rate as per the ASR of the Year of approval of the redevelopment project shall be chargeable for the extra FSI (excluding the fungible FSI) granted over and above the normal FSI for the redevelopment schemes, 50% of the Infrastructure Charge levied and collected by MHADA shall be transferred to the Municipal Corporation of Greater Mumbai for developing necessary off site infrastructure.

(b) No premium shall be charged for the fungible FSI admissible as per DCR 35(4) for (i) construction of EWS/LIG and MIG tenements by MHADA on a vacant plot or (ii) in a redevelopment project for the construction of EWS/LIG and MIG tenements towards the share of MHADA (iii) for rehabilitation component of a redevelopment project.

(6) Notwithstanding anything contained in these Regulations, the relaxation incorporated in Regulation No. 33 (10) of these Regulation shall apply to the Housing Schemes under this Regulation for tenements under EWS/LIG and MIG categories. However, the front open space shall not be less than 3.6 mt.

(7) (a) In any Redevelopment Scheme where the Co-operative Housing Society/Developer appointed by the Co-operative Housing Society has obtained No Objection Certificate from the MHADA/Mumbai Board, thereby sanctioning additional balance FSI with the consent of 70% of its members and where such NOC holder has made provision for alternative accommodation in the proposed building (including transit accommodation), then it shall be obligatory for all

the occupiers/ members to participate in the Redevelopment scheme and vacate the existing tenements for the purpose of redevelopment. In case of failure to vacate the existing tenements, the provisions of section 95 A of the MHADA Act *mutatis mutandis* shall apply for the purpose of getting the tenements vacated from the non Co-operative members. (b) For redevelopment of building in any existing Housing Scheme of MHADA under clause 2.2 hereinabove, by MHADA, the consent of the Co-operative Housing Society in the form of a valid Resolution as per the Co-operative Societies Act, 1960 will be sufficient. In respect of members not Co-operating as per approval of the redevelopment project, action under section 95(A) of the Maharashtra Housing and Area Development Act, 1976 may be taken by MHADA.

(8) A corpus fund, as may be decided by MHADA, shall be created by the Developer which shall remain with the Co-operative Housing Societies for the maintenance of the new building under the Rehabilitation Component.

(9) The Redevelopment proposals where NOC has been issued by Mumbai Board or Offer Letter has already been issued prior to the date of coming into force of this modification (hereinafter referred to as the "appointed date") and which is valid as on the appointed date, shall continue to be governed by the Regulation applicable prior to this modification.

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

SANJAY BANAIT,
Under Secretary to Government.

उप निबंधक, सहकारी संस्था, कल्याण, तालुका कल्याण
यांजकडून

क्रमांक टीएनए/केएलएन/एचएसजी/(टीसी)/२३६८२/२०११-२०१२/सन २०१२.—उप निबंधक, सहकारी संस्था, कल्याण, तालुका कल्याण या प्रमाणपत्राद्वारे प्रमाणित करतात की, पुण्योदय पार्क अ-४, अ-५, अ-६ को-ऑप. हौसिंग सोसायटी लि., सर्व्हे नं. ७५, हिस्सा नं. १, २(पै), सर्व्हे नं. ६५, हिस्सा नं. ८, पुण्योदय पार्क, डॉन बॉस्को स्कूलजवळ, आधारवाडी रोड, वाडेघर, कल्याण (प.), ता. कल्याण, जि. ठाणे ही संस्था महाराष्ट्र सहकारी संस्था अधिनियम, १९६० (१९६१ चा महा. २४) कलम ९ (१) अन्वये नोंदविण्यात आलेली आहे.

उपरोक्त अधिनियमाच्या कलम १२(१) व महाराष्ट्र सहकारी संस्था नियम, १९६१ चे नियम १०(१) अन्वये सदर संस्थेचे वर्गीकरण "गृहनिर्माण संस्था" असे असून उप वर्गीकरण "भाडेकरू सहभागीदारी गृहनिर्माण संस्था" असे आहे.

सुरेंद्र एम. तांबे,
उप निबंधक,
कल्याण, सहकारी संस्था, कल्याण,
दिनांक २४ जानेवारी २०१२. तालुका कल्याण.

उप निबंधक, सहकारी संस्था, कल्याण, तालुका कल्याण
यांजकडून

क्रमांक टीएनए/केएलएन/एचएसजी/(टीसी)/२३६८५/२०११-२०१२/सन २०१२.—उप निबंधक, सहकारी संस्था, कल्याण, तालुका कल्याण या प्रमाणपत्राद्वारे प्रमाणित करतात की, "ग्रीन हाऊस को-ऑप. हौसिंग सोसायटी लि., सिटी सर्व्हे नं. १२५८ (बी), वासकुंज बिल्डिंग, नुर अपार्टमेंटजवळ, बारदान गल्ली, कल्याण (प.), ता. कल्याण, जि. ठाणे ही संस्था महाराष्ट्र सहकारी संस्था अधिनियम, १९६० (१९६१ चा महा. २४) कलम ९ (१) अन्वये नोंदविण्यात आलेली आहे.

