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Mayur Shah

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Boman Irani
Harish Patel
Nainesh Shah
Domnic Romell

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Sukhraj Nahar

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Bandish Ajmera

TREASURER
Mukesh Patel

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Sandeep Raheja
Jayesh Shah
Sanjay Chhabria
Rasesh Kanakia

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Sandeep Runwal
Shailesh G. Puranik
Dhaval Ajmera
Pratik Patel

JOINT TREASURER
Nayan Bheda
Munish Doshi

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Tejas Vyas
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Pritam Chivukula

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Jitendra Jain
Deepak Gundecha

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Rajesh Prajapati
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Shyamal Mody
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Samyag Shah
Jayesh C. Shah
Sunny Bijlani
Sahil Parikh
Naman Shah
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Vyomesh Shah
Paras Gundecha
Pravin Doshi
Mohan Deshmukh
Mofatraj Munot
Rajnikant Ajmera
Late G. L. Raheja
Late Lalit Gandhi
Late Babubhai Majethia

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Ajay Ashar

PRESIDENT, KALYAN-DOMBIVLI
Ravi Patil

PRESIDENT, MIRA VIRAR CITY
Ashit Shah

PRESIDENT, RAIGAD
Ateeque Khot

PRESIDENT, NAVI MUMBAI
Prakash Baviskar

Ref. No.: MCHI/PRES/19-20/051

September 19, 2019

To,
Shri Rajendra B Zope
Chief Engineer (DP)
Municipal Corporation of Greater Mumbai
Mumbai - 400 001.



Sub: Request to align Fungible Premium under MCGM in line with the above GR

Ref.: 1) GR No. EE/BP Cell/GM/MHADA/357/2019

2) UDD-1 Govt. of Maharashtra GR No.TPB 4319/189/P.N. 2019/UD-11 dated 20th August, 2019

Dear Sir,

We would like to bring to your kind notice that "The Government of Maharashtra vide GR dated 20th August, 2019 as per sub section 1 of section 154 of MRTP Act, 1966, has issued the following direction for Fungible FSI:

"The rate of premium provided in Regulation 30(A)(6) and Regulation 31(3) are revised as 35% for Residential Development and 40% for Commercial Development of the land rates as per ASR (for FSI 1) and of the year in which such FSI is granted or as may be decided by the Govt. from time to time."

As vide the GR, the said revision in premium rates shall be valid and applicable for the period of Two years from the date of this order. A similar GR has been issued by MHADA which is attached herewith.

Keeping in line with the afore-mentioned GR, we are requesting your kind self to kindly align fungible premium under MCGM on similar lines. This is going to help the Industry that is going through one of the roughest patches.

CREDAI-MCHI Prayers:

In line with the GR, CREDAI-MCHI here with sincerely request for the following:

1. The rate of premium for fungible FSI to be revised as 35% for Residential Development and 40% for Commercial Development of the land rates for all building plans approval under MCGM;
2. The cases where concession has been approved with the earlier applicable rates of fungible premium and IOA/Demand letter not yet issued; on request of society/developer/Architect, the proposed amendment shall be applied with approval of Dy.CE/Building Permission Cell/GM/MCGM;
3. The cases where demand letter has been issued with earlier applicable rates of fungible and payment is not made. In such cases, if applicant/society/developer/Architect desires to change the fungible premium at the prescribed rates in point 1 above, in such cases the revised demand letter shall be issue.

We look forward to your kind consideration and issuance of the clarification in this regards.

