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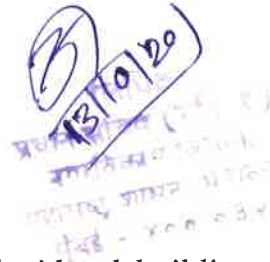
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PRESIDENT, NAVI MUMBAI
Vijay Lakhani

Ref. No. MCHI/PRES/20-21/029

October 13, 2020

To,
Shri Bhushan Gagrani (I.A.S.)
Principal Secretary - 1
Urban Development Department
Government of Maharashtra



Sub: Redevelopment on old dilapidated buildings as per the provisions of regulation no.33(6) of DCPR 2034.

Respected Sir,

The development of Mumbai City & Suburbs has been started since more than 100 years. The Government of Maharashtra has formulated various development schemes for redevelopment of the old tenanted buildings in Mumbai City & Suburbs. As per the provisions of regulation no.33(7), the cessed buildings can be developed and further as per 33(7) (A) & (B) are for development of dilapidated tenanted buildings and Co-Op. Hsg. Societies respectively.

In the earlier days, the buildings have been constructed as per the then prevailing bye-laws & regulations which have been modified time and again. The permissible FSI has been reduced to great extent then available in the past. It has been observed that the old buildings are consuming the FSI more than permissible as per the present DCPR. The redevelopment of non-cessed residential and commercial tenanted buildings cannot be done as per the regulation 33(7).

The DCPR allows the redevelopment of such types of a building as per the provisions of regulation no.33(6) of DCPR 2034. However, as per the said regulation the redevelopment of old dilapidated and building destroyed by fire or which have collapsed, or which have been demolished under lawful order. The said buildings are constructed as per the old regulation with higher FSI. The said existing buildings are constructed with higher FSI and cannot be allowed to redevelop as per any other provision in regulation, it is required to be developed as per 33(6). However, as per the said regulation, no additional FSI in the form of incentive is available to the owner and hence it becomes difficult / impossible to redevelop the building if the existing FSI is beyond permissible FSI as per Table 12 (A) of regulation no.30. The said redevelopment becomes financially unviable. The tenants / occupants of the said buildings are also ready for the redevelopment with existing area and foregoing their permissible fungible FSI, but as the regulation doesn't allow to use the said fungible FSI to the sale component. Hence, the proposal cannot be done and the responsibility of the redevelopment of said structure becomes liability to Government.

Considering the above, to make redevelopment proposal of said dilapidated and old buildings financially viable and attractive, it is proposed to allow to consume the permissible fungible FSI of the existing tenant / occupant's area to be used for sale component.

It has been learnt that various other organizations dealing with the redevelopment have also requested UD department and MCGM to allow to use the fungible FSI of existing tenants for sale component for making the proposal financially viable. MCGM and UD department is also actively considering the same.

In view of above, we request your good self to allow to use the permissible fungible area of existing tenants / occupant for sale purpose in various such type of redevelopment schemes to make the same attractive and financially viable.

Thanking you,

Yours Faithfully,
For CREDAI-MCHI



Deepak Goradia
President



Pritam Chivukula
Hon. Secretary