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Suraj Parmar

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Johar Zojwalla

President, Mira Virar City  
Ashit Shah

President, Raigad  
Vikas Bhamre

President, Navi Mumbai  
Arvind Goel

Ref. No. MCHI/PRES/14-15/062

September 27, 2014

To,  
**Shri Sanjay Kurve**  
Deputy Director,  
Town Planning Department  
Govt. Of Maharashtra  
Mumbai-400001

**Sub: Suggestions on proposed Modification to Regulation 35(4) of DCR 1991 for Greater Mumbai.**

**Ref: Gazette Notice U/s. 37(1)(AA) under No. TPB/4312/377/CR-139/2014/UD-11 dated 27.8.2014.**

Respected Sir,

With reference to the Gazette Notice for proposed Modification to Regulation 35(4) of DCR 1991 U/s. 37(1)(AA), under No. TPB/4312/377/CR-139/2014/UD-11 dtd. 27.8.2014, we wish to file our suggestion/Objection for the same which are as follows;

1. Vide aforesaid modification, the State Govt. in UDD has accepted the concept of "Source FSI/ Master FSI" and the "Dependent Fungible FSI/Slave FSI" relation with a clear cut understanding that the "Premium for Fungible Dependent FSI" cannot exceed that of "Principal FSI" and has brought the same at parity with specific proviso in the said regulations. This has been accepted in view of the anomaly that "Premium for the source FSI for educational or medical purpose" is charged at concessional rate, as against the "Fungible FSI generated on this additional FSI" is charged at Fixed rate, which exceeded that of "Principal FSI". The proposed amendment removes this anomaly.
2. However while consuming Fungible FSI, open space deficiency premium arising out of deficiency of open space created due to consumption of fungible FSI is charged and that too at 100% of the normal rates.
3. Fungible FSI itself is charged at various percentage of Ready Recknor Rate and hence there should not be any further premium payable under any head, while such Fungible FSI is being consumed on the site. This is just and natural demand, for same FSI cannot be charged twice under different heads.
4. It is therefore suggested that following words shall be added in the proposed modification in 35(4) to remove injustice.

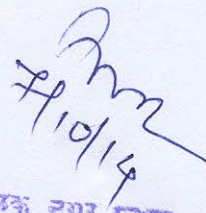
**"Provided further, that no premium shall be charged for the deficiency in open space created due to consumption of fungible FSI."**

According to our above suggestion, we kindly request you to call us for the hearing in your Chamber for this matter.

Yours Sincerely,  
For MCHI CREDAI



**Vimal Shah**  
President



सुपरिचारक नगर मंडळ, मुंबई  
वाचे लिपिक

**MCHI-CREDAI** (ISO 9001:2008)