

BRIHANMUMBAI MUNICIPAL CORPORATION

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No. AC/Estates/10167/A.E.(Imp)-I Dtd. 29 /09/2022.

To,
The Developer,
M/s. GBD Infra Project LLP
Office no. 401,
Tanishka Commercial Premises
Cs Ltd., Akurli Road,
Kandivali (E), Mumbai - 400101.

To,
The Chief Promoter Society,
Shree Mahapurush Co-op Hsg.
Soc. (Prop.)
Koli Chawl,
Parmar Guruji Marg,
Parel, Mumbai - 4000123

To,
The Architect,
M/s. Mhatre & Associates,
1/161, Sai Kripa,
Road no. 10, Near U.I.C.T.,
Wadala (West),
Mumbai - 400031.

Sub:- Proposed redevelopment of Municipal Tenanted property situated on plot bearing C.S.No.93/74(pt) (plot no.147)(pt), C.S. No. 96/74 (pt), (plot no.138 pt), C.S. No. 88/74(pt) & C.S. No. 97(74) (plot no.137 pt) of Parel Sewree Division of Shri Mahapurush CHS (proposed) known as Koli Chawl under reg. 33(7) of DCPR - 2034.

Society: Shree Mahapurush Co-op. Hsg. Soc. (Prop.)

Developer: M/s. GBD Infra Project LLP

Architect: Mhatre & Associates

Ref:-

1. LOI issued u/no. AC/Estates/1375/A.O. (Soc.)/Soc.-II dtd. 26/06/2015.
2. Architects letter dtd. 30/12/2021.
3. AC/Estates/15663/A.O.(Soc)/A.E.(I)-I Dtd. 25/03/2022.
4. AMC/City/D/2591 dtd. 31/03/2022.
5. Letter issued u/no. AC/Estates/21825/ A.E.(I)-I Dtd. 13/04/2022 for Change of Developer & Architect.
6. AC/Estates/21825/AE (I) - I dtd. 18/04/2022.
7. Dy. Ch. Eng (Imp)/523 dtd.11/08/2022.
Hon'ble MC approval u/no. MGC/F/7582 dtd. 20/09/2022.

Revised LOI

Gentlemen,

This is redevelopment proposal of Municipal tenanted property on plot bearing C.S.No.93/74(pt) (plot no.147)(pt), C.S. No. 96/74 (pt), (plot no.138 pt), C.S. No. 88/74(pt) & C.S. No. 97(74) (plot no.137 pt) of Parel Sewree Division known as Shri Mahapurush CHS (proposed) as per DCR 1991 and now the converted scheme as per UD Department Notification dt. 08.07.2021 for Regulation 33(7) of DCPR-2034.

The redevelopment proposal of Koli Chawl submitted by Shree Mahapurush Co-Operative Housing Society was approved by Improvement Committee and Corporation vide its Resolutions vide ICR No. 140 of 31.03.2015 & CR No. 5 of 07.04.2015 respectively with the FSI 3.00 as per Regulation of 33(7) of DCR-1991 & the LOI for the scheme was issued on 26.06.2015.

The Architect M/s. Mhatre & Associates vide letter dtd. 30.12.2021 requested BMC to revise scheme parameters as per UD Department Notification dt. 08.07.2021 for Regulation 33(7) of DCPR-2034.

In this case, the tenement density of the plot under reference is 709.25 tenements/hector (Tenement Density = $106 \times 10000 / 1494.53 = 709.25$) which is more than 650 tenements/ hector. Therefore the carpet area to the existing tenants is enhanced by 15% more than earlier area given to the existing tenants as per clause 33(7)5(b) of DCPR-2034 and the said scheme get the incentive area @ 100% rehab area.

As per Govt. of Maharashtra sanctioned modification to Regulation 33(7) and 33(9) of DCPR-2034 under MRTP Act 1966 for Greater Mumbai vide No.TPB-4320/107/CR-72/2020(Part-I) UD-11 dt.08.07.2021. Dy.Ch.Eng.(Imp) scrutinized the proposal & submitted for approval to Hon'ble M.C. & same is approved by Hon'ble M.C. vide u/no. MGC/F/7582 dtd. 20/09/2022. As per approval the salient features of the scheme are as under :-

