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Mayur Shah

IMMEDIATE PAST PRESIDENT
Dharmesh Jain

PRESIDENT-ELECT
Nayan Shah

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Deepak Goradia
Boman Irani
Harish Patel
Nainesh Shah

HON. SECRETARY
Domnic Romell

HON. TREASURER
Sukhraj Nahar

CEO
S. Shahzad Hussain
I.A.S. (Retd.)

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Rasesh Kanakia

HON. JOINT SECRETARIES
Parag Munot
Sandeep Runwal
Lakshman Bhagatani
Bandish Ajmera

JOINT TREASURER
Mukesh Patel
Jayesh Shah

CO-ORDINATORS
Nayan Bheda
Munish Doshi
Tejas Vyas
Pratik Patel
Dhaval Ajmera
Sandeep Shah

COMMITTEE MEMBERS
Jagdish Ahuja
Sanjay Chhabria
Shailesh Sanghvi
Jitendra Jain
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Sandeep Raheja
Rajesh Prajapati
Shailesh Puranik
Praful Shah
Sachin Mirani
Rushank Shah
Rajeev Jain
Diipesh Bhagatani
Shyamal Mody
Nikunj Sanghavi
Digant Parekh
Pritam Chivukula

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Paras Gundecha
Pravin Doshi
Mohan Deshmukh
Mofatraj Munot
Rajni S. Ajmera
Late G. L. Raheja
Late Lalit Gandhi
Late Babubhai Majethia

CREDAI-MCHI UNITS

PRESIDENT, THANE
Ajay Ashar

PRESIDENT, KALYAN-DOMBIVLI
Manoj Rai

PRESIDENT, MIRA VIRAR CITY
Ashit Shah

PRESIDENT, RAIGAD
Vilas Kothari

PRESIDENT, NAVI MUMBAI
Prakash Baviskar

Ref. No. MCHI/PRES/17-18/231

June 19, 2018

To
Hon'ble Shri Devendra Fadnavis
Chief Minister
Government of Maharashtra,
Mantralaya,
Mumbai 400 032

मुख्यमंत्री सचिवालय
महाराष्ट्र शासन
मंत्रालय, मुंबई - ४०० ०३२.
दिनांक १९/६/१८

**Sub: 1. Request for Extension of period for submission of
Suggestion/Objections to Excluded Portions DCPR 2034**

**2. Continuing implementation of the Development Control
Regulations 1991, till finalization and implementation of
DP& DCPR 2034.**

Respected Sir,

Government of Maharashtra through its Urban Development department has accorded sanction to The Development Plan (DP 2034) and The Development Control and Promotion Regulations (DCPR 2034) in part vide notification under no. TPB-4317/629/CR-118/2017/DP/UD-11 dated 8th May 2018 apart from the excluding portions specifically mentioned in the **Schedule B** accompanying the said notification published in Government Gazette -RNI No MAHBIL/2009/35529, Thursday to Wednesday, 17th May to 23 May on 23rd May 2018.

The notification specifies that the said DP 2034 and DCPR 2034 shall come into force, one month after its publication i.e. on 23rd June 2018, thereby replacing the current prevailing Development Control Regulations 1991 as amended up to date (DCR 1991).

In this regard we would respectfully like to draw your attention to the extent of the excluded portion in the DCPR 2034. There are 165 nos. of Excluded Portions (EP) signifying substantial modifications to the Regulations governing development, particularly those stipulating Floor Space Index and Built Up Area Calculations. Further there are _ no. of substantial modifications in Development Plan of all MCGM Wards as per Schedule B published while sanctioning the Development Plan 2034. However, the Development Plans sheets duly incorporating the said substantial modifications are still not available on the Government/MCGM portals and Citizens are expected to personally visit the concerned offices to peruse the D.P. Plans, which is not a desirable proposition for intended Public Participation.

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Considering the vast magnitude of the said excluded portion and enormity of the regulatory provisions involved therein, it is felt essential to extend the period for submission of Suggestions/Objections for further period of at least 30 days (i.e. total period of 60 days) beyond 22nd June 2018. The grant of such extension will enable the concerned stakeholders to make meaningful contribution to the process.

Municipal Corporation of Greater Mumbai has decided to implement stringent provision of Excluded Portion of DCPR 2034 and Draft DCR 2034 (Published in 2016) for the development plan proposals in consonance with the Section 46 of M.R& T.P Act, 1966.

However, in respect of DCPR 2034, around more than 60% portion is under EP. As per Municipal Corporation's policy for the scrutiny of proposals sanctioned portion of DCPR 2034 will be implemented which is roughly 40% of DCPR and stringent provision of DCPR 2034 and Draft DCR 2034 (published in 2016) will be implemented by MCGM.

It may be added that, there were many modifications in DCR 1991 issued by Urban Development Department, even after the publishing of Draft DCR 2034 (published in 2016) and the same were operative so far.

However, most of the said modifications now form a part of the DCPR 2034 as Excluded Portions in Regulations sanctioned by Urban Development Department, thereby putting a freeze on the existing operative provisions. Thus, implementation of regulation as envisaged by MCGM will not be coherent. The scrutiny staff will find it extremely difficult to determine what is stringent for large portion of scrutiny (60%).

To avoid this specific confusion, the draft DCR 2034(Published in 2106) had built in transitional arrangement by which the development continued to be governed by DCR 1991.

Since the DCPR 2034 is yet to be sanctioned in entirety, the spirit and substance of the aforesaid provision in Draft DCR 2034 (Published in 2016) needs to be maintained till DCPR 2034 is fully sanctioned and comes into force.

Government of Maharashtra has been at the forefront for magnificent steps in respect of Building Permissions, as a part of the Ease of Doing Business (EODB). It is felt that such initiative may lose its edge, if the pragmatic and judicious approach is not adopted while implementing the DCPR 2034 provisions.

We therefore, earnestly feel that continuation of DCR 1991 till DCPR 2034 is fully sanctioned /implemented, would further bolster the EODB initiatives undertaken by State Government. It may be added that the removal of such uncertainty in the regulatory regime in Real Estate Industry would be in line with the vision of "Housing for All" of our Hon' Prime Minister.

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In view of the above submissions, we humbly request

1. To extend the period for submission of Suggestions/Objections to **Schedule B of notification under no. TPB-4317/629/CR-118/2017/EP/UD-11 dated 8th May 2018** for further period of at least 30 days (i.e. total period of 60 days) beyond 22nd June 2018.
2. To issue suitable directives under section 154 of MRTP Act to Hon'ble Municipal Commissioner MCGM, so as to facilitate the implementation of provisions of DCR -1991 as amended up to date, till the period DCPR 2034 is sanctioned in entirety and comes into force.

We await your kind consideration in this matter.

Thanking you,

Yours faithfully,
For **CREDAI-MCHI**



Mayur Shah
President



Domnic Romell
Hon. Secretary



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

Copy to:

1. **Dr Nitin Kareer (I.A.S.)**
Principal Secretary - I
Urban Development Department
Government of Maharashtra
Mantralaya, Mumbai - 400 032
2. **Shri Ajoy Mehta (I.A.S.)**
Municipal Commissioner,
Municipal Corporation of Greater Mumbai
Mumbai - 400 001

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नगरपालिका प्रियंका
मंत्रालय, मुंबई 400 032

