

Ref. No. MCHI/PRES/20-21/046

November 11, 2020

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Deepak Goradia

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Nainesh Shah
Domnic Romell
Bandish Ajmera

VICE PRESIDENTS
Sukhraj Nahar
Jayesh Shah
Ajay Ashar

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Pritam Chivukula

TREASURER
Munish Doshi

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Shahid Balwa
Subodh Runwal

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Dhaval Ajmera
Pratik Patel

JT. TREASURERS
Mukesh Patel
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Vyomesh Shah
Paras Gundecha
Pravin Doshi
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Rajnikant Ajmera
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Late Lalit Gandhi
Late Babubhai Majethia

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Ajay Ashar

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PRESIDENT, MIRA VIRAR CITY
Ashit Shah

PRESIDENT, RAIGAD
Kiran Bagad

PRESIDENT, NAVI MUMBAI
Vijay Lakhani

To,
Shri Iqbal Singh Chahal (I.A.S.)
Municipal Commissioner
Municipal Corporation of Greater Mumbai
Mumbai

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

Respected Sir,

Reference is please requested to the enclosed letter addressed to Principal Secretary UD- I regarding redevelopment of old and dilapidated buildings as per the provisions of regulation 33(6) of DCPR 2034. We have requested UD department to allow to utilize fungible FSI of the tenants for sale purpose to make the proposal financially feasible.

The old buildings were constructed as per the then prevailing bye-laws and permissible FSI. As per the present DC regulations, the said FSI is not permissible or allowable with utilization of TDR / additional FSI by paying premium. As the tenants of the existing dilapidated buildings are required to be reaccommodated with the carpet area as decided by regulation and further permissible Fungible FSI. However, the feasibility of the proposal gets adversely affected and becomes difficult to redevelop. There are many such buildings which cannot be redeveloped. To overcome this difficulties we have requested to allow to utilize fungible FSI of rehab tenants for sale purpose by paying premium, subject to permission from society by way of General Body Resolution (GBR).

The issue has been discussed in detailed at DP department and the department has pointed out that, the said permission to allow fungible FSI of tenants for sale purpose will create problems to the tenants and they will be deprived of their legitimate right.

However, we have noticed that the buildings become dilapidated and will increase the liability of MCGM / MHADA for shifting the tenants from said dilapidated buildings. The proposal becomes feasible only after allowing tenants fungible area for sale purpose. The societies / tenants are agreeable for said loss of area as their buildings getting redeveloped and they are getting re-accommodated in new building. Further, in some cases, the existing area of the tenants are large, and they are not in need of that area and make the proposal feasible they are ready to accept equivalent area.

Considering the observations of the officials of MCGM, we request you to consider the proposal with following riders in regulations.

- i) The fungible FSI of the tenement having size more than 80.0 sq.mts can be allowed to utilize for sale purpose as it will make the proposal feasible. This will attract the developer to redevelop the building and the responsibility of MCGM can be reduced.

- ii) In cases, wherein existing buildings consumed FSI more than zonal permissible and which makes the proposal non feasible for redevelopment, the option of allowing fungible FSI of the tenement for sale purpose will make the proposal attractive for redevelopment. However, a condition of minimum size tenement to the existing tenants can be inserted in regulation.

Thanking you,

Yours Faithfully,
For CREDAI-MCHI



Deepak Goradia
President



Pritam Chivukula
Hon. Secretary