

**PRESIDENT**  
Boman Irani

**IMMEDIATE PAST PRESIDENT**  
Deepak Goradia

**PRESIDENT-ELECT**  
Ajay Ashar

**VICE PRESIDENTS**  
Domnic Romell  
Shrikant Joshi  
Jayesh Shah  
Shailesh Purnanik  
Parag Shah  
Sukhraj Nahar

**HON. SECRETARY**  
Dhaval Ajmera

**TREASURER**  
Pritam Chivukula

**SPECIAL PROJECTS**  
Shahid Balwa  
Parag Munot  
Raajesh Prajapati  
Harshul Savla  
Parth Mehta

**HON. JT. SECRETARIES**  
Pratik Patel  
Tejas Vyas

**JT. TREASURERS**  
Mukesh Patel

**COMMITTEE MEMBERS**  
Harish Patel  
Nainesh Shah  
Bandish Ajmera  
Sandeep Raheja  
Subodh Runwal  
Rasesh Kanakia  
Deepak Gundecha

**SPECIAL ADVISORS**  
Abhishek Lodha  
Gautam Chatterjee  
Ar. Hafeez Contractor  
Anuj Puri  
Ankur Gupta  
Adv. Parimal Shroff

**INVITEE MEMBERS**  
Mohit Malhotra  
Jackbastian Nazareth  
Venkat K. Narayan  
Abhishek Kapoor  
Amit Thacker  
Gurminder Singh Seera  
Munish Doshi  
Nishant Agarwal  
Cherag Ramakrishnan  
Azim F. Tapia  
Jayesh C. Shah  
Shailesh Sanghvi  
Sunny Bijlani  
Binitha Dalal  
Sahil Parikh  
Nikunj Sanghavi  
Rushank Shah  
Ricardo Romell  
Samyag Shah  
Rushi Mehta  
Rajeev Jain

**YOUTHING CONVENOR**  
Naman Shah

**PROCUREMENT CONVENOR**  
Nimish Ajmera

**WOMEN'S WING CHAIRPERSON**  
Mona Ajmera

**CREDAI-MCHI UNITS**

THANE  
KALYAN-DOMBIVLI  
MIRA VIRAR  
RAIGAD  
NAVI MUMBAI  
PALGHAR BOISAR  
BHIWANDI  
SHAHAPUR-MURBAD  
URAN-DRONAGIRI  
ALIBAG  
KARJAT-KHALAPUR-KHOPOLI

To,  
**Smt. Valsa Nair Singh (I.A.S.),**  
Additional Chief Secretary  
Housing Department  
Government of Maharashtra  
Mantralaya, Mumbai – 400 032

**Sub: Grant of Fungible Compensatory Area under Regulation 31(3) of DCPR-2034 to slum rehabilitation schemes which are classified as Projects of Vital Public Importance / Special Projects**

**Ref: (1) Letter of CEO(SRA) u/no. SRA/ED/OW/2020/13272 dated 02/07/2020 addressed to Addl. Chief Secretary, Housing Dept., GoM**  
**(2) Tender / RFQ-cum-RFP published by the State Govt. for redevelopment of Dharavi Notified Area**

Respected Ma'am,

Reference is requested to the above referred letter written by the CEO (SRA) to the Addl. Chief Secretary, Housing Dept., Government of Maharashtra wherein the CEO (SRA) had brought the attention of the Government to the following provisions of Development Control & Promotion Regulations, 2034 (DCPR-2034):

Clause 1.1 of the Regulation 33(10) [Redevelopment for Rehabilitation of Slum Dwellers]:  
*"1.1. Hutment-dwellers, in the slum or on the pavement, eligible in accordance with the provisions of this Regulation shall in exchange of the protected dwelling structure, be given free of cost a residential tenement having a carpet area of 27.88 sq. m including balcony, bath and water closet, but excluding common areas.*

*For this purpose of "carpet area" means the net usable floor area within a tenement excluding that covered by the walls or any other areas specifically exempted from floor space index computation as per prevailing Regulation."*

Regulation 31(3) [Fungible Compensatory Area]:

