

मुख्यमंत्री सचिवालय
महाराष्ट्र शासन
सचिवालय, मुंबई - 400 033.
दिनांक: २४/१९/१९

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Ref. No. MCHI/PRES/18-19/031

October 15, 2018

Dr. Nitin Katre (I.A.S.)
Principal Secretary - I
Urban Development Department
Government of Maharashtra
Mantralaya, Mumbai - 400 032

Sub: DCPR, 2034 - Incentive/Additional FSI for Owners of non-cessed buildings in Island City

Dear Sir,

As the representative body of the real estate fraternity in Mumbai, with a strong membership of over 1800 developers, we are submitting herewith a key concern that can not only significantly impact the city's real estate sector, but also severely affect the process of urban renewal through redevelopment.

We refer to the revised draft of the Development Control and Promotional Regulations, 2034 (DCPR), that bears a major inconsistency related to redevelopment of non-cessed buildings with commercial components, and draw your kind attention to rectify the same in the interest of easing Mumbai's development concerns.

Reproduced hereunder is the extract of the DCPR that, while giving the tenants their rightful privileges, fails to deliver any incentive to the owners of the non-cessed old buildings, effectively derailing the whole redevelopment process in the island city:

**Part VI - Additional Floor Space Index
(Draft Development Plan 2034)**

33(7)(A) Reconstruction or redevelopment of dilapidated/unsafe existing authorized tenant occupied building in Suburbs and extended Suburbs and existing authorized non-cessed tenant occupied buildings in Mumbai City.

For reconstruction/redevelopment of existing authorized tenant-occupied buildings, which have been declared unsafe for human habitation by or are to be demolished for the same reason under a lawful order by the Municipal Corporation of Greater Mumbai and duly certified as such, undertaken by landlord/s or Cooperative Housing Societies of existing tenants, the permissible FSI prescribed under these regulations and Appendix below, shall be admissible as under:

a) In case of the plot consisting of only tenant occupied building, the F.S.I. shall be equal to F.S.I. required for rehabilitation of existing lawful tenant plus 50% incentive F.S.I.

b) In case of composite development i.e. the plot consisting of tenant occupied building along with non-tenanted building such as owner occupied building/existing Co-op Housing Society buildings etc., the FSI available shall be equal to FSI required for rehabilitation of existing lawful tenant plus 50% incentive FSI plus FSI that has already authorisedly been utilized/consumed by the non-tenanted buildings/structures.

We submit before you that if the owners of old buildings are not given any incentive, they would have no reason to part with their precious land and building, effectively not just stalling the process of redevelopment of dilapidated buildings in the island city, but also risking the lives and livelihoods of lakhs of people who are working in commercial establishments in these precarious premises.

Through this communication, we request you to suitably rectify the DCPR draft and restore the incentives to the owners of old buildings under the provisions of 33(7)A, which will encourage the owners of hundreds of dilapidated buildings to opt for long-due redevelopment. This incentive is the only motivation for owners - and the developers - of these buildings with commercial components, since after the building is redeveloped the owners of buildings neither have ownership nor any stake in the new building, barring what they get as incentive for redevelopment. The much-needed corrective action by the Urban Development Department will not only regenerate livelihoods for thousands of persons working in dangerous conditions, but also earn significant revenues for the State and civic exchequer.

As stakeholders in this transformative journey, the developer fraternity of Mumbai is hopeful that a progressive government and administration will address this concern and pave the way for Mumbai's much-needed urban renewal.

Yours Sincerely,
For CREDAI-MCHI



Nayan A. Shah
President



Bandish Ajmera
Hon. Secretary



Sanjiv S. Chaudhary (MRICS)
CREDAI-MCHI Secretariat

CC:
Hon'ble Shri Devendra Fadnavis
Chief Minister
Government of Maharashtra
Mantralaya,
Mumbai - 400032.