

Ref. No. MCHI/PRES/19-20/365

February 21, 2020

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To,  
Shri Eknath ji Shinde  
Hon'ble Minister for Urban Development  
Government of Maharashtra

Sub: CREDAI-MCHI suggestions on draft UDCPR

Respected Sir,

You may be aware that Unified DCR is pending to be finalized for a long period of time. Hence we would like to submit our suggestion for the draft UDCPR for your kind consideration before finalizing the same.

1) **Special building criteria**

- High rise to be notified for building of height above 32 mts.
- he per floor area limit of 500 sq.mts shall not include staircase / exist areas. Otherwise increase by factor of Common area%.

2) **Transition Policy as per MCGM DCPR**

- UD to prepare one comprehensive transitional policy for ongoing works on the lines of MCGM transition policy and the same should be released along with UDCPR to avoid multiple corporations issuing different Transition Policy.
- The marginal distances, enclosure of balconies as approved as per old DCR shall be allowed to be continued for balance work. Upper level setbacks as per Unified DCR shall not be insisted upon even in cases where plans are approved prior to UDCPR coming in force, even if such projects migrate to UDCPR.

3) **Temporary / Labor huts works** - The should be No permission required

4) **Development charges:** The charges being levied double in the entire city after declaration of vital urban transport project.

- Shall be applicable to only TOD influence zone areas.
- To be applicable after notification of UDCPR.
- To be allowed to be paid under 20:80 scheme as approved by MHADA.
- To be applicable after completion of vital projects only
- The interest rates for deferred payment of Development Charges shall be reduced to 8.5% simple interest as per MCGM Policy

5) **Fire infrastructure charges/Fire premium:** To reduce the charges on the same lines as Mumbai and to introduce Fire Tax in the P. Tax components of such corporations by issuing directions Under MRTP.

6) **Premium to be paid in phase wise manner:** As per MHADA Minutes of Meeting payment of all premium shall be permitted under the 20:80 scheme. The same shall be provided in the UDCPR.

- 7) **Undertaking in respect of Recreational Open Space/ Recreational Ground:** RG to be handed over to Society after the Occupation of the building.
- 8) **Recreational Open Space/ Recreational Ground on the terrace:** RG to be allowed on Terrace and lift should be allowed to serve such terrace RG.
- 9) **Use of PAP Housing in Amenity Space should be allowed and Percentage of Amenity Space to be reduced:**
  - a) Amenity to be insisted only for plot having area more than 2 Hectare.
  - b) PAP shall be allowed to be constructed in the amenity plot and permissible TDR shall be granted to developer for such construction.
  - c) Construction TDR shall be granted for the developed amenity plots which are handed over to the Corporation after constructing user as directed by the Corporation
  - d) The Construction TDR formula to be revised and shall be incentivized. MCHI submitted that present formula needs to be increased by 100% UDD to examine the same and rework the formulas.

**10) Inclusive Housing**

- a) To be insisted only for Corporations having population more than 10 lakhs as per relevant latest census.
  - b) Not to be compulsory for D Class and 5 Kms outside corporation limit. If provided it shall be incentivized. Incentives scheme to worked out.
  - c) Shall not be insisted for Works/layout already commenced before the UDCPR came in force even if developer migrates to UDCPR for FSI purpose
  - d) Shall not be insisted where small flats as per IH standards are constructed for sale by the developers.
  - e) No IH for I to R/C plots. The prevailing condition of 20% base FSI for tenements upto 50 sqmts shall be continued.
- 11) Computation of FSI/BUA shall be allowed on gross plot i.e. without deductions of DP roads, and amenity. i.e. for e.g. If plot of land is 10000 meters and 1000 meters if affected by Road/set back or Amenity then the owner shall be entitled to full FSI potential of the plot and the plot area shall be considered as 10000 meters for purpose of computation of FSI and if FSI permissible is 3.00 then in such a case he will be entitled to 30000 sq. meters of FSI including TDR and premium FSI on 9000 sq. meters physical land area. In such case, no TDR shall be granted for Road/Setback/Amenity.

