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Dominic RomellPRESIDENT-ELECT  
Bandish Ajmera

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Dhaval Ajmera  
Gurminder Singh Seera  
Sunny BijlaniHON. SECRETARY  
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Nikunj SanghaviJT. SECRETARIES  
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Sudhanshu Agarwal  
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Pratik Patel  
Binitha Datal  
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Abhishek Sharma  
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Cyrus Mody  
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Karan Sehgal  
Punit Gosrani  
Vicky Oswal  
Aditya Shah  
Aditya Mirchandani  
Arshad BalwaYOUTHWING CONVENOR  
Samyag ShahPROCUREMENT CONVENOR  
Nimish AjmeraWOMENS WING CHAIRPERSON  
Alka Doshi

Ref. No. MCHI/PRES/25-26/004

Date: 26/08/2025

To,

**1) Deputy Director (Town Planning),**ENSA Hutmants, E Block,  
Azad Maidan, Mahapalika Marg,  
Mumbai 400 001**2) The Chief Engineer,**Development Plan,  
BMC, 5<sup>th</sup> Floor, Annexe Building,  
Mahapalika Marg, Fort,  
Mumbai 400 001

**Sub: Suggestion & objection to the proposed modification to Regulation 37(28) of DCPR 2034 in respect of BMC Notice No. dated 22 Aug 2025**

Dear Sir,

With reference to above subject matter, please find the following suggestion &amp; objections:

Reg. No.	Existing Regulation	Modification proposed in Regulation DCPR 2034 under Notice dated	Suggestion/ Objection	Reasoning
Reg. 31 (1)(xvii)	Area of one <u>fitness</u> <u>centre</u> /Yogalaya/ <u>meditation</u> <u>center</u> and <u>recreational</u> <u>activities</u> for a Co-Op. Housing Society or Apartment Owners Association as provided in sub-regulation 37(28).	Area of <u>one</u> <u>fitness</u> <u>center</u> / <u>Yogalaya</u> / <u>meditation</u> <u>center</u> and <u>recreational</u> <u>activities</u> for a Co-Op. Housing Society or Apartment Owners Association as provided in sub-regulation 37(28).	Area of <u>one</u> <u>fitness</u> <u>centre</u> / <u>Yogalaya</u> <u>meditation</u> <u>center</u> / <u>and</u> <u>recreational</u> <u>activities</u> <b>Social/Recreational/Wellness Amenity Spaces</b> for a co-op. Housing society or apartment owners or condominium or body of flat purchasers by whatever nomenclature including a society of <b>commercial offices for a Co-Op. Housing Society or Apartment Owners Association</b> as provided in sub-regulation 37(28).	Social/Recreational/Wellness Amenities Spaces better conceptualise idea of promoting social engagement, healthy active lifestyles, and holistic wellbeing

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लिपिक  
०३ डीसी २५

उपसंचालक, नगर सचिव, वृहन्युवई  
इन्सा हाटेंट, "ई" ब्लॉक, आशाद मैदान  
महापालिका मार्ग, मुंबई-४०० ००१.

(P.T.O.)

## MAHARASHTRA CHAMBER OF HOUSING INDUSTRY

Maker Bhavan-II, 4<sup>th</sup> Floor, 18, V. Thackersey Marg, New Marine Lines, Mumbai - 400 020, Maharashtra, India.  
Tel: +91 22 42121421 Email: [secretariat@mchi.net](mailto:secretariat@mchi.net) Website: [www.mchi.net](http://www.mchi.net)

CREDAI-MCHI CHAPTERS

THANE | KALYAN-DOMBIVLI | MIRA BHAYANDAR | RAIGAD | NAVI MUMBAI | BHIWANDI | PALGHAR BOISAR | SHAHAPUR-MURBAD | URAN-DRONAGIRI | VASAI VIRAR | ALIBAG | KARJAT-KHALAPUR-KHOPOLI | YOUTH NMR

