

**MANAGING COMMITTEE
2023-2025**

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Boman Irani

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Ajay Ashar

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Abhishek Lodha

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Jayesh Shah
Sukhraj Nahar
Sandeep Raheja
Rasesh Kanakia

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Shailesh Puranik
Pritam Chivukula
Amit Thacker
Jackbastian Nazareth

SECRETARY
Dhaval Ajmera

TREASURER
Nikunj Sanghavi

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Pratik Patel
Sunny Bijlani
Rushi Mehta

JOINT TREASURER
Gurminder Singh Seera

COMMITTEE MEMBERS
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Subodh Runwal
Parag Munot
Nainesh Shah
Mukesh Patel
Munish Doshi
Raajesh Prajapati
Shailesh Sanghvi
Parth Mehta
Harmohan Sahni
Jayvardhan Goenka
Umang Kuwadia
Prashant Khandelwal
Binitha Dalal
Ayushi Ashar
Samyag Shah
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Adv. Parimal Shroff
Anuj Puri

STATISTICS AND RESEARCH
Dr. Adv. Harshul Savla

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Harsh Hiranandani

Ajay Nahar
Azim F. Tapia
Cherag Ramakrishnan
Vijay Lakhani
Jayesh Chauhan
Aditya Shah
Shraddha Goradia
Sudhanshu Agarwal
Hussain Lalani
Sahil Parikh
Aditya Mirchandani
Rushi Ajmera

YOUTHWING CONVENOR
Naman Shah

PROCUREMENT CONVENOR
Nimish Ajmera

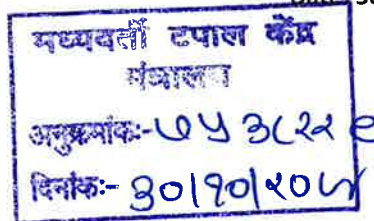
WOMEN'S WING CHAIRPERSON
Jesal Shah

CREDAI - MCHI

Ref. No. MCHI/PRES/24-25/142

Date: 30/10/2024

To,
Shri Aseem Kumar Gupta (I.A.S.),
Principal Secretary – 1,
Urban Development Department,
Government of Maharashtra,
Mantralaya, Mumbai – 400032



Subject: To issue corrigendum to the sanctioned modification in Regulation 33(20)(B) of Development Control and Promotion Regulations -2034 of Greater Mumbai under

Reference: Notification issued u/No. TPB-4323/C.R.35/2024/UD-11 dated 15th October 2024 sanctioned under section 37(2) of the said Act.

Respected Sir,

Urban Development Department, Government of Maharashtra has issued Notification under No. TPB-4323/C.R.35/2024/UD-11 dated 15th October 2024 regarding Sanction to modification in Regulation 33(20)(B) of Development Control and Promotion Regulations -2034 of Greater Mumbai under section 37(2) of the said Act.

In this case, Modification Proposal was submitted by the BMC vide letter dated 19.10.2023, wherein it is stated that, "BMC is in dire need of substantial number tenements for Project affected Persons (PAP) for various infrastructure projects taken up in hand in Mumbai. It is observed that, since coming into effect of DCPR-2034 on 1st September 2018, very few proposals are received under the prevailing provision of Reg. 33 (20)(B) of DCPR 2034. To generate more such PAP tenements in those wards where infrastructure projects are taken up in hand and to avoid general public's tendency to refuse, resettlement in location away from present accommodation, it is felt necessary to encourage developers/owners to generate PAP tenements on their plots so that the same will be available to rehabilitate PAPs in the same ward or adjoining ward".

Considering the above facts, the said corporation in exercise of the powers conferred under sub-section (I) of section 37 of the said Act, has initiated a modification proposal to modify Regulation 33(20)(B) of the said Regulations (hereinafter referred to as the proposed modification); And whereas accordingly, the said Corporation had issued Notice for inviting suggestion/objections from the general public with regard to the proposed modification which is published in Maharashtra Government Gazette on 23rd March, 2023; and the said Corporation after completing all the legal procedure regarding the proposed modification as stipulated under Section 37(1) of the said Act, has submitted the modification proposal vide letter dated 19/06/2023 to the Government for sanction. Now, considering the said request from the Corporation, State Government had sanctioned the said modifications with certain changes under Section 37(2) of the said Act u/No. TPB-4323/C.R.35/2024/UD-11 dated 15th October 2024.

