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Dharmesh Jain

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S. Shahzad Hussain  
I.A.S. (Retd.)

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Rasesh Kanakia

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Jitendra Jain  
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Vilas Kothari

**PRESIDENT, NAVI MUMBAI**  
Prakash Baviskar

Ref. No. MCHI/PRES/17-18/149

February 27, 2018

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

*(Signature)*  
27/2/18  
Urban Development Deptt.  
Mantralaya, Mumbai - 400 032

**Sub: Suggestions/Objections on Draft DCPR 2034**

Dear Sir,

CREDAI-MCHI would like to submit its Suggestions/Objections on the Draft DCPR 2034.

Copy of the same is enclosed herewith.

Kindly consider our request and do the needful.

Thanking you,

Yours faithfully,  
**For CREDAI-MCHI**

*(Signature)*

**Mayur Shah**  
President

*(Signature)*

**Domnic Romell**  
Hon. Secretary

*(Signature)*

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

Encl.: As above.

**Suggestions in Draft DCPR -2034**

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark
1.	II/6 (a)  Applicability to partially completed works (page No. 26)	(a) For <del>works where IOD/IOA/LOI has been issued or for</del> partially completed works, started with due permission before these Regulations have come into force, the developer/owner may continue to complete the said works in accordance with the conditions under which permission stood granted. However, the period of the development permission granted shall not exceed that specified in section 48 of the MR&TP Act, 1966.	a) For <del>works where IOD/IOA/LOI has been issued or for</del> partially completed works, started with due permission before these Regulations have come into force, the developer/owner may continue to complete the said works in accordance with the conditions under which permission stood granted. <b>IOA/IOD/ CC/OC/BCC shall be processed and granted from time to time in accordance with provisions of DCR 1991, without insisting compliance to this regulation. Any addition, alteration, amendments or modification involving additional FSI/Fungible FSI/TDR/incentive FSI to the approved plan up to full development potential of the plot shall be permitted at the option of the owner/developer in accordance with the provisions contained in DCR 1991 without insisting compliance with these regulations. For construction of additional FSI under this regulation, concessions which are required or which are similar to which have been approved earlier shall also be granted.</b> <del>However, the period of the development permission granted shall not exceed that specified in section 48 of the MR&amp;TP Act, 1966.</del>	Further clarification thus to be added

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark
2.	II/6 (b)  Applicability to partially completed works (page No. 26)	<p>b) In case of such plots or layouts that started with due permission before these Regulations have come into force, where part development is completed and full Occupation Certificate or Building Completion Certificate is granted or building/buildings stand assessed to the Municipal taxes, and if the owner /developer thereafter seeks further development of plot/layout as per these Regulations, then the provision of these Regulations shall apply to land excluding to the land component of such buildings .</p> <p>Provided further that in case of building/buildings where development permission is granted but full occupation or completion certificate is not granted or are not assessed to the Municipal taxes and if owner/developer seeks further development under these Regulations, then the entire development shall have to be brought in conformity with these Regulations.</p>	<p>(b) In case of such plots or layouts that started with due permission before these Regulations have come into force, where part development is completed and full Occupation Certificate or Building Completion Certificate is granted or building/buildings stand assessed to the Municipal taxes, and if the owner /developer thereafter seeks further development of plot/layout as per these Regulations, then the provision of these Regulations shall apply to the entire land excluding to the <b>buildings to which OC/BCC is granted</b> <del>the land component of such buildings.</del></p> <p>Provided further that in case of building/buildings where development permission is granted but full occupation or completion certificate is not granted or are not assessed to the Municipal taxes and if owner/developer seeks further development under these Regulations, then <b>the provision of these Regulations shall apply for the development of the plot/layout to the entire land. From the total development potential thus calculated as per these regulations, the sanctioned FSI as per the approved plan in respect of completed building having full/part occupation certificate or building completion certificate shall be deducted.</b></p> <p><b>(b)(1) In case of such plots or layouts that started with due permission before these Regulations have come into force, where part development is completed and full/part Occupation Certificate or Building Completion Certificate is granted or building/buildings stand assessed to the Municipal taxes, and if the owner</b></p>	