उपरोक्त अधिनियमाच्या कलम १२(१) व महाराष्ट्र सहकारी संस्था नियम, १९६१ चे नियम १०(१) अन्वये सदर संस्थेचे वर्गीकरण "गृहनिर्माण संस्था" असून उप वर्गीकरण "भाडेकरू सहभागीदारी गृहनिर्माण संस्था" असे आहे.

सुरेंद्र एम. तांबे,
उप निबंधक,
कल्याण, सहकारी संस्था, कल्याण,
दिनांक २७ जानेवारी २०१२. तालुका कल्याण.

**Maharashtra Regional and Town
Planning Act, 1966**

- Sanction to the Modification to Regulation No.33(7) of Development Control Regulation, 1991 for Greater Mumbai.

GOVERNMENT OF MAHARASHTRA
Urban Development Department,
Mantralaya, Mumbai 400 032.

Dated 14th August 2013.

NOTIFICATION

No. TPB 4312/CR-5/2012/UD-11.

Whereas, Development Control Regulations for Greater Mumbai, 1991 (hereinafter referred to as "the said Regulations") have been sanctioned by the Government under section 31(1) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act"), vide Urban Development Department's Notification No. DCR/1090/UD-11 (RDP) dated 20/2/1991, so as to come into force with effect from 25th March 1991.

And whereas, Regulation No. 33(7) of the said regulations deals with reconstruction or redevelopment of cessed buildings in the Island City by cooperative housing societies or of old buildings belonging to the Municipal Corporation of Greater Mumbai (hereinafter referred to as the "said Corporation") or of old buildings belonging to the Police Department.

And whereas, the Government in the Urban Development Department vide Notification No. TPB 4308/3224/CR-268/08/A/UD-11 dt. 21st May 2011 has modified the provisions regarding the FSI admissible in case of redevelopment of "A" category cessed buildings.

And whereas, the Govt. being of the opinion that in larger public interest the provisions in respect of "A" category cessed buildings need to be made applicable to "B" and "C" category cessed buildings also, had, in exercise of the powers conferred under sub-section (1AA) of section 37, issued the notice No. TPB-4310/2583/CR-206/10/UD-11, dated 28th July 2011 for inviting suggestions/objections from general public with regard to the modification proposed in the Schedule appended to the said Notice (hereinafter referred to as "the proposed modification") and appointed Deputy Director of Town Planning, Brihanmumbai as the officer (hereinafter referred to as "the said officer") to submit a report on the suggestions/objections received in respect of the proposed modification to

5/c

the Govt. after giving hearing to the concerned persons and the said Corporation.


And whereas, the said notice was published in the Maharashtra Government Gazette (Konkan Division Supplementary) dt. 25-31 August 2011 and the said officer has submitted his report after completing legal procedure through the Director of Town Planning, Maharashtra State vide letter No.496 dtd. 21.3.2012;

And whereas, considering the report of the said officer, suggestions/objections received from the general public and the say of the said Corporation and after consulting the Director of Town Planning, Maharashtra State, the Government is of the opinion that the said proposed modification is required to be sanctioned, with some changes;

Now, therefore, in exercise of the powers conferred upon it under section 37(1AA)(c) of the said Act, the Government hereby:-

- A) Sanctions the proposed modification to Regulation 33(7) of the said Regulations with certain changes as described more specifically in the Schedule appended hereto.
- B) Fixes the date of publication of this Notification in the Government Gazette as the date of coming into force of this Notification.
- C) Directs the said Corporation that, in the Schedule of Modifications sanctioning the said Regulations, after the last entry, the Schedule referred to at (A) above shall be added.

By order and in the name of Governor of Maharashtra,


(Sanjay Banait)
Under Secretary to Government.

7/c

SCHEDULE

(Accompaniment to Notification No. TPB 4312/CR-5/2012/UD-11 dated 14th August 2013.)