However, it is to mention here that, the said corporation at Sr. No. m of the recommendation had mentioned as follows necessary additional provision to the Regulation 33(20)(B):

"Note: Out of the total premium amount collected under this Regulation, 2/3 shall be kept in a separate account to be utilized for infrastructure development by BMC and 1/3 shall be deposited at the Office of the Deputy Director of Town Planning, Greater Mumbai.

OR

m) Provided further that the BUA of AH/ R&R component under this regulation can also be provided in any scheme within the same municipal ward or adjoining municipal ward of BMC or within the distance of 5 km, provided that the BUA to be handed over to BMC shall be equivalent value as per ASR of the year of surrender of the tenements. This will be worked out in the following manner.

Maharashtra Chamber of Housing Industry

Maker Bhavan II, 4th 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

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

Built up area B = Built up area A x (RR A / RR B)

where,

Built up Area A = BUA of AH/ R&R component proposed to be shifted from plot A

Built up Area B = BUA of AH/ R&R component to be handed over to BMC at plot B in lieu of BUA of plot A

RR A = Ready Reckoner Rate for BUA at plot A

RR B = Ready Reckoner Rate for BUA at plot B

Provided also that, in such cases minimum 10 nos. of AH/ R&R tenements to be provided in one building/ wing.

Provided further that in case of constructed & completed tenements to be handed over to BMC, the age of the tenements at the time of handing over these tenements shall not be more than seven years calculated from the date of C.C. to the said tenements.

n) Parking shall be provided as per the provision of Table 21 of Regulation 44 as applicable for AH & R&R tenements

o) Development charges shall not be recovered for the BUA to be handed over to MCGM for AH & R&R tenements

p) Provisions of Reg. 41(5) of DCPR 2034 will be applicable for development under Reg. 33(20)(B).

q) Notwithstanding anything contained in these regulations, the AH/R&R component generated against the development of reservation of Rehabilitation & Resettlement (RRZ) of net plot admeasuring up to 1000sqm as per Reg. 17(1) can be clubbed under Reg.33(20)(B). Such clubbing shall be permitted within same ward or adjoining ward or within the distance of 5.00km, subject to conditions mentioned in para m above, of this sub regulation.

r) Provisions of Reg. 43 of DCPR 2034 shall not be applicable for development under Reg. 33(20)(B).

s) In case of combination scheme, LOS shall be provided to the extent of 10% of prorata plot area under 33(20)(B) and as per Regulation 27(1)(a) for balance plot area."

However, during the sanctioning process for the aforementioned modification, Sr. No. (q) as mentioned above, were inadvertently excluded from the final approval of the modified Regulation 33(20)(B). Given that these provisions are specifically designed to support Rehabilitation and Redevelopment Schemes, their omission from the final sanction lacks justification and may compromise the intent and effectiveness of the regulation in addressing these critical areas. It is essential to rectify this oversight to ensure comprehensive support for rehabilitation and redevelopment initiatives.

In view of the above, Government in Urban Development Department is requested to issue corrigendum to include the above-mentioned point (q), as recommended by the said Corporation.

Submitted for your consideration please.

Yours sincerely,

For CREDAI-MCHI



Dominic Romell
President



Dhaval Ajmera
Hon. Secretary

PS: Contact Person Mr. Sanjay Phope : 96193 45193

CC:

1) Dr. Bhushan Gagrani (I.A.S.),
Municipal Commissioner,
Brihanmumbai Municipal Corporation,
Fort, Mumbai - 400 0001.

2) Shri Sunil Rathod,
Chief Engineer [Development Plan] [I/C]
BMC Head Office, Mahapalika Marg,
Fort, Mumbai-400001