37(28)	<p><b><u>Yogalaya or Fitness Centre:</u></b> In every residential building, either existing or constructed or proposed to be constructed for the use of existing or proposed Co-Operative Housing Society or an Apartment Owners Association, a <u>Yogalaya or Fitness Centre</u> including toilet facilities will be permitted subject to following conditions:</p> <p>i. The application for the proposed <u>Yogalaya or Fitness Centre</u> shall be made by the Registered Co-Operative Housing Society/Apartment Owners Association of the buildings that has been issued occupation certificate/BCC.</p> <p>The owner/developer may make an application for proposed fitness center/</p>	<p><b>Fitness center/ Yogalaya/ meditation center and recreational activities:</b> In every residential building, either existing or constructed or proposed to be constructed for the use of existing or proposed Co-Operative Housing Society or an Apartment Owners Association, a <b>fitness center/ Yogalaya/ meditation center and recreational activities</b> including toilet facilities will be permitted subject to following conditions:</p> <p>i. The application for the proposed <b>fitness center/ Yogalaya/ meditation center and recreational activities</b> shall be made by the Registered Co-Operative Housing Society/Apartment Owners Association of the buildings that has been issued occupation certificate/BCC.</p>	<p><b>Fitness center/ Yogalaya/ meditation center and recreational activities</b></p> <p><b>Fitness Centre/Yogalaya/meditation centre and Social/Recreational/Wellness Amenity Spaces:</b> In every residential <b>and non-residential</b> building, either existing or constructed or proposed to be constructed for the use of existing or proposed Co-Operative Housing Society or an Apartment Owners Association/<b>Condominium, Commercial Premises Co-Operative Society or occupants/owners of Non-residential building/ premise</b>, a <b>fitness center/ Yogalaya/ meditation center and recreational activities</b> fitness center/ <b>Yogalaya/meditation centre/Social/Recreational/Wellness Amenity Spaces</b> including toilet facilities will be permitted subject to following conditions:</p> <p>i. The application for the proposed <b>fitness center/ Yogalaya/ meditation center and recreational activities Social/Recreational/Wellness Amenity Spaces</b> shall be made by the Registered Co-Operative Housing Society/Apartment Owners Association/<b>Condominium, Commercial Premises Co-Operative Society or an Owner/Developer/Owner of the non-residential building/ premise</b> of the buildings that has been issued occupation certificate/BCC. The owner/developer may make an application for proposed <b>fitness center/ Yogalaya/</b></p>	<p>Social/Wellness Amenities apart from are also now standard provisions in non-residential buildings primarily in Offices, Work Spaces, and Hotels for use of occupants of such non buildings to promote wellness and healthy lifestyles.</p>
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<p>CC. The owner/developer may make an application for proposed <u>Yogalaya or Fitness Centre</u> with registered undertaking stating that constructed <u>Yogalaya or Fitness Centre</u> shall be handed over to proposed Co-Operative Housing Society/Apartment Owners Association; and in turn shall ensure the handing over on completion.</p> <p>ii. The area of such center shall be allowed free of FSI equivalent to <u>2(two) percent</u> of the total BUA for every building distributed as desired. Any additional BUA, in excess of this limit would be counted towards FSI.</p> <p>iii. The center shall not be used for any purpose other than for <u>fitness center/ Yogalaya/ meditation center and recreational</u></p>	<p><u>Yogalaya/ meditation center and recreational activities</u> with registered undertaking stating that constructed fitness center/ <u>Yogalaya/ meditation center and recreational activities</u></p> <p>activities shall be handed over to proposed Co-Operative Housing Society/ Apartment Owners Association; and in turn shall ensure the handing over on completion.</p> <p>ii. The area of such <u>fitness center/ Yogalaya/ meditation center</u> <u>/Social/Recreational/Wellness Amenity Spaces</u> shall be allowed free of FSI equivalent to <u>4(four) percent</u> of the total BUA for every building distributed as desired. Any additional BUA, in excess of this limit would be counted towards FSI.</p> <p>iii. The center shall not be used for any purpose other than for <u>fitness center/ Yogalaya/ meditation center and recreational</u></p>	<p><b>meditation center and recreational activities Social/Recreational/Wellness Amenity Spaces</b> with registered undertaking stating that constructed fitness center/ <b>Yogalaya/ meditation center and recreational activities Social/Recreational/Wellness Amenity Spaces</b> shall be handed over to proposed <b>in case of</b> Co Operative Housing Society/ Apartment Owners Association/<b>Condominium, Commercial Premises Co-Operative Society</b>; and in turn shall ensure the handing over on completion.</p> <p>ii. The area of <b>such-center fitness center/ Yogalaya/—meditation center /Social/Recreational/Wellness Amenity Spaces</b> shall be allowed free of FSI equivalent to <b>4(four) percent</b> of the total BUA for every building distributed as desired <b>by the project proponent</b>. Any additional BUA, in excess of this limit would be counted towards FSI.</p> <p>iii. The <b>fitness center/ Yogalaya/—meditation center /Social/Recreational/Wellness Amenity Spaces</b> shall not be used for any purpose other than for <b>fitness center/ Yogalaya/ meditation center and recreational</b></p>	
