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I.A.S. (Retd.)

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CREDAI-MCHI UNITS

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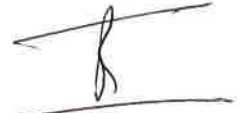
PRESIDENT, NAVI MUMBAI

Prakash Baviskar

Ref. No. MCHI/PRES/17-18/168

March 13, 2018

To,
Dr. Nitin Kareer (I.A.S.)
Principal Secretary - I
Urban Development Department
Government of Maharashtra
Mantralaya, Mumbai - 400 032


14/3/2018
Urban Development Department
Mantralaya, Mumbai - 400 032

Sub: Suggestions/Objections on Draft DCPR 2034

Ref: Letter bearing No. MCHI/PRES/17-18/149 addressed to Dr. Nitin Kareer, Principal Secretary-I of UDD.

Respected Sir,

CREDAI-MCHI would like to request its participation by submitting its Suggestions and Objections on the Draft DCPR 2034 in city's development plan. These suggestions and objections have been drafted after discussing with the stakeholders and put forth for accountability and transparency in the real estate business.

Submitted for your necessary consideration please.

Thanking you,

Yours faithfully,
For CREDAI-MCHI



Mayur Shah
President



Domnic Romell
Hon. Secretary



S. S. Hussain, I.A.S. (Retd.)
Chief Executive Officer

Encl.: As above.

Suggestion in DRAFT DCPR 2034

Sr. No.	Part No/ Regulation No.	Suggestion Proposed
1.	I/ 3 (4) Administration	(4) Reconstruction : The reconstruction in whole or part of a building which has ceased to exist due to an accidental fire, natural collapse, or demolition or voluntary demolition [“voluntary demolition”, word should be retained.]
2.	III/ Rule 17(3)(D)(a) & (b) Development of reserved land falling under the provision of Regulation no. 33	This clause relates to reduction of the area of reservation to be provided in case of rehabilitation schemes. Once DCPR 2034 is published after inviting suggestion/objections in terms of MRTP Act, there is no need to take cognizance of the orders by Court granted in respect to the provisions of DCR 1991 for example City Spaces for corresponding provision of DCPR 2034. In order to enable slum schemes to develop and at least make available certain percentage of open space encroached by slums, DCPR 2034 has considered all aspects including suggestions / objections, etc filed by various stakeholders.
3.	IV/ 27 Layout/ Plot recreation ground/open spaces (LOS) in layout/Plot	Note: 2. The minimum 60% of the required LOS shall be provided exclusively on the ground and at least 50% of this shall be provided on mother earth to facilitate the percolation of water and balance 40% of required LOS may be provided on podium area extending beyond the building line. The LOS on mother earth shall not be paved and all LOS shall be accessible to all the occupants of the plot/layout. Rest of the compound pavement other than stated above shall be paved with perforated paving having adequate strength, in order to facilitate percolation of rain water into the ground. The aforesaid Note needs to be modified and the provision of providing LOS on mother earth or at ground level should be done away with. LOS being Private Open Space, it should be left to the Licensed Surveyor / Architect to decide where the LOS should be provided. It is always advisable to provide LOS at level where there is no vehicular movement, considering the safety of children utilizing such LOS. The rain water harvesting can always be provided irrespective of whether such LOS is situated at ground level or at other levels.

Sr. No.	Part No/ Regulation No.	Suggestion Proposed
4.	V/ 31 (3) Fungible Compensatory Area Note (c)	The deficiency in open space due to fungible compensatory area to be charged at 10% of normal premium as prescribed for Govt. F.S.I.
5.	VI/33 Additional Floor space Index	<p>Following parts should be retain as per DCPR 2034 as per recommendation by Corporations planning committee as under section 30 of MRTP act . Detailed suggestions/objections along with discussion have already done by planning committee before giving their recommendations hence the same to be accepted</p> <ul style="list-style-type: none"> • Rule No. 33 (7) (B) Additional FSI for redevelopment of existing residential housing Societies excluding cessed building. The FSI and premiums paid should be protected. • Rule No. 33 (9) Reconstruction or redevelopment of Cluster(s) of buildings under Cluster Development Scheme(s) (CDS).
6.	VI/33 (19) Additional FSI for commercial user development in Central Business District (CBD) or plot situated in Residential or Commercial Zone.	<p>The planning committee has proposed, premium for granting additional BUA beyond permissible FSI as per table no 12 shall be charged at the rate of 80% of ASR for open developed land of FSI 1 and shall be equally shared between the GoM and MCGM.</p> <p>We would like to suggest you, premium for such additional BUA beyond permissible FSI as per table no 12 shall be charged at the rate of 40% of ASR for open developed land of FSI 1, as per the premium of additional 0.5 FSI from Government. As per the notification.</p> <p>Further residential development to the extent of 30% of the permissible FSI may be allowed.</p>
7.	VII/34(3.2) The Condition applicable for permitting various land uses and occupancies	Entire Table No. C for permitting users permissible in Residential, Commercial & Industrial to be as per DCPR - 2034 as recommended by Corporations planning committee as under section 30 of MRTP act.
8.	VII/35 Development & redevelopment of lands of cotton textile mills	The suggestions to be retain as per DCPR 2034 as recommendation by Corporations planning committee as under section 30 of MRTP act .
9.	VIII/31 Podium	Podium may be allowed to be constructed beyond building line in the required front open space under the provisions of these Regulations provided clear distance of 3.0 m. between plot boundary/edge of road and podium line is maintained. This suggestion proposed by planning committee should be restored.

Sr. No.	Part No/ Regulation No.	Suggestion Proposed
10.	VIII/44 Parking Space	The suggestions to be retain as per DCPR 2034 as recommendation by Corporations planning committee as under section 30 of MRTTP act. In addition to the parking spaces specified in (a), (b), (c),(d) parking for visitors shall be provided to the extent of 5% of the number stipulated above subject to minimum of 1 and Maximum of 25.
11.	IX/47 (1) (A) Fire Protection Requirements	“Provided further where podium is accessible to firefighting appliance (fire engines & other equipment) by ramp the above restriction shall not apply”.
12.	IX/ 47 (1) (B)	“Provided further, where podium is accessible to firefighting appliance (fire engines & other requirements) by ramp, the above restriction shall not apply”. The above clause to be accepted as there is provision in clause 43 (1) (B) of DCR 1991.
13.	IX/48 (5) (A) (a)(ii) Note Requirements of Exits	(5) (A) Additional Staircase (a) (ii) Note These staircases shall be enclosed type having minimum width of 1.5 1.5
14.	IX/48 (5) (A) (b) Requirements of Exits	Buildings having height 70 m or more, shall be provided with two enclosed type staircases, one having width not less than 1.5 1.5 m and other one having width of 2.0 mt.
15.	IX/48 (5) (A) (e) Requirements of Exits	The fire escape staircase and other than one required per building/ wing shall be free of FSI without charging premium.
16.	IX/48 (5) (B) Requirements of Exits	In case of Institutional/Special Buildings, non-residential high-rise buildings minimum two staircases shall be necessary. However, one staircase shall be free of FSI without charging premium.