Table-1

1	Name of Property	Mahapurush CHS (Proposed) – Koli Chawl		
2	Location	At the Junction of Earnest Borjes Road & Parmar Guruji marg on bearing C.S no.93/74(pt), 96/74, 88/74 having final plot no.138,139 & 147 of Suparibag Estate scheme no.31 of Parel Sewree division in F/South ward, Parel, Mumbai – 400 012.		
3.	Zone	Residential		
4	a) As per DCR 1991	Extension to Municipal secondary school (part of larger reservation) and Recreation Ground		
	b) Reservation As per DCPR 2034	EOS 2.6 (Recreation Ground)		
5	Ward	F/South ward		
6	Access	Parmar Guruji Marg		
7	R.G. Area	227.81 Sq. Mt.		
8	Plot Area under scheme as per Annexure-II	1850.04 Sq. Mt.		
9	Plot Area as per final Demarcation by C.S.L.R.	1494.53 Sq. Mt.		
10	Exiting Road set back	290.44 Sq. Mt.		
11	Net Plot Area (1494.53-227.81-290.44)	976.28 Sq. Mt.		
12	Permissible BUA as per FSI 3.0 (976.28x1.2)	2928.84 Sq. Mt.		
13	15% Additional Carpet area to the rehab tenant as per Reg. 33 (7) (5) (b) of DCPR 2034 (437.72 x 1.2)	525.26 Sq. Mt.		
14	Total Permissible BUA on the plot	3454.10 Sq. Mt.		
15	Area Presently occupied by existing tenants as per Annexure II	Area in Sq. Mt.		
	A) Category & No. of T/S (Pre 1969 structure)			
	i) Residential 103 Nos.	1044.78		
	ii) Commercial 02 Nos.	18.58		
	iii) Residential+Commercial 01 No	18.95		
Total (106 Nos.)	1082.31			
16	Calculation of BUA required for Rehabilitation of existing tenants Category & No. of T/S (Pre 1969 structures)			
	Category	Carpet Area in Sq. Mt.	15% Additional Carpet Area to the rehab tenants in Sq. Mt.	Total Carpet Area to the tenant in Sq. Mt.
	Residential – 103 x 27.88 x 1.2	2871.64	430.75	3302.39
	Commercial – 02 Nos. (2x9.29x1.2)	18.58	2.79	21.37

	Residential + Commercial – 01 No. (1 x 27.88 x 1.2)	27.88	4.18	32.06
	Total Tenant – 106 Nos.	2918.10	437.72	3355.82
		BUA (3355.82x1.2)		4026.98
17	LR/RC= 88970/30250=2.94 (Zone-11/83) Scheme liable for 100% incentive as the tenement density of the scheme is more than 650 t/ha. Incentive Area @100% rehab area on (A) 4026.98 X 100% = 4026.98 Sq. Mt.			
18	Rehab + Incentive (16+17)		8053.96	
19	Permissible BUA higher of sr.no.14 & 18 above		8053.96	
20	Surplus Area		NIL	
21	As per condition of DL to MS 836.00 Sq. Mt. BUA of Secondary School for 400 students shall be handed over to BMC free of cost		836.00	
22	Construction TDR in Sq. Mt. in lieu of school to developer – 1.5 x (30250/88970) x 836.00		426.39	
23	Developed R.G handed over by the developer in lieu of Existing RG		227.81	
24	Time period for completion of redevelopment project		5 Years	

In this case FSI required for rehabilitating the existing tenants and its incentive FSI, is more than permissible BUA as per FSI 3.00 on gross plot area. Hence, there will be no any Capitalized value generated in the Scheme.

Comparison of Earlier approved scheme and proposed scheme

Table – 2

Sr. No.	Particular	Earlier Approval as per LOI dtd. 26/06/2015	Changes as per Notification dtd. 08/07/2021 to Reg. 33(7) of DCPR 2034
1	Additional carpet area given to tenants.	Not applicable at relevant time as per DCR 1991.	15% of 27.88 Sq. Mt. as per DCPR 2034.
2	Percentage of Incentive FSI to the scheme	50 % as per DCR 1991	100 % as per DCPR 2034.
3	Total permissible BUA	5250.82 Sq. Mt. as per DCR 1991.	8053.96 Sq. Mt. as per DCPR 2034.
4	Surplus Area	Nil	Nil
5	Capitalized Value	Nil	Nil
6	BUA of school for 400 students shall be handed over by the developer to BMC	836.00 Sq. Mt.	836.00 Sq. Mt.
7	Developed R.G shall be handed over to BMC	227.81 Sq. Mt.	227.81 Sq. Mt.
8	Road set back area shall be handed over to BMC	290.44 Sq. Mt.	290.44 Sq. Mt.