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			<p>/developer thereafter seeks further development of plot/layout as per DCR 1991, then the provision of these Regulations shall not apply for the development of the such plot/layout. All permissions including CC/OC/BCC including any addition, alteration, amendments or modification involving additional FSI/Fungible FSI/TDR/incentive FSI to the approved plan upto full development potential of the plot shall be permitted at the option of the owner/developer in accordance with the provisions contained in DCR 1991 without insisting compliance with these regulations. For construction of additional FSI under this regulation, concessions which are required or which are similar to which have been approved earlier shall also be granted.</p> <p>(b)(2) If an IOD/IOA has already been granted in respect of a building, on or before 6th January 2012 and which is under construction and not complete on the date of coming into force of this regulation, then at the option of the owner/developer, the regulation prevailing prior to 6th January, 2012 shall be applicable to subsequent addition, alteration, modifications or amendments</p>	
3.	<p>III/17 (1) (6)</p> <p>Development of Reserved land for Public Purposes (page No. 52)</p>	New Provision	<p>Note: If the area of reservation is not adequate to construct independent building as mentioned above or when it not possible to hand over individual plot along with public amenity then in such cases Municipal Commissioner may allow composite building on the said land subject to condition with the built up area as mentioned above may be allowed to be handed over to</p>	

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			<p>the planning authority or to the appropriate authority as a case may be preferably on ground floor and subject to premium as mentioned below. If ground floor is utilized for parking then such accommodation may be given on stilt or first floor with separate entry and exit from public street. Premium to be paid.</p> <p>(i) For reservation such as public housing EWS/LIG housing, high density housing, housing the dis-housed or similar reservation, at the rate 35% of ASR Rate of land.</p> <p>(ii) For all other reservations other than Residential Reservations as above , at the rate 40% of ASR Rate of land.</p>	As per directives u/s 154 of MRTP Act for Acc. Reservations dated 29/12/2017
4.	<b>III/17 (3) (D)</b> <b>Development of reservation in Rehabilitation of Slum Dwellers under Regulation 33(10) (b)(5), (c)(5)</b> (page No. 84,86)	5) The owner shall give advanced possession of the land wherever applicable (to be handed over) to MCGM/ Appropriate Authority at the time of seeking Approval for Development of plot. It shall be responsibility of the land owner to clear all the encumbrances and complete the formalities towards transferring the land in the name of MCGM/ Appropriate Authority. Pro-forma of possession receipt shall be as per Appendix V.	5) The owner shall give advanced possession of the land wherever applicable (to be handed over) to MCGM/ Appropriate Authority at the time of seeking Approval for Development of plot. It shall be responsibility of the land owner to clear all the encumbrances and complete the formalities towards transferring the land in the name of MCGM/ Appropriate Authority <b>before applying occupation permission of the last building</b> . Performa of possession receipt shall be as per Appendix V.	
5.	<b>V/30 (A) 1.</b> <b>TABLE 12</b> <b>Floor Space Indices &amp; Floor Space/Built-up Area (BUA) computation,</b>	<b>TABLE 12</b> <b>Floor Space Indices in Residential, Commercial and Industrial Zones</b>	<b>Annexure</b> <b>30 (A)(1) TABLE 12</b>	New table as per Road width

