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Prakash Baviskar

Ref. No. MCHI/PRES/18-19/129

January 22, 2019

To,

**(1) Hon'ble Shri Devendra Fadnavis**

Chief Minister

Government of Maharashtra

Mantralaya,

Mumbai - 400032

**(2) Dr. Nitin Kareer (I.A.S.)**

Principal Secretary - I

Urban Development Department

Government of Maharashtra

Mantralaya, Mumbai - 400 032

**Sub : Clarification for grant of Additional FSI for Commercial user development in Central Business District (CBD) or plot situated in Residential or Commercial Zone or Independent Plot converted in Residential or Commercial Zone from Industrial zone under DCPR 33(19)**

Respected Sir,

Reference is requested to the above. In this regard it is submitted as follows :

- 1) Under DCPR 33(19) additional FSI beyond the zonal FSI as contained in Regulation No. 30 (A) 1, Table no. 12 is permissible for eligible plots as contained in the DCPR 33(19). As such eligible plots will be permitted to utilize FSI upto 5.00 depending on width of road as contained in DCPR 33(19).
- 2) Reference is requested to Regulation No. 30 (A) 1, Table no. 12. Under the said regulation in the island city based on the width of road in addition to the zonal basic FSI, additional FSI on payment of premium and admissible TDR is permitted thus taking the FSI permissible upto 3.00 depending on the width of road.
- 3) The FSI permitted under Regulation No. 30 (A) 1, Table no. 12 does not have any user restriction however, additional FSI under DCR 33(19) is to be utilized only for commercial user.
- 4) Reference is how ever requested to Regulation 30 sub regulation 12, the sub regulation 12 inter alia reads as follows : *"The Development of plots under combination of various regulations shall be permissible, but the maximum permissible FSI on plot shall not exceed the permissible FSI limit prescribed in respective regulations."*

Therefore, the DCPR 2034 permits development of plots under combination of various regulation provided the maximum permissible FSI on the plot shall not exceed the permissible FSI limit prescribed in respective regulation.

5) It is therefore clear that as per DCPR 2034 development of a plot in accordance with Regulation No. 30 (A) 1, Table no. 12 in combination with DCPR 33(19) is permissible. It is also further clear that the FSI availed under Regulation No. 30 (A) 1, Table no. 12 can be utilized for both residential/commercial, whereas the FSI availed under DCPR33(19) can only be used for commercial.

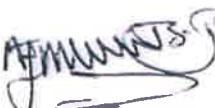
In view of the above, it is requested that the above understanding of the DCPR 2034 of our association be communicated by Urban Development Department to MCGM so that development of plots in combination with Regulation No. 30 (A) 1, Table no. 12 and DCPR 33(19) can be undertaken smoothly.

Thanking you

Yours sincerely,  
For CREDAI-MCHI



Nayan A. Shah  
President



Bandish Ajmera  
Hon. Secretary



Sanjiv S. Chaudhary

MRICS  
COO, CREDAI-MCHI