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<p>for any purpose other than for <u>fitness centre</u> activities and Reading Room.</p> <p>iv. The <u>Yogalaya or Fitness Centre</u> activities shall be exclusively confined for to the members of the concerned housing society or an Apartment Owners Association.</p> <p>v. The ownership of the premises of the <u>Yogalaya or Fitness Centre</u> shall vest only with the concerned society or the apartment owner's association as the case may be.</p> <p>vi. In case of larger layout where there is existing/proposed Club House in layout RG under Regulation 27 of these regulations,</p>	<p><b>activities, Reading Room.</b></p> <p>iv. The fitness center/ <u>Yogalaya/ meditation center and Recreational activities</u> shall be exclusively confined for to the members of the concerned housing society or an Apartment Owners Association.</p> <p>v. The ownership of the premises of the fitness center/ <u>Yogalaya/ meditation center and recreational activities</u> shall vest only with the concerned society or the apartment owner's association as the case may be.</p> <p>vi. <b>the minimum area of fitness center/ <u>Yogalaya/ meditation center and recreational activities</u> shall be 30.00 sq mt. vi.</b></p> <p>vii. In case of larger layout where there is existing/</p>	<p><b>activities/social activities/wellness activities, Reading Room.</b></p> <p>iv. <b>The fitness center/ <u>Yogalaya/ meditation center-and Recreational activities</u> <u>Social/Recreational/Wellness Amenity Spaces</u> shall be exclusively confined for to the members of the concerned housing society or an Apartment Owners Association/<u>existing occupants of such non-residential building or occupants of the non-residential buildings.</u></b></p> <p>v. The ownership of the premises of the fitness center/ <u>Yogalaya/ meditation center-and recreational activities</u> <b>Social/Recreational/Wellness Amenity Spaces</b> shall vest only with the concerned society or the apartment owner's association as the case may be <b>in case of residential buildings.</b></p> <p>vi. <b>the minimum area of fitness center/ <u>Yogalaya/ meditation center and recreational activities</u> shall be 30.00 sq mt. vi.</b></p> <p>vii. In case of larger layout where there is existing/ proposed Club House in layout RG under</p>	
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	<p>then the Yogalaya or Fitness Centre in the individual building shall not be permissible free of FSI.</p>	<p>proposed Club House in layout RG under Regulation 27 of these regulations, then the fitness center/Yogalaya / meditation center and recreational activities in the individual building shall not be permissible free of FSI. with following conditions:</p> <p>(a) The provision of regulation 27(g) as regards plinth area &amp; BUA of clubhouse will remain as mentioned therein.</p> <p>(b) The fitness center/Yogalaya/ meditation center and recreational activities within the building/ podium/ basement for area equal to 4% of proposed/ existing BUA minus BUA of proposed/ existing clubhouse and BUA in excess of 4% of proposed/ existing BUA shall be counted in FSI</p>	<p>Regulation 27 of these regulations, then the <b>fitness center/Yogalaya/ meditation center and recreational activities Social/Recreational/Wellness Amenities Spaces</b> in the individual building shall not be permissible free of FSI. with following conditions:</p> <p>(a) The provision of regulation 27(g) as regards plinth area &amp; BUA of clubhouse will remain as mentioned therein.</p> <p>(b) The fitness center/Yogalaya/ meditation center and <b>recreational activities Social/Recreational/Wellness Amenities Spaces</b> within the building/ podium/ basement for area equal to 4% of proposed/ existing BUA minus BUA of proposed/ existing clubhouse and BUA in excess of 4% of proposed/ existing BUA shall be counted in FSI</p> <p>(c) The maximum height of the proposed fitness center/Yogalaya/ meditation center and <b>recreational activities Social/Recreational/Wellness Amenities Spaces</b> would be as per 1(d)(i) or 1(e)(ii) of Table no 15 (Height of Habitable rooms) under</p>
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			<p>regulation 37(2) of DCPR 2034.</p> <p>(d) In the event of the excess area of (more than 4%) of proposed fitness center/ Yogalaya/ meditation center and—recreational activities Social/Recreational/Wellness Amenity Spaces being charged to FSI, the additional area charged to FSI would be without applicability of (ii) of the notes below the said Table no 15.</p>	
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Looking forward to your kind consideration on the above.

Thank you.

Yours sincerely,  
For CREDAI-MCHI



Sukhraj Nahar  
President



Rushi Mehta  
Hon. Secretary



Keval Valambhia  
Chief Operations Officer