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark
	<b>Tenement Density and Protected Development</b> (page No. 103)			
6.	<b>V/30 (A) 2.</b>  <b>Floor Space Indices &amp; Floor Space/Built-up Area (BUA) computation, Tenement Density and Protected Development</b>  (page No. 104)	2 The permissible FSI shall be on gross plot area including area under DP roads/roads for which sanctioned Regular line as per MMC Act is prescribed and DP Reservation, and where the land is to be surrendered to MCGM/Appropriate Authority under Regulation no 14 (amenity plots), 15 (inclusive housing), 16 and 17.	2 The permissible FSI shall be on gross plot area including area under DP roads/roads for which sanctioned Regular line as per MMC Act is prescribed and DP Reservation/ Designation, to be surrendered to MCGM/Appropriate Authority <b>or DP roads/roads for which sanctioned Regular line as per MMC Act is prescribed and DP Reservation/Designation which are surrendered after 27th May, 2016</b> under Regulation no 14 (amenity plots), 15 (inclusive housing), 16, 17 <b>and 35.</b>  <b>2(a) The permissible FSI on any plot shall be allowed by utilizing FSI available as prescribed under Table 12 and Additional FSI as available under Clause 33 by way of amalgamating or implementing one or more of the schemes prescribed under clause 33, subject to restricting the maximum permissible FSI as prescribed in the relevant regulation under Clause 33.</b>	
7.	<b>V/30 (A) 3.</b> (page No. 104)	<b>New Provision</b>	<b>e) TDR shall be allowed to be utilize in place of premium F.S.I and/or premium FSI can be availed of in place of TDR</b>	
8.	<b>V/30 (A) 6.</b>  <b>Floor Space Indices &amp; Floor Space/Built-up Area</b>	Premium shall be charged for 'additional FSI on payment of premium' (as per column no 5 of table no 12) for BUA at the rate of 60%of the land rates as per ASR (for FSI 1) of the year in which such FSI is granted. Premium so recovered shall be shared between the State Govt. and MCGM on 50:50 basis. The MCGM shall utilize the	Premium shall be charged for 'additional FSI on payment of premium' (as per column no 5 of table no 12) for BUA at the rate of 30% of the land rates as per ASR (for FSI 1) of the year in which such FSI is granted. The MCGM shall utilize the premium for implementation of D P.	<b>To bring more viability and encourage</b>

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark
	(BUA) computation, Tenement Density and Protected Development  (page No. 104)	premium for implementation of D P.	<p>Premium shall be shared between Government of Maharashtra, Dharavi Redevelopment Project (DRP), Bandra-Versova Sealink Project and Municipal Corporation of Greater Mumbai (MCGM) as follows:-</p> <p>i) 25% to Government of Maharashtra</p> <p>ii) 25% to Dharavi Redevelopment Project (DRP)[This share is to be used for DRP upto completion of DRP or up to period as may be decided by the Government, after which said share will go to Municipal Corporation of Greater Mumbai (MCGM).</p> <p>iii) 25% to Maharashtra State Road Development Corporation (MSRDC) (This share is to be used for Bandra-VersovaSealink Project).</p> <p>iv) 25% to Municipal Corporation of Greater Mumbai (MCGM). (However, Govt. shall have right to change this ratio, depending upon the need.)</p>	new affordable housing stock
9.	V/30 (A) 13  Note (2) (page No. 106)	<p>TDR in lieu of balance BUA after loading of “additional FSI on payment of premium &amp; Admissible TDR” as per table 12 above shall not be permissible.</p> <p>Note: (2) In case of new Development/ Redevelopment proposal under this Regulation, where the plot is affected by Road line/DP Road/Reservation and where the land affected by Road line/DP Road/Reservation is either handed over to MCGM/Appropriate</p>	<p>TDR in lieu of balance BUA after loading of “additional FSI on payment of premium &amp; Admissible TDR” as per table 12 above shall not be permissible.</p> <p>(2) In case of new Development/ Redevelopment proposal under this Regulation, where the plot is affected by Road line/DP Road/Reservation and where the land affected by Road line/DP Road/Reservation is either handed over to</p>	



Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark
		Authority & where FSI benefit of the same had already been taken in the earlier development proposal as per then prevailing Regulation or monetary compensation had been claimed in the past, but ownership has not been transferred in the name of MCGM/Appropriate Authority, in such cases the gross plot area shall be reckoned after deduction of such areas.	MCGM/Appropriate Authority <b>before 27th May 2016</b> & where FSI benefit of the same had already been taken in the earlier development proposal <b>before 27th May 2016</b> as per then prevailing Regulation or monetary compensation had been claimed in the past, but ownership has not been transferred in the name of MCGM/Appropriate Authority, in such cases the gross plot area shall be reckoned after deduction of such areas. <b>In all other cases, the Gross plot shall be reckoned before deduction of such areas.</b>	
10.	V/31 (1)(iv)  Exempted from FSI/to be counted in FSI/ <b>Fungible</b> Compensatory <b>Area</b> (page No. 108)	Areas covered by staircases/lift wells including lobbies as specified, excluding those covered under DC Regulation No.31 (1) (iii) with special written permission of the Commissioner subject to payment of premium.	Areas covered by staircases/lift wells/lifts including lobbies connecting lifts and staircases and upto the entrance of the last unit excluding those covered under DC Regulation No.31 (1) (iii) <del>with special written permission of the Commissioner</del> subject to payment of premium <b>at the rate of 15% of ASR Land Rate.</b>	Typical approval taken in all files hence request to delete special permission from M.C.
11.	V/31 (1) (2 <sup>nd</sup> Proviso) Exempted from FSI/to be counted in FSI/ <b>Fungible</b> Compensatory <b>Area</b> (page No. 108)	Provided further that for the reconstruction scheme under Regulation No. 33(6) such exclusion will be permissible as per guidelines hereunder:  i. While working out the total existing BUA, the BUA of the existing staircase will not be taken into account.  ii. Premium for the area of the staircase and lift-well will be recovered after working out the area of the staircase and lift-well in the proposed building minus area of the existing	Provided further that for the reconstruction/ <b>redevelopment</b> scheme under Regulation No. <b>33(5)</b> , 33(6), <b>33(7)</b> , <b>33(7)(A)</b> , <b>33(7)(B)</b> such exclusion will be permissible as per guidelines hereunder:  i. While working out the total existing BUA <b>of the original building/s</b> , the BUA of the existing staircases, <b>lifts, lift lobbies if then computed in FSI</b> will <del>not</del> be taken into account <b>and shall be allowed as existing FSI/Built up area in the proposed building.</b>	



Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark
		staircase, lift-well etc., if any.	ii. Premium for the area of the staircases, <del>and lifts, lift lobbies -well</del> will be recovered <del>after working out the area of the staircase and lift well in the proposed building</del> as applicable for Redevelopment Schemes under DCPR 33(7), 33(9), 33(10) <del>minus area of the existing staircase, lift well etc., if any.</del>	
12.	V/31 (1) xxxxi  Exempted from FSI/to be counted in FSI/ <b>Fungible</b> Compensatory <b>Area</b> (page No. 111)	Exemption of FSI to be added in IT building <b>New provision</b>	<b>Crèche to the extent of 2% of the total floor area subject to maximum of 200 sq.mt. shall be allowed free of FSI as mentioned in 33(13)(i).</b>  <b>Canteen to the extent of 200 sq. mt. for the benefit of the employees/ occupants of the building shall also permitted free of FSI as mentioned in 33(13)(j).</b>	
13.	V/31 (3) <b>Fungible</b> Compensatory <b>Area</b> (Page No. 113)	Provided further that such fungible compensatory area for rehabilitation component shall not be used for free sale component and shall be used to give additional area over and above eligible area to the existing tenants/occupants. Fungible compensatory area admissible to one rehabilitation tenement cannot be utilized for another rehabilitation tenement.	Provided further that such fungible compensatory area for rehabilitation component shall not be used for free sale component <b>without the consent of existing tenants /occupants</b> and shall be used to give additional area over and above eligible area to the existing tenants/occupants. Fungible compensatory area admissible to one rehabilitation tenement cannot be utilized for another rehabilitation tenement <b>without the consent of existing tenants/occupants.</b> <b>Provided for redevelopment under DCPR 33(6) the total existing Carpet area of all residential/non-residential premises shall collectively remain unaltered, excluding the fungible compensatory area in the reconstructed building.</b>	