Thanking you,

Yours Sincerely,
For CREDAI-MCHI

Nayan A. Shah
President

Bandish Ajmera
Hon. Secretary

Sanjiv Chaudhary MRICS
Chief Operating Officer

CREDAI - MCHI

No. EE/BP Cell/GM/MHADA/357/2019
31 AUG 2019

Sub: Ref:	Transition Policy for applicability of Fungible Premium for redevelopment of building under DCP Regulation 33(5). 1. UDD-1 Govt. of Maharashtra GR No.TPB 4319/189/P.N.123/2019/UD-11 dated 20th August, 2019 2. DCPR 2034 come in force w.e.f. dated 13th November, 2018. 3. Transition Policy T-1 of MHADA vide no. VP/SPA/Circular/3968/20 dated 21st December, 2018. 4. Declaration of SPA to MHADA by Government of Maharashtra vide no. TPB-4315/167/P.N. 51/2015 UD-11 dated 23rd May, 2018.
	Office Note: Date: Government of Maharashtra has permitted MHADA to operate the power of Chapter 4 of MRTP Act for granting building permission of buildings in MHADA layout within jurisdiction of MCGM vide UDD-1 Notification No. TPB-4315/167/P.N. 51/2015 UD-11 dated 23rd May, 2018. MHADA has started to operate power of Planning Authority as per Chapter 4 of MRTP Act, 1966 prevailing norms and rules & regulation for granting building permission time to time. So far MHADA has granted building permission for approximately 600 proposals till date. There is a request from members of PAETA, NAREDCO, CREDAI-MCHI and further stakeholders to reduce quantum of premiums for making affordable housing. Government of Maharashtra has taken concrete decision vide letter no. TPB 4319/189/P.N.123/2019/UD-11 dated 20th August, 2019. The provision of fungible premium in DCPR 2034 in clause no. 31(3) is as under: <i>"Notwithstanding anything contained in the D.C. Regulations 30, 32 & 33, the Commissioner may, by special permission, permit fungible compensatory area, not exceeding 35% for residential/Industrial/Commercial development, over and above admissible FSI/BUA, by charging a premium at the rate of 50% for Residential and 60% for Industrial and Commercial development of ASR (for FSI 1), which is to be shared between MCGM, State Govt. and MSRDC (for Sea Link) in 50%, 30% and 20% respectively."</i> <i>"The Government of Maharashtra vide GR dated 20th August, 2019 as per sub section 1 of section 154 of MRTP Act, 1966 the direction issued for fungible is as:</i> 1. <i>The rate of premium provided in Regulation 30(A)(6) ad Regulation 31(3) are revised as 35% for Residential Development and 40% for Commercial Development of the land rates as per ASR (for FSI 1) of the year in which such FSI is granted or as may be decided by the Govt. from time to time.</i> The said revision in premium rates shall be valid and applicable for the period of Two years from the date of this order. As per Government GR, the implementation for this reduction in premium are as "directives under Section 154(1) of the said Act shall come into force from the date of this

order and will be valid and applicable for the period of Two years from the date of this order." Looking at the above facts, it is proposed as under:

1. To apply charges for fungible 35% land rate of RR with effect from dated prescribed in Government GR date 20th August, 2019
2. The cases where concession has been approved with fungible premium of 50% of land rate of RR and IOA/Demand letter not yet issued; on request of society/developer/Architect, the proposed amendment shall be applied with approval of Dy.CE/ Building Permission Cell/GM/MHADA
3. The cases where demand letter has been issued with 50% of land rate for fungible and payment is not made. In such cases, if applicant/society/developer/Architect desires to change the fungible premium at 35% of land rate of RR in such case the revised demand letter shall be issued.
4. The cases where demand letter with installment facility has been issued and after payment of 1st installment the CC has been granted. The further pending installment with reduced premium shall be approved at Dy CE/BP Cell level. The above points are submitted for approval of Hon'ble VP&CEO/MHADA.

Submitted for approval.

[Signature]

Executive Engineer
Building Permission Cell/GM/MHADA

उपुअ/इपक (वृ.क्ष.)/प्रा.	दिनांक
अवक. क्र.	21/8/19
176	31/8/19

[Signature]
Deputy Chief Engineer
Building Permission Cell/GM/MHADA

मु.प्र.	दिनांक
कमि.पु.	21/8/19
21/8/19	

[Signature] 5/9/19
Chief Engineer-2/ Authority

Hon'ble VP & CEO/MHADA

का.अ./इपक (वृ.क्ष.)/प्रा.	दिनांक
अवक. क्र.	06 SEP 2019
328	

उपाध्यक्ष/प्राधिकरण	दिनांक
215	06/9/19

[Signatures]
Shri Datore/
Shri Kul Karni/
Shri Rathod

for n.a
9/9

To All DE's

Plz take necessary action as per approved point no.1, 2 & 3. *[Signature]*