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2023-2025**

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CREDAI - MCHI

Ref. No. MCHI/PRES/24-25/222

Date: 10/1/2025

To,

✓ **Shri Aseem Kumar Gupta (I.A.S.),**
Additional Chief Secretary - 1
Urban Development Department,
Government of Maharashtra,
Mantralaya, Mumbai - 400032

Subject: Regulation 33(23) of DCPR 2034

Respect Sir,

Reference is requested Urban Development Department (UDD) notification dated 29/02/2024 bearing Ref No. TPB-4320/314/CR- 162/2020/UD-11 wherein UDD has issued directives u/s 154(1) of MR&TP Act, to implement Reg. 33(23) of DCPR 2034 i.e. 'Transit Oriented Development' (TOD Regulation).

Further reference is requested to sub regulation 2.2 of TOD Regulation which read's as follows:

"2.2 Impact Assessment and Integrated Mobility Plan:-

Such TOD FSI over and above the Principal FSI, shall be granted by the Municipal Commissioner, BMC from where the underground Metro Rail Line is passing through, subject to condition that the land proposed to be developed under this regulation is connected or proposed to be connected directly with the underground Metro Station by a vestibule of a minimum clear 3.5M width for pedestrian movement or more subject to a maximum length of 500 mtrs or less and further as may be determined by the MMRCL/ Metro Proponent and such a vestibule shall open directly into the land proposed to be developed under this regulation and further subject to the Impact Assessment of the impact on the city and sector level infrastructure and amenities as well as on traffic and environment and which Impact Assessment study shall be carried out by the project proponent. Such Impact Assessment shall also contain traffic simulation study and may contain measures to be undertaken to mitigate the impact if any and the Action Plan if any for implementation of such measures in a time bound manner. However, the cost of construction of the vestibule from the Metro Station upto the land proposed to be developed under this regulation shall be borne by the landowner / developer. In case the vestibule connecting the Metro Station passes through BMC Road/footpath, the BMC shall give its NOC for the same subject to the owner/developer bearing the cost of shifting any utilities. The same shall apply to any Road Footpath on Government Land/ MHADA Land/ MMRDA Land/ any Government Authority. However, in case the vestibule passes through any property other than Road/Footpath, the MMRCL/ Metro Proponent shall obtain at the cost of the project proponent the NOC from the land owner so affected for construction of the vestibule. The project proponent shall only be entitled to avail the FSI under this regulation after signing of an agreement / MoU with Mumbai Metro Rail Corporation Ltd. (MMRCL). However, Occupation Certificate to the development shall only be granted after the actual vestibule connecting the land from the Metro Station is constructed and opened to public use. Necessary NOC to this effect shall be insisted by the BMC/Planning Authority from the MMRCL/Metro Proponent before grant of Occupation Certificate to the development undertaken as per this regulation..."

Maharashtra Chamber of Housing Industry

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Based on the abovementioned requirement's stated in regulation, various developer's/land owners had accordingly approached/made applications MMRCL to execute MoU/Agreement's for construction of vestibule's directly connecting plot's to the underground metro stations. However, it was informed by MMRCL that construction of these vestibule's shall be done undertaken by the developer's/land owners.

At the outset, we state that entrusting the responsibility of constructing a public vestibule's under public land to developer's/land owners is not a viable option. The construction has to be done by MMRCL which has already constructed the entirety of the Underground Metro Line 3. MMRCL constructing these vestibules will allow for seamless alignment and integration with already constructed Line 3 stations. This will help avoid compatibility and safety issues which will arise out of multiple different private contractors who would be appointed by multiple different developer's/land owners for taking up vestibule construction.

Given the extensive expertise and resources available within MMRCL, it is best positioned to manage the construction of these vestibule's effectively and entrusting this to private contractors of various developer's/land owners may lead to several challenges including compromise on quality and safety which could compromise the safety of the overall underground metro system and negatively affect the outcome and long-term goal of the TOD Regulation as well as the City Metro System.

Moreover, the Regulation notified by Govt. is clear in its reading which assign the responsibility of only bearing the cost of construction of such vestibules to the developer/landowners. It is of utmost importance that MMRCL undertake the responsibility of constructing these critical vestibules so as to ensure standardized well executed construction to deliver superior public value. These TOD vestibules will continue to be a part of the long-term infrastructure of the city and also contribute to the ridership of Metro Line 3.

In view of the above, we request for a joint meeting with your office and MMRCL to discuss and achieve closure on this issue at the earliest.

Thanking you,

Yours sincerely,
For CREDAI-MCHI



Dominic Romell
President



Dhaval Ajmera
Hon. Secretary

PS: Contact Person Mr. Sanjay Phope - +91 9619345193