**12) The relocation to be permitted within 1000 Mtrs. Distance.****13) Concept of Shop line to be eliminated.**

14) **I to R Provision** : While allowing Residential use in Industrial zone (I to R); commercial use should also be allowed.

15) Tourist Resort Complexes. To delete provision of picturesque which is relative

- 16) Affordable Housing to be included and also defined so both AH and PMAY are permitted. Also PMAY/Affordable Housing to be allowed with FSI 1.0
- 17) For MMR Regional Plan, the limit shall be 500 mts around Gaothan at par with Pune Regional Plan.
- 18) FSI Table for congested and non-congested area/Permissible FSI : We suggest that it should be same for MMR & Pune. Table to be modified accordingly.
- 19) Common area FSI
  - a) 50% of the Common area FSI to be reworked as per demand of MCHI to 120% for Residential & 140% for commercial users.
  - b) Premium to be telescopic for 5/10/15/20 years. To start at lower band to gradually increase. UDD to re-examine this issue.
  - c) Premium to be telescopic. To be 15% for first 10 years. Then 20% for 10-15 years and 30% for 15 years and onward. UDD to re-examine the issue.
- 20) Service Floor of height: As per mechanical requirement. No misuse U/T for same. No height restriction.
- 21) **Potential of plot along service road:** The width of main road to be considered for the computation BUA (Twice the service road width to be deleted).
- 22) **FSI of land included in HEMRL or under restriction by some Act of Govt should be allowed.**
- 23) **Recreational floor :** Recreational floor of High rise building above 24 mts. shall be allowed, as proposed earlier free of FSI and to be included in the list of exclusion of FSI component.
- 24) **High rise committee :** No HRC in UDCPR. Indian Standard (IS) and concept of proof check/ review to be introduced in UDCPR in lieu of HRC. This is in line with EoDB.
- 25) **Open space concession should be granted liberally:** In view we having to provide for gardens, amenity plot, MHADA area. etc the net physical plot around is shrinking and building needs to be talled. Hence its very important that concession are granted. Similar to the concession granted in SRA, MAHDA, MCGM & Vasai Virar. The land owner should be in such position to develop the full potential of land.
- 26) **Provision of No. of floors allowed should be deleted.**
- 27) **Parking Spaces :**
  - a. The parking spaces are the minimum numbers required to be provided.
  - b. The additional parking upto 50% of the required parking spaces will be allowed without premium.
  - c. Thereafter the premium shall be charged.
  - d. Independent Parking building to be permitted.
  - e. Parking spaces for transport vehicles for office building shall be maximum 4 numbers.

- 28) Minimum Area of the plot requiring 6 meter Ramp to be revised from 600 Sq. Mtrs. to 1000 sq. mts. To allow car lift where proposed by developer.
- 29) Extent of Basement: It Shall be allowed by leaving 1.5 mts from the side marginal distances and 3 mts /6 mts from the road. Basement shall not be allowed in marginal distances provision to be deleted.
- 30) Podium Shall be allowed by leaving 1.5 mts from the side marginal distances and 3 mts /6 mts from the road.
- 31) Enclosure of the balcony be allowed
- 32) Additional requirements in case of housing schemes : First requirement should be calculated for first 30 flats and thereafter for 100 flats.
- 33) **TOD Regulations:** MMRDA is finalizing the TOD policy for MMR. Once received UD to finalize the policy and have provision in UDCPR to incorporate the same as and when notified. Shall not be compulsory. The participation in TOD scheme shall be voluntary.
- 34) Additional FSI for commercial user development in Central Business District : The regulation similar to 33 (19) of MCGM DCPR should be incorporated in UDCPR.
- 35) TDR for mangroves : 50% to be permitted to maintain natural area ecology.
- 36) Prior to these regulations coming into force where land falling under any reservation had been handed over to the planning authority and if the TDR / DRC for such land has not been issued or granted then for such lands TDR/DRC as per this DCPR shall be granted.
- 37) Basic F.S.I. to be allowed 1.1
- 38) Premium F.S.I. to be allowed for plots below 9 m. width : We suggest 0.30 Premium F.S.I. should be allowed below 9.00 m. road width.
- 39) Rate of premium for I to R conversion should be reduced
- 40) Benefit of width of Road for building potential if the road width is widened by surrendering the strip of plot adjoining to road for road purpose : If the strip of land / plot adjacent to road is surrendered by the owner to the authority for road widening, then benefit of widened road in terms of building potential, permissible height shall be granted subject to following - 1) Such road widening shall result in widening of road from junction of roads (or origin of road) to junction of roads (or T junction).
- 41) Calculation of ASR rates for SRA Pune and PimpriChinchwad :  
For in situ slum rehabilitation schemes on existing slum areas: Prayer :
  - a) As the FSI / TDR generation is compensation against rehabilitation construction as well as all organisational works (like consents, transit accommodation, shifting etc.) and not against any reservation land to be handed over, the ASR shall be calculated as  
$$\frac{\text{Total rehab construction area} \times \text{Construction ASR}}{\text{Slum Plot area}} \times 2.00$$