*"Notwithstanding anything contained in the D.C. Regulations 30, 32 & 33, the Commissioner may, by special permission, permit fungible compensatory area, not exceeding 35% for residential / Industrial / Commercial development, over and above admissible FSI/BUA, by charging a premium at the rate of 50% for Residential and 60% for Industrial and Commercial development of ASR (for FSI 1), which is to be shared between MCGM, State Govt. and MSRDC (for Sea Link) in 50%, 30% and 20% respectively.*

*Provided that in case of redevelopment under regulation 33(7), 33(7)(A), 33(8), 33(9), 33(9)(B), 33(20), and 33(10) excluding clause No.3.11 of the Regulation the fungible compensatory area admissible on AH / R&R component shall be granted without charging premium.....*

*..... Provided further that such fungible compensatory area for rehabilitation component shall not be used for free sale component and may be used to give additional area over and above eligible area to the existing tenants/occupants. Fungible compensatory area admissible to one rehabilitation tenement cannot be utilized for another rehabilitation tenement"*

**Maharashtra Chamber of Housing Industry**

Maker Bhavan II, 4<sup>th</sup> Floor, 18, V. Thackersey Marg, New Marine Lines, Mumbai - 400 020.  
Tel: 42121421, Fax: 4212 1411/407 Email: secretariat@mchi.net Website: [www.mchi.net](http://www.mchi.net)

On the basis of above express provisions in the DCPR-2034, the CEO (SRA) had explained in his representation that there is no bar in Clause 1.1 of Reg. 33(10) to allow fungible compensatory area to be provided to the rehabilitation tenement in addition to the carpet area of 27.88 sq. mtrs. Vide his above letter, he had sought clarification from the State Govt. on allowing fungible compensatory area under Reg. 31(3) to be provided in addition to the prescribed tenement size under Clause 1.1 of Reg. 33(10) and to further allow rehabilitation component including fungible compensatory area.

Thereafter, the State Government published Tender for redevelopment of Dharavi Notified Area (DNA). The State Government has declared this project as a vital public purpose project for effective implementation of the Dharavi Redevelopment Project (DRP) and being a vital public purpose project, the State Government has also permitted fungible area for rehab residential tenements, over and above their basic entitlement of 27.88 square meters carpet area.

It is pertinent to highlight here that there are several other redevelopment / rehabilitation projects which have been classified as Projects of Vital Public Importance by the Municipal Corporation of Greater Mumbai (MCGM) / Government of Maharashtra (GOM). These projects comprise of missing vital links to arterial roads, expansion of Sewerage Treatment Plants (STPs), projects undertaken under MUIP / MUTP, etc. Most of these projects are of utmost importance for catering to the need of public at large, exactly like the redevelopment of larger Dharavi Notified Area and that is precisely the objective with which these projects have been declared as Vital Public Purpose Projects / Special Projects by the State Govt. Most of these projects are held up for several years as the underlying land in these projects are encroached by slums / unauthorised constructions.

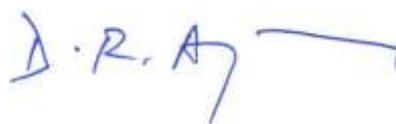
Therefore, with a view to expedite these projects and provide additional incentives to the slum dwellers residing on these lands to vacate such lands and avoid further delay in implementation of these projects, Government ought to permit additional fungible area to the slum dwellers on these lands, upto 35% as provided in the DCPR-2034. By allowing the fungible compensatory area to the slum dwellers / occupants of such vital public purpose projects, the developers shall also be encouraged to take up these projects expeditiously. Quicker implementation of these vital public purpose projects will help in clearing the underlying lands and putting to use the required amenity and / or creation of necessary infrastructure facility for which these projects are declared as vital public purpose projects / special projects.

We therefore humbly request you to consider our above submission positively which will help in achieving the objective of the Government of quicker implementation of vital public purpose projects / special projects.

Thanking you,

Yours faithfully,  
For CREDAI-MCHI

  
**Boman Irani**  
President



**Dhaval Ajmera**  
Hon. Secretary