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark
14.	V/31 (3) Explanatory Note <b>Fungible Compensatory Area</b>  (Page No. 113)	(i)Where IOD/IOA has been granted but the building is not complete then this Regulation shall apply, only at the option of the owner/developer,  (ii) For plots/layouts, where IOD is granted for partial development, this regulation will apply for the balance potential of the plot.	(iv) <b>The Fungible Compensatory Area shall be available on the entire permissible FSI.</b>	
15.	V/31 (3) Explanatory Note (iii)(c)  <b>Fungible Compensatory Area</b> (Page No. 114)	The deficiency in open space created due to utilization of fungible compensatory area shall be condoned by charging premium at 25% of normal premium.	The deficiency in open space created due to utilization of fungible compensatory area shall be condoned by charging premium at <del>25%</del> 10% of normal premium.	<b>As in Government Premium FSI</b>
16.	V/32 (1) TABLE 12 A  Transfer of Development Rights (TDR) (page No. 115)	TABLE 12 A Instances in which TDR can be availed.	<b>Annexure 32 (1) TABLE 12 A</b>	As per New Policy
17.	VI/33 (5) 1) (C)  Development/ Redevelopment of Housing Schemes of Maharashtra Housing & Area Development Authority	Sharing of the Balance FSI: The FSI remaining in balance after providing for the rehabilitation and the incentive components, calculated as per (A) and (B) above respectively, shall be shared between the Cooperative Housing Society and MHADA in the form of BUA, as given in Table C below and the share of MHADA shall be handed over to MHADA free of cost.	Sharing of the Balance FSI: The FSI remaining in balance after providing for the rehabilitation and the incentive components, calculated as per (A) and (B) above respectively, <del>shall</del> <b>may</b> be shared between the Cooperative Housing Society and MHADA in the form of BUA, as given in Table C below and the share of MHADA shall be handed over to MHADA free of cost.	Option As per Clarification

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark
	(MHADA)  (Page No. 136)			
18.	VI/33 (5)1) (C)  Below Table C Development/ Redevelopment of Housing Schemes of Maharashtra Housing & Area Development Authority (MHADA)  (Page No. 136)	Provided that in case of plots up to 2000 sq. m, MHADA without insisting MHADA's Share in the form of BUA, may allow additional BUA over and above existing BUA up to 3.00 FSI by charging premium at the percentage rate of ASR defined in table C1 below:-	<b>Note:</b>  Alternatively, at the option of the society/developer, MHADA may allow an additional BUA over and above existing BUA by charging premium at the rate of ASR defined in Table 'C' above.	New provision
19.	VI/33 (6)	Reconstruction of buildings that existed on or after 10 <sup>th</sup> June 1977 and have ceased to exist for reasons cited above, shall be allowed to be reconstructed with FSI as per the Regulation NO. 30(C).	Reconstruction/ <b>redevelopment</b> of buildings that existed on or after 10 <sup>th</sup> June 1977 and have ceased to exist for reasons cited above, shall be allowed to be reconstructed with FSI as per the Regulation NO. 30(C).	
20.	VI/33 (6) 3  (page No. 140)	The Carpet area of residential/non-residential premises shall remain unaltered.	The <b>total existing</b> Carpet area of <b>all</b> residential/non-residential premises shall <b>collectively</b> remain unaltered, <b>excluding the fungible compensatory area in the reconstructed building.</b>	
21.	VI/33 (6) 6  Reconstruction of buildings destroyed by fire or which have collapsed or	If the building is reconstructed with existing FSI/BUA prior to its collapse/demolition, then the requirements of front & marginal open spaces shall be as per the Regulation No. 41(5) of these Regulations.	If the building is reconstructed with existing FSI/BUA prior to its collapse/demolition, then the requirements of front & marginal open spaces shall be as per the Regulation No. 41(5) of these Regulations.	

