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Aditya Mirchandani

Arshad Balwa

YOUTHWING CONVENOR

Samyag Shah

PROCUREMENT CONVENOR

Nimish Ajmera

WOMENS WING CHAIRPERSON

Alka Doshi

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

Date: 26/08/2025

To,

1) Deputy Director (Town Planning),

ENSA Hutments, E Block,

Azad Maidan, Mahapalika Marg,

Mumbai 400 001

2) The Chief Engineer,

Development Plan,

BMC, 5th 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 & 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 centre/Yogalaya</u> for a Co-Op. Housing Society or Apartment Owners Association as provided in sub-regulation 37(28).	Area of one fitness center/ Yogalaya/ meditation center and recreational activities for a Co-Op. Housing Society or Apartment Owners Association as provided in sub-regulation 37(28).	Area of one fitness centre /Yogalaya meditation center/ and recreational activities Social/Recreational/Wellness Amenity Spaces for a co-op. Housing society or apartment owners or condominium or body of flat purchasers by whatever nomenclature including a society of commercial offices for a Co-Op. Housing Society or Apartment Owners Association 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
24/08/25

उपसंचालक, नगर रचना, बृहन्मुंबई
इन्सा हटमेंट, "ई" ब्लॉक, आझाद मैदान
महापालिका मार्ग, मुंबई-४०० ००१.

(P.T.O.)

MAHARASHTRA CHAMBER OF HOUSING INDUSTRY

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CREDAI-MCHI CHAPTERS

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

37(28)	<p><u>Yogalaya or Fitness Centre</u>: 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 the occupation certificate/B</p>	<p>Fitness center/ Yogalaya/ meditation center and recreational activities: 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 fitness center/ Yogalaya/ meditation center and recreational activities including toilet facilities will be permitted subject to following conditions:</p> <p>i. The application for the proposed fitness center/ Yogalaya/ meditation center and recreational activities shall be made by the Registered Co-Operative Housing Society/ Apartment Owners Association of the buildings that has been issued the occupation certificate/ BCC. The owner/ developer may make an application for proposed fitness center/</p>	<p>Fitness center/ Yogalaya/ meditation center and recreational activities Fitness Centre/ Yogalaya/ meditation centre and Social/Recreational/Wellness Amenity Spaces: 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/Condominium, Commercial Premises Co-Operative Society or occupants/owners of Non-residential building/ premise. , a fitness center/ Yogalaya/ meditation center and recreational activities fitness center/ Yogalaya/ meditation centre/Social/Recreational/Wellness Amenity Spaces including toilet facilities will be permitted subject to following conditions:</p> <p>i. The application for the proposed fitness center/ Yogalaya/ meditation center and recreational activities Social/Recreational/Wellness Amenity Spaces shall be made by the Registered Co-Operative Housing Society/ Apartment Owners Association/Condominium, Commercial Premises Co-Operative Society or an Owner /Developer/Owner of the non-residential building/ premise of the buildings that has been issued the occupation certificate/ BCC. The owner/ developer may make an application for proposed fitness center/ Yogalaya/</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 well-ness 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</p>	<p>Yogalaya/ meditation center and recreational activities with registered undertaking stating that constructed fitness center/ Yogalaya/ meditation center and recreational 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 center shall be allowed free of FSI equivalent to 4(four) percent 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 fitness center/ Yogalaya/ meditation center and recreational</p>	<p>meditation center and recreational activities Social/Recreational/Wellness Amenity Spaces with registered undertaking stating that constructed fitness center/ Yogalaya/ meditation centerand recreational activities Social/Recreational/Wellness Amenity Spaces shall be handed over to proposed in case of Co Operative Housing Society/ Apartment Owners Association/Condominium, Commercial Premises Co-Operative Society; and in turn shall ensure the handing over on completion.</p> <p>ii. The area of such center fitness center/ Yogalaya/ meditation center /Social/Recreational/Wellness Amenity Spaces shall be allowed free of FSI equivalent to 4(four) percent of the total BUA for every building distributed as desired by the project proponent.</p> <p>Any additional BUA, in excess of this limit would be counted towards FSI.</p> <p>iii. The fitness center/ Yogalaya/ meditation center /Social/Recreational/Wellness Amenity Spaces shall not be used for any purpose other than for fitness center/ Yogalaya/ meditation center and recreational</p>	
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<p>for any purpose other than for <u>fitness centre activities</u> 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>activities, Reading Room.</p> <p>iv. The fitness center/ Yogalaya/ meditation center and Recreational 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 fitness center/ Yogalaya/ meditation center and recreational activities shall vest only with the concerned society or the apartment owner's association as the case may be.</p> <p>vi. the minimum area of fitness center/ Yogalaya/ meditation center and recreational activities shall be 30.00 sq mt. vi.</p> <p>vii. In case of larger layout where there is existing/</p>	<p>activities/social activities/wellness activities, Reading Room.</p> <p>iv. The fitness center/ Yogalaya/ meditation centerand Recreational activities Social/Recreational/W ellness Amenity Spaces shall be exclusively confined for to the members of the concerned housing society or an Apartment Owners Association/existing occupants of such non-residential building or occupants of the non-residential buildings.</p> <p>v. The ownership of the premises of the fitness center/ Yogalaya/ meditation centerand recreational activities Social/Recreational/W ellness Amenity Spaces shall vest only with the concerned society or the apartment owner's association as the case may be <i>in case of residential buildings.</i></p> <p>vi. the minimum area of fitness center/ Yogalaya/ meditation center and recreational activities shall be 30.00 sq mt. vi.</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 & 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 fitness center/Yogalaya/ meditation center—and recreational—activities Social/Recreational/Wellness Amenities Spaces 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 & BUA of clubhouse will remain as mentioned therein.</p> <p>(b) The fitness center/ Yogalaya/ meditation center and—recreational activities Social/Recreational/Wellness Amenity Spaces 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 recreational—activities Social/Recreational/Wellness Amenity Spaces 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</p> <p>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