For Relocation Rehab schemes on unencumbered lands: Prayer:

To bring all TDRs utilisation on equal common system the slum TDR generated and being generated from SR-15(3) dt.11.09.2014 (previous saved SR-2(7) of dt.11.12.2018) shall also be linked with ASR.

As the FSI / TDR generation is compensation against rehabilitation construction and not against any reservation land to be handed over; the ASR shall be calculated as:

$$\frac{\text{Total rehab construction area} \times \text{Construction ASR} \times 1.50}{\text{Slum project area}}$$

- 42) Utilization of slum TDR :** Slum TDR shall be minimum 33% of the total permissible potential and maximum up to maximum permissible TDR potential, It shall be mandatory to use slum TDR on priority. (h) SRA jurisdiction shall be increased in PMRDA area also. And slum TDR generating out of SRA projects shall be allowed to be utilized in entire SRA jurisdiction (PMC, PCMC, PCNTDA, MIDC & PMRDA) with ASR linked indexing
- 43) Saving Clause:** In case of such plot or layout or building that have been started / sanctioned with due permission before these regulations have come into force, and if the owner / developer, at his option, thereafter seeks part and / or further development of plot / layouts / building as per these regulations, then the provision of these of these regulation shall apply to the balance development. The development potential of such entire plot shall be computed as per these regulations from which the FSI of computed and / or proposed buildings / part of building as per earlier regulations shall be deducted to arrive at the balance development potential of such plot.
- 44) Development of Amenity space by owner / developer :** If there is any development plan reservation in the land, then area of such reservation may adjusted against this amenity space and the owner / developer of the land may not be required to part with the area for the amenity space to that extent. However, such area under reservation can be developed by owner / developer under accommodation reservation principle.
- 45) Regulation for development of information technology:** In clause 7.8.1 (i) IT premium is specified with explanation that the premium should be charged at ASR rate of the relevant year without applying guidelines. The guidelines are integral part of ASR and cannot be separated for calculating the rate. Hence, this explanation of calculating the premium without applying guidelines needs to be corrected.
- 46)** In case of Navi Mumbai area, road width of 11m. to be treated as 12m. for allowing uses
- 47)** CIDCO has lease of some plots with higher FSI than mentioned in the DCR. To protect such FSI NMMC has initiated modification proposal to protect such FSI for redevelopment. Therefore, it is decided to incorporate following provision. All plots leased out by CIDCO with higher FSI than mentioned in Navi Mumbai DCR, before publication of this draft UDCPR, may be allowed to develop / redevelop with the FSI so granted by CIDCO.

48) Since in case of small Municipal Councils and rural area roads of lesser width are available, it is decided that in case of B & C class Municipal road Councils, Nagarpanchayats and RP areas, uses allowed on 12 mt. road should be allowed on 9 mt. road i.e. in case of such authorities R2 zone should be on 9 mt. road. Accordingly, necessary modification of road width required for amenity space in such area, should be effected.

We hope that our suggestion will be considered before finalizing the UDCPR

Thanking you,

Yours Sincerely,  
For CREDAI-MCHI



**Nayan A. Shah**  
President



**Bandish Ajmera**  
Hon. Secretary