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To,

**Shri Ashwini Kumar Choubey**

Hon'ble Minister of State for Environment,  
Forest & Climate Change,  
Indira Paryavaran Bhavan,  
Jor Bagh Road,  
New Delhi - 110003

**Subject: Regarding Slum Redevelopment projects in CRZ area in Greater Mumbai, as per CRZ Notification 2019.**

**Reference: (1) CRZ Notification, 2019 dated 18.01.2019**

**(2) CREDAI-MCHI's letter addressed to Hon'ble Minister for MoEF & CC, Shri Bhupender ji Yadav bearing No. MCHIPRES23-25009 dated 27.4.2023**

Respected Sir,

CREDAI-MCHI is an apex body comprising members from the Real Estate Industry in the Mumbai Metropolitan Region (MMR) with an impressive membership of over 1800+ leading developers in MMR. Being the only Government-recognized body for private sector developers in MMR, CREDAI-MCHI is dedicated to promoting the industry's organization and progress.

With reference to the subject matter, we have addressed this issue to the Hon'ble Minister for Environment, Forest & Climate Change, Shri Bhupendra Ji Yadav and the same is reproduced as under for your kind attention and necessary consideration, please.

The Government of Maharashtra has launched a comprehensive slum rehabilitation scheme by introducing an innovative concept of using land as a resource and allowing incentive floor space index (FSI) in the form of tenements for sale in the open market, for cross-subsidization of the slum rehabilitation tenements, which are to be provided free to the slum-dwellers.

As you are aware, the slum rehabilitation schemes have achieved in improving infrastructure of this city by clearing public utility plots like roads, infrastructures, reservations and open spaces. These schemes have been a role model for not only our country but also internationally wherein various dignitaries from across globe have visited and appreciated the scheme.

Since 2001, there has been no development of slum schemes in CRZ area (Affecting more than one million slumdwellers) due to no clarity of these regulations or having norms which made development of these schemes unviable. A glimmer of hope came in 2019 where in all the restrictions of development were opened up and the slums in CRZ could be developed in similar manner as any other slum scheme across the city.

However due to misreading and misinterpretation of these regulations contained in CRZ notification 2019 has led to MCZMA asking for clarification from your office and have withheld granting permission to any of slum rehabilitation schemes in CRZ area for this clarity from MoEF&CC.

The MCZMA, vide its 162<sup>nd</sup> meeting minutes Copy of the same is enclosed as **Annexure A**, as well as correspondence with MoEF&CC, appears to have misinterpreted the above provisions by asking for clarification on issue of slum redevelopment in CRZ Area.

**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)

CREDAI-MCHI CHAPTERS : THANE | KALYAN-DOMBIVLI | MIRA BHAYANDAR | RAIGAD | NAVI MUMBAI |  
BHIWANDI | PALGHAR BOISAR | SHAHAPUR-MURBAD | URAN-DRONAGIRI |  
VASAI VIRAR | ALIBAG | KARJAT-KHALAPUR-KHOPOLI | YOUTH NMR

We have time and again represented to MCZMA that all the properties (whether occupied by slum or otherwise) situated on the landward side of existing road can be developed under Cl. 5.2(ii) and 5.2(iii) of the CRZ notification 2019. (Extract attached herewith as **Annexure B**).

The said clauses are a clear code for construction of buildings on landward side of existing road or existing authorized structure. These clauses read together are wide enough to include any kind of development in CRZ.

It may be noted that the Hon'ble High Court of Mumbai has passed Orders dated 20<sup>th</sup> October 2022 in WP(L) No. 32454/2022 (Akshay Sthapatya Pvt. Ltd. vs Union of India & Ors.). The Hon'ble High Court has directed the MCZMA to appraise the slum rehabilitation projects on the subject plot under CRZ 2019 Notification and applicable laws within a time bound manner by disregarding the clarification sought by MCZMA in its letter dated 8<sup>th</sup> February 2019.

However, MCZMA on the basis of its misinterpretation of the aforementioned CRZ 2019 notification, has continued to read as clause 5(iv) of the notification has an overriding effect over clause 5(ii) read with clause 5(iii). The clause 5(iv) is clearly applicable only to properties situated on the seaward side of the existing road, where only authorised structures are allowed to be developed. The position of only authorised structures being allowed to be developed on the seaward side of existing road, is consistent with the provisions of CRZ notification of 1991 and 2011. While clause 5(ii) read with 5(iii) are complete code of development applicable to the properties (whether occupied, vacant, slum or otherwise) on the landward side of the existing road, the clause 5(iv) is applicable only to properties which are located on the seaward side of the existing road.

**We request to issue a clarification from MoEFCC that**

- (i) **all the slum scheme situated on the landward side of existing road should be examined by MCZMA under clause 5(ii) and 5(iii).**  
**And**
- (ii) **The clarification of including protected structure in the definition of the authorised structure is only required for slums situated in the seaward side of the existing road.**

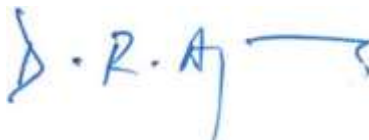
We request your earliest intervention in this issue as it will enable lakhs of families to get better livelihood through safe, hygienic homes with all basic necessary amenities. This would also drastically improve the coastal environment which currently is fully covered by large swathes of slums which do not leave an iota of open space.

Thanking you,

Yours sincerely,  
For **CREDAI-MCHI**



**Domnic Romell**  
President



**Dhaval Ajmera**  
Hon. Secretary

Encl : As above

CC:

**1. Shri Sujit Kumar Bajpayee (I.A.S.),** Joint Secretary, MoEF & CC.

**2. Dr. H. Kharkwal,** Additional Director/Scientist 'E' & MS, (CRZ), Govt. of India, MoEF & CC, New Delhi -110003