| Existing Provision | Sanctioned Modification |
|--|---|
| <p>33(7) Reconstruction or redevelopment of cessed buildings in the Island City by Co-operative Housing Societies or of old buildings belonging to the Corporation or of old buildings belonging to the Police Department:</p> <p>For reconstruction/ redevelopment to be under taken by Cooperative Housing Societies of existing tenants or by Co-op. Housing Societies of landlords and/or occupiers of a cessed buildings of 'A' category in Island City which attracts the provisions of MHADA Act, 1976 and for reconstruction/ redevelopment of the buildings of Corporation and Department of Police, Police Housing Corporation, Jail and Home Guard of Government of Maharashtra, constructed prior to 1940, the Floor Space Index shall be 2.5 on the gross plot area or the FSI required for rehabilitation of existing tenants plus incentive FSI as specified in Appendix-III whichever is more.</p> | <p>33(7) Reconstruction or redevelopment of cessed buildings in the Island City by Co-operative Housing Societies or of old buildings belonging to the Corporation or of old buildings belonging to the Police Department:</p> <p>For reconstruction/ redevelopment to be undertaken by Cooperative Housing Societies of existing tenants or by Co-op. Housing Societies of landlords and/or occupiers of cessed buildings <u>existing prior to 30/9/1969</u> in Island City, which attract the provisions of MHADA Act, 1976, and for reconstruction/ redevelopment of the buildings of Corporation, the Floor Space Index shall be 3.00 on the gross plot area or the FSI required for rehabilitation of existing tenants plus incentive FSI as specified in Appendix-III whichever is more.</p> <p>For reconstruction / redevelopment of buildings belonging to Police Department, Police Housing Corporation, Jail and Home Guard of Government of Maharashtra, constructed prior to 1940, the Floor Space Index shall be 2.5 on the gross plot area or the FSI required for rehabilitation of existing tenants plus incentive FSI as specified in Appendix-III whichever is more.</p> |
| <p>Provided further that in cases of composite redevelopment scheme for plot having 'A' Category as also 'B' category cessed building the above FSI shall be available.</p> | <p>Deleted.</p> |

9/c

| | |
|--|--|
| <p>Provided further, that reconstruction/ redevelopment undertaken by proposed Cooperative Housing Societies of Landlords and / or Occupiers of cessed building of 'B' category, and where composite development is undertaken by different owners of 5 or more plots the FSI required for Rehabilitation of existing tenants plus incentive FSI as specified in Appendix III will be available.</p> | <p>Provided further, that reconstruction/ redevelopment undertaken by proposed Cooperative Housing Societies of Landlords and / or Occupiers of cessed building existing prior to 30/9/1969, and where composite development is undertaken by different owners of 5 or more plots, the FSI required for Rehabilitation of existing tenants plus incentive FSI as specified in Appendix III will be available.</p> |
| <p>Appendix III</p> | <p>Appendix III</p> |
| <p>5) The FSI for rehabilitation of existing tenants/occupiers in a reconstructed building and incentive FSI that will be available shall be as under:-</p> | <p>5) The FSI for rehabilitation of existing tenants/occupiers in a reconstructed building and incentive FSI that will be available shall be as under:-</p> |
| <p>(a) In case of redevelopment of 'A' Category cessed building undertaken by landlord and/or Co-operative Housing Societies of landlord and/or occupiers, the total FSI shall be 3.0 of the gross plot area or the FSI required for rehabilitation of existing occupiers plus 50% incentive FSI, whichever is more.</p> | <p>(a) In case of redevelopment of cessed building existing prior to 30/9/1969 undertaken by landlord and/or Co-operative Housing Societies of landlord and/or occupiers, the total FSI shall be 3.00 on the gross plot area or the FSI required for rehabilitation of existing occupiers plus 50% incentive FSI, whichever is more.</p> |
| <p>(b) In case of redevelopment scheme of 'B' category cessed building undertaken by landlord and/or Cooperative Housing Societies of landlord and /or occupiers, the total FSI shall be the FSI required for rehabilitation of existing occupiers plus 50% incentive FSI.</p> | <p>(b) Deleted.</p> |
| <p>(c) In cases of composite redevelopment of 'A', 'B' and 'C' category cessed buildings declared as dangerous by the Board before Mansoon of 1997, FSI available for redevelopment undertaken by the landlord and/or Cooperative Societies of landlord and/or</p> | <p>(d) Deleted.</p> |

11/c

occupiers will be as available for 'A' category cessed buildings vide sub-clause (a) above.

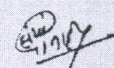
(d) In case of composite redevelopment undertaken by the different landlords and/or Co-op. Housing Societies of landlords and/or occupiers jointly of 2 or more plots but not more than 5 plots with 'A', 'B' and 'C' category cessed buildings the FSI permissible will be 3.0 or FSI required for rehabilitation to existing occupiers plus 60% incentive FSI, whichever is more;

Provided, however, that if the number of plots jointly undertaken for redevelopment is six or more the incentive FSI available will be 3.00 or FSI required of rehabilitation for occupiers plus 70% incentive FSI whichever is more.

(d) In case of composite redevelopment undertaken by the different landlords and/or Co-op. Housing Societies of landlords and/or occupiers jointly of 2 or more plots but not more than 5 plots with cessed buildings **existing prior to 30/9/1969**, the FSI permissible will be 3.00 or FSI required for rehabilitation to existing occupiers plus 60% incentive FSI, whichever is more;

Provided, however, that if the number of plots jointly undertaken for redevelopment is six or more, the incentive FSI available will be 3.00 or FSI required of rehabilitation for occupiers plus 70% incentive FSI whichever is more.

By order and in the name of Governor of Maharashtra,



(Sanjay Banait)

Under Secretary to Government.