Project period & penalty for delay

As per the policy approved by Corporation vide CR No. 1464, dtd. 11.01.2022 the project period & penalty for delay shall be applicable as under.

Table - 3

Plot Area (Sq. Mt.)	Project Period (Years)	Penalty for delay of Rehab bldg and Built up Amenity/Reservation	
Upto 2000 (In this case the Plot Area scheme under the scheme is 1494.53 Sq. Mt.)	5 Years	a)	0.15% of SDRR as applicable on date of actual payment, per month, on balance rehab BUA. Maximum penalty amount shall be 5% of plot value as per SDRR.
		b)	0.15% of SDRR as applicable on date of actual payment, per month, on balance Built up Amenity Area/Reservation. Maximum penalty amount shall be 5% of plot value as per SDRR.
		c)	Above penalties will be levied till granting of full OC to Rehab bldg and Built up Amenity/Reservation Component.

Stages of granting Permission for Construction of Rehab & Sale bldg

In Redevelopment scheme of Municipal tenanted property if the rehab building/wing and saleable component building/wing are separate than the permission for construction of rehab component building and saleable component building shall be given as mentioned below:

Table - 4

Sr. No.	Rehab Building	Sale Building
1.	Plinth C.C. to Rehab	Plinth C.C. to sale
2.	Rehab bldg. is completed up to 40%	20% further C.C. for sale bldg.
3.	Rehab bldg. is completed up to 60%	40% further C.C. for sale bldg
4.	Work of Rehab bldg. is completed for 100% and O.C. is received	Full C.C. for sale bldg.

In case of composite bldg of Rehab & Sale component, above condition may not be applicable. In this case Dy. Ch. BP (City) to take appropriate decision at their level.

The said LOI issued subject to compliance of following Terms & Conditions:

1. That, revised LOI issued under reference is valid for the period of One year.
2. That, Developer/ Society shall abide all the terms & consents mentioned in the LOI issued u/no. AC/Estates/1375/A.O. (Soc)/ Soc II Dtd. 26.05.2015 & Letter issued u/no. AC/Estates/21825/A.E.(Imp)-I Dtd. 13.04.2022 for change of Developer & Architect.
3. That, Developer to provide minimum carpet area of 32.06 Sq. Mt. to rehab tenants (i.e. 27.88 Sq. Mt. + 15% additional area of 4.18 Sq. Mt.).
4. That, Developer is allowed for 100% incentive FSI instead of earlier 50% incentive FSI as per Table-2 above.
5. That, Developer to allow permissible BUA of 8053.96 Sq. Mt. instead of earlier 5250.82 Sq. Mt (as per LOI dtd. 26/06/2015) as per Table - 1 & Table - 2 above.
6. That, Developer to handover Municipal School BUA of 836.00 Sq. Mt. to BMC free of cost in lieu of construction TDR of 426.36 Sq. Mt., before NOC to O.C. for Sale Component.

7. That, Developer to handover developed R.G. Area of 227.81 Sq. Mt. to BMC free of cost, before NOC to O.C. for Sale Component.
8. That, the project period for the proposed redevelopment of the scheme shall be 5 years from the date of CC issued by EE(BP) City or 180 Days from revised LOI, whichever is earlier.
9. That, Developer shall liable to pay OTP for FCBUA for the Sale Component at the rate of 5% & 10% of SDRR applicable on the date of payment for Residential & Non-Residential component respectively before requesting NOC to C.C. / Further C.C. of Sale Bldg. or as per policy approved by Corporation in this regards, whichever is higher.
10. That, Developer to hand over road set back area 290.44 Sq. Mt to BMC before asking for NOC to OC of sale component.
11. That, Developer shall submit No Dues certificate from A. A. & C F/South Ward, A.E. (Maint.) F/South Ward, A.E. (WW) F/South Ward & Estate Officer F/South Ward and if any amount is pending same may be paid before requesting NOC to CC.
12. That, before allotment of rehab tenements / issuance of NOC to OC for rehab component, developer shall deposit Corpus Fund of minimum Rs. 1,50,000/- for eligible residential tenement and Rs. 3,00,000/- for eligible commercial tenements in bank account of the society for rehab building maintenance as per Estate department policy.

Yours faithfully,



(Prashant Gaikwad)
Asstt. Commissioner
(Estates)

