

पुणे - १५/११/१९/२०१९
२-११

Municipal Corporation of Greater Mumbai

Ch.Eng. (Development Plan)

Ch.Eng./D.P./2/667/TDR dt. 05/12/2019

Sub: Indexation for DRCs issued under DCR 1991 of Slum Redevelopment & Heritage.

Ref:- 1) Ch.Eng.(D.P)/6273,6816/TDR dt.06.08.2019

(pg. no. N-7to 9)

2) Letter of Under Secretary(UDD) u/no. T.P.B.-4319

/420 / 2019 /UD-11 dt. 06.11.2019 (pg no. C-79)81)

Reference is requested to this office report dated 06.08.2019 vide pg no. N-7 & 9 on the representation of PEATA to consider the date of publication of regulation 32 of DCPR -2034 as 13.11.2018. Since most of the E.P.s & in particular E.P.-70 is sanctioned on 12.11.2018 & came into force 13.11.2018. It was represented by PEATA that as per provision of regulation 32(8) the date of applying indexation to the DRCs issued as per DCR 1991 shall be 12.11.2019 i.e. one year after final sanctioning of EP-70 & not the date 08.05.2019 which is one year after the date of publication of DCPR-2034.

It was concluded that since the DCPR is sanctioned on 08.05.2018 & since the provision mentions that 32(8)

8.0 EFFECT OF THIS REGULATION:-

Provision of Generation of TDR from these regulations shall not be applicable where DRC has been issued prior to publication of these regulations. "However DRCs issued under the DCR-1991 of slum redevelopment & Heritage shall be allowed to be utilised as per DCR 1991 without indexation for one year only.

Provided that balance of DRCs issued under the DCR-1991 of slum redevelopment & Heritage shall be indexed for utilisation.

Provided also that old TDR purchased for utilization on a specific plot with registered documents of sale and/or specific proposal for utilisation of such TDR pending in the ULBs prior to these regulations shall be allowed completely as per the DCR 1991 "

Notwithstanding anything contained in these Regulation, at the option of owner/developer the TDR to be generated in the ongoing schemes as per Regulation

33(10) & 33(14) of DCR 1991 where CC is already issued which is valid & work is in progress accordingly, then in such cases the TDR generation & utilisation shall be allowed as per DCR 1991. Provided that the utilisation of such TDR as per then Regulation shall be allowed within period of 1 year from the date of issue of such DRC without indexation and balance quantum after one year shall be reworked as per DCPR 2034 for generation and indexed for utilization.

the date of applying indexation shall be 07.05.2019. Accordingly a letter was forwarded to Under Secretary (U.D.D.) on 18.09.2019.

*C-79
C-81* Reference is now requested to the clarification issued by Govt. u/no. TPB/4319/420/2019/UD/11 dtd.06.11.2019. On the representation on PEATA wherein it has been clarified that the provision of regulation 32(8) was in E.P-70 and Govt. finally sanctioned the same on 12.11.2018 & the provision is implemented from 13.11.2018. As such the DRC's issued for SRA Scheme and Heritage are to be indexed after 12.11.2019. *X*

*C-83
C-88* On the basis of above clarification the architect are proposing utilisation of DRC's issued as per DCR 1991 prior to 08.05.2018 and also issued between 08.05.2018 to 13.11.2018. One such utilisation file has been received u/no. CE/4856/BPES/AT dtd.19.11.2019 wherein DRC bearing No. SRA/1308/Const., SRA/1314/Const. & SRA/1310/Rehab has been proposed for utilisation. The DRC's have been issued on 21.07.2018, 01.09.2018 & 01.08.2018 respectively, as such as per earlier policy circular of MCGM, these DRC's require indexation since one year has been lapsed after their issue.

In this particular proposal architect has represented that, in light of Govt. clarification dated 06.11.2019, he is eligible to utilize these DRC's without indexation considering indexation is to be done after 12.11.2019 and he has paid the scrutiny fee for utilisation on 11.11.2019.

The above clarification by Govt. indicates that the provision of regulation 32(8) came into force from 13.11.2018 and it can be construed that the Slum and Heritage DRC's issued prior to 13.11.2018 shall be treated as the DRC's as per provision DCR-1991 i.e. utilisation of same shall be allowed without indexation upto 12.11.2019

In view of above it is proposed that the DRC's of Slum and Heritage issued as per the provision of DCR 1991 i.e. prior to 08.05.2018 as well as DRC's issued between 08.05.2018 to 12.11.2018 as per provision of DCR 1991 will be utilised without indexation upto 12.11.2019.

Submitted for approval Chief Engineer (D.P.)/Hon'ble M.C. On receipt of approval the same will be treated as policy & all the Building Proposal departments as well as CEO SRA, CEO MMRDA will be informed under signature of Chief Engineer (D.P.).

Submitted Please.

31/12/19
S. B. Gite
Dy.Ch.E.(D.P.)-I i/c

03/12/2019
C. H. Kandalkar
Dy.Ch.E.(D.P.)-II

Shri Vinod Chithore
Ch.Eng.(D.P.)
Sir,

Shri Praveen Pardeshi
Hon. M.C.
Sir,

In view of 'x' on PM-12, as per govt's clarification, 'y' above is submitted for Hon. M.C.'s approval and to treat this as a policy pl. Submitted pl.

04/12/19
Ch. Engineer (D.P.)
& Dir. (E.S.&P)

बृहन्मुंबई महानगरपालिका
आयुक्तांचे कार्यालय

05 DEC 2019

समय ११, १२, १३, १४,
१५, १६, १७, १८,

क्रमांक MCP/9241

handwritten
13/12
Municipal Commissioner

*Ch.E.(D.P.) &
Dir.(E.S&P)*

बृहन्मुंबई महानगर पालिका
प्रमुख अभियंता (विकास नियोजन)
यांचे कार्यालय

16 DEC 2019

क्र.प्र.अ./वि.नि/ 22663

साधारण	शहर	पूर्व. उप.	प. उप
मा. अधि.	टिडीआर	लेखा	आस्था

Dy.Ch E (D.P.) II

16/12/19
Ch. Engineer (D.P.)
& Dir. (E.S. & P.)

16/12/19
for Dy Chief Engr (D.P.)
A.E. (D.P.)-III
for n/a as per m.c.'s approval pl.
16/12/2019
Dy. Ch. Eng. (D.P.) II