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	which have been demolished under lawful order or which is being demolished voluntarily by the owner.  (page No. 140)		Notwithstanding anything contained in these Regulations, the relaxations incorporated in sub Regulation No. 6 of Regulation No. 33(10) of these Regulations except clause 6.18 shall apply including concessions for provisions of Open spaces, parking spaces, tenement density, RG, etc. as applicable for redevelopment schemes under DCPR 33(7), 33(9), 33(10) shall also be made applicable for buildings being redeveloped as per this Regulation.	
22.	VI/33 (7) (B) (1)  Additional FSI for Redevelopment of existing residential housing societies excluding cessed buildings:  (page No. 150)	Provided further that if the existing authorized BUA and incentive thereon as per above i.e. incentive Additional BUA is less than the permissible FSI 2.0, then society shall first avail 'Additional FSI on payment of premium/TDR' up to limit of permissible FSI of 2. If the existing authorized BUA and incentive thereon as per above i.e. incentive Additional BUA is more than the permissible FSI 2.0, then society shall be eligible for incentive additional BUA in lieu of cost of construction of authorized existing BUA, which exceeds the permissible FSI of 2. However, this proviso shall not be applicable to redevelopment of building falling under Regulation No 45, in which case, the full incentive additional BUA in lieu of cost of construction of authorized existing BUA will be available in the form of TDR.	Provided further that if the existing authorized BUA and incentive thereon as per above i.e. incentive Additional BUA is less than the permissible FSI <u>2.0</u> as per road width, then society shall first avail 'Additional FSI on payment of premium/TDR' up to limit of permissible FSI <del>of 2.0</del> as per road width. If the existing authorized BUA and incentive thereon as per above i.e. incentive Additional BUA is more than the permissible FSI <u>2.0</u> as per road width, then society shall be eligible for incentive additional BUA in lieu of cost of construction of authorized existing BUA, which exceeds the permissible FSI <del>of 2.0</del> . However, this proviso shall not be applicable to redevelopment of building falling under Regulation No 45, in which case, the full incentive additional BUA in lieu of cost of construction of authorized existing BUA will be available in the form of TDR.	Benefit to be extended to Non Cess Buildings
23.	VI/33 (7) (B) (3) (page No. 151)	This regulation shall be applicable only when existing members of the societies are proposed to be re-accommodated & where authorized existing built up area is more than Zonal (basic)FSI as per then prevailing regulations	This regulation shall be applicable only when existing members of the societies are proposed to be re-accommodated <del>&amp; where authorized existing built up area is more than Zonal (basic)FSI as per then prevailing regulations</del>	

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark
24.	IV/33(8) Construction of Affordable Housing in Special Development Zone II  (page No. 155)	New provision  F) Where IT / ITES parks are already approved and development has / has not been completed	F) Where IT / ITES parks are already approved and development has / has not been completed -  (i) Where IT /ITES parks are already approved by the Planning Authority on the lands falling under SDZ - II and the partial or full development has taken place, it will not be possible to handover land for POS, AH, OA as stipulated in (B) above. In such cases, instead of handing over land to the planning authority, the owner shall construct and hand over 25% of the total BUA towards AH, 10% of the total BUA towards OA free of cost in the form of a separate building or composite building. Further, 15% layout RG shall be required to be proposed in the layout which shall be accessible from the existing IT / ITES park development and the proposed development to be undertaken by the owner. It shall be treated as POS for the layout.  (ii) The owner shall get FSI of 2.0 on gross plot area including existing IT / ITES park development and the permissible FSI for the balance development shall be arrived after deduction of already permitted FSI for IT / ITES park development.  (iii) The Fungible FSI for the existing development where OC is not granted and for the proposed development shall be permissible as per the proposed user by paying premium as per provision elsewhere in the regulation.	
25.	VI/33 (9) 1.2(v)  Reconstruction or	Explanation: If some areas are previously developed/or are in the process of development under different provisions of the DCPR, such areas can be included in the CDS only for planning purposes.	Explanation: If some areas are previously developed/or are in the process of development under different provisions of the DCPR, such areas can be included in the	

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark
	<b>redevelopment of Cluster(s) of Buildings under Cluster Development Schemes(s) (CDS)</b>  (page No. 160)	However, such areas shall be excluded for calculation of FSI under this Regulation and the admissible FSI shall be calculated as per the relevant provisions of the DCPR under which such areas are developed or are being developed. However, it shall be necessary to obtain consent of owner/owners of such areas for becoming part of the CDS.	CDS only for planning purposes. However, such areas shall be excluded for calculation of FSI under this Regulation and the admissible FSI shall be calculated as per the relