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Vijay Lakhani

Ref. No. MCHI/PRES/19-20/375

June 10, 2020

To,
Shri Praveen Pardeshi (I.A.S.)
Additional Chief Secretary
Urban Development Department

**Sub: CREDAI-MCHI suggestions on Draft Unified Development Control
Promotion and Regulation(UDCPR)**

Respected Sir,

As you are aware the Unified DCR is long pending demand from all the developers in MMR area. so that accordingly, they can plan for their upcoming projects.

Sir, subsequent to our meeting with you on 3 June 2020, we had a meeting with Town Planning department in Pune and had discuss few crucial points for finalizing the UDCPR

We hereby attaching herewith our points and suggestion for UDCPR for your kind consideration.

We intent to make this UDCPR a revolution for the real Estate of Maharashtra. The regulation should give benefits to Developer as well to the Maharashtra Government to boost our economy.

Even with COVID-19, we are hopeful that with the support of the Government, we will be one of the major sector to contribute towards re-building State of Maharashtra

Look forward to your continuous help and support.

Thanking you,

Yours Sincerely,
For CREDAI-MCHI



Nayan A. Shah
President



Bandish Ajmera
Hon. Secretary

	SECTION	POINTS IN THE MEETING on 8-Jun-20	DECISION
	1.3(7)	Amenity users- include Auditorium, Conventional Centre.	
	1.4(6)	Consent required -In case wings and buildings consent will not be insisted.	
	1.5	<p>Transition Policy- To add- As per MCGM 2035- Old I to R/C permissions to be revised as per the provision of Unified DCR.</p> <p>IV. If the development is already in progress and if full Occupation Certificate has not been granted to any of the buildings in the layout, then the land owner/developer may convert the proposal in accordance with the provisions of this Regulation subject to the following conditions:</p> <p>Conditions:</p> <p>a) The revised provisions will be applicable in totality. The benefit of both old and revised Regulations shall not be allowed.</p> <p>b) The benefit of revised Regulations will be applicable only in cases where (a) full Occupation Certificate has not been granted to any of the buildings in the layout and</p> <p>(b) required amenity or DP reservation, if any, has not been handed over to the Corporation.</p>	
	2.2.13	<p>Development Charges being levied double in the entire city after declaration of vital urban transport project-</p> <p>To charge for only area under influence of Vital urban Transport</p>	

		<p>project- This will require amendment to MRTP Act (Refer S.124B)</p> <p>Amendment of MRTP Act for payment of instalment of the development charges will be required as also amendment to the MRTP Act will be required to reduce the interest from 18% to 8.5 %.</p>	
	2.2.13	<p>Development Charges to be recovered in instalments with 8.5 % interest in instead of 18%-</p> <p>This will require amendment to MRTP Act (Refer S. 124E[Proviso 3])</p>	
	2.2.14	<p>Infrastructure changes, fire infrastructure changes-</p> <p>To be reduced.</p>	
	3.2.2.C	<p>The width of the road from 15 meters should come down to 12 meters that is on width of 12 meters roads any building should be permitted.</p> <p>Layout road width shall be considered adequate access for High rise buildings. (regulation 6.10.1 (ii) mention that for high-rise building more than 70 mts minimum road width is 18 mts.</p> <p>And for a building whose height is above 70 meters, the width of the Road should be 15 meters.</p>	
	3.4	<p>Layout R.G.-</p> <p>a) Out of total RG , 50% to be provided on Podium and balance on Ground (including above basement roof) . Kindly clarify that 50% RG on ground could be provided on top of basement or mother earth.</p>	

		<p>b) 3.4.1 (viii) Not clear. To be deleted.</p> <p>c) Space between RG and building shall be 3.0 mts (instead of 6mt) 6.2.3 (b)</p>											
	3.8	: 60 sq.mtr carpet area flats, so flats upto 60 sq.mtr will be done and 40% of such 60 meters flats will be of minimum 30 sq. Meters and such flats also kitchen in the passage should be permitted, so that 1RKone could actually use both the rooms as kind of bedrooms or hall and bedroom with multi living concept.											
	3.9 & notes under Table 6G	<p>FSI should be permissible for road setback over and above the permissible FSI as per column 7 of table 12 of DCPR 2034 on remainder plot, so that width of roads actually be available.(Notice dtd 7th March 2019). For e.g</p> <table><tr><th>Present Practice</th><th>Proposed</th></tr><tr><td>Permissible BUA = Net Plot * 2.5</td><td>Permissible BUA = Gross Plot * 2.5 + Setback area</td></tr><tr><td>= 2000</td><td>= 2500</td></tr><tr><td>* 2.5</td><td>= 6250 sqm</td></tr><tr><td>= 5000 sqm</td><td>No TDR for road will be granted.</td></tr></table>	Present Practice	Proposed	Permissible BUA = Net Plot * 2.5	Permissible BUA = Gross Plot * 2.5 + Setback area	= 2000	= 2500	* 2.5	= 6250 sqm	= 5000 sqm	No TDR for road will be granted.	
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	3.9 & Notes under	<p>Land handed over as amenity under DCPR- 14(A)(iii) of DCPR- should not be deducted from computation of FSI of the plot. Land being taken from land owner without compensation</p>											

	Table 6 G	Monetary or FSI which is ex facie illegal under law. UDD is requested to issue u/s 154 to correct this error apparent on record	
	4.8.1	I to R provision – (xviii) The provision of inclusive housing is applicable to I to R (to be deleted)	
	6.2.2 Table 6E 3.	Cinema Theatre- v) In case of redevelopment of existing Cinema Theatre on plot admeasuring less than 1000 Sq. Mtrs, the condition of construction of Theatre shall not be insisted. In such cases , the user as permissible in adjoining predominant zone may be allowed.	
	6.3	The common Area FSI- instead of 1.6, it should be 1.7 for residential and for commercial instead of 1.8 should be 1.9	
	6.3	The slum TDR, the minimum slum TDR that should be allowed to use should be 20%and not more than that. There should not be any priority for use.	
	6.10(ii)	MHARA Layout- 12 meter maximum road width for any height 50% of the existing premium, so the 50% of the excessing premium and FSI 3.	
	Chapter 7	<p>Higher FSI for certain users. To add addl provision in chapter 7- SAME AS IN MCGM 2035-</p> <p>Allow additional FSI for Central Business District/Business Hub</p> <p>To promote the Commercial / Business activities, allow additional FSI upto 5 (depending upon the road width) as it is been allowed in Mumbai.</p>	

Chapter 7	<p>Chapter 7 Higher FSI for certain users</p> <p>To add-</p> <p>Additional FSI under regulation 33 (19)</p> <ul style="list-style-type: none"> It stipulates that developer must avail TDR and premium FSI under table 12(A) prior to availing additional FSI under regulation 33(19). It is submitted that the requirement of using TDR/premium FSI prior to regulation 33(19) FSI is not logical and should be deleted. The developer can avail the FSI in any sequence as demand supply of TDR is erratic. Further, 30% residential user should be allowed on the overall FSI and should not be restricted to 30% of FSI under Table 12 (A). UDD is therefore requested to issue necessary directions in this regard as the same will be in line with the walk to work urban planning ethos and shall promote mixed use development. PS UDD1 accepted the suggestion and directed that sequence for utilization of FSI be removed and developer should be allowed to avail overall TDR/FSI in any sequence within the permissible limit. Necessary clarification to this effect to be issued by UDD immediately. PS (UD) also agreed that 30% residential Area should be allowed in respect of the overall FSI of 5.00 so as to provide the concept of work to work. UDD to issue necessary notification to modify the regulation 33(19) u/s 37(1)(a)(a) of MRTP Act read with sec 154 	
7.4	<p>FSI 3 on gross criteria premium of 50%.</p> <p>12 meter is the maximum Road width that is necessary.</p>	
7.4	MHADA vide its recommendation dated 25 th July 2019 had	

		<p>recommended that the incentive sale FSI against the rehab component be brought on par with DCPR 33(9), as MHADA would like to have cluster redevelopment of its colonies. However urban Development Department has not yet approved MHADA's request.</p> <p>UDD is requested to issue necessary directions u/s 154 to this effect to encourage redevelopment of MHADA colonies.-</p> <p>PS UDD1 directed the department to discuss the same with him expeditiously.</p> <p>(FSI of 3.0 on Gross Plot, Premium at 50%, Margin of 12 Mtrs, Maximum Road width 12 Mtrs)</p>	
	7.7	MHADA DEVELOPMENT -All flats of the size of 60 meter or less and slab of that 40% of such flats will be 30 meters and less.	
	9.14	<p>Balcony : The regulation 9.14 (vi) to be deleted</p> <p>"vi) Atleast 5% balcony or double height terrace shall be provided in case of EWS / LIG housing and at least 10% shall be provided for other housing." –Request to delete this provision</p>	
	9.2.10	Requirement of fire check floor to be deleted.	
	11.1	FOR RING ROAD -ASR at the time of utilisation of TDR	
	Additional issue	TDR for Mangroves (having legal impediment/constraint on Construction or development) shall be 50 % of normal TDR generated as prescribed)for the land with clear title to be granted. This will ensure that mangroves which are declared as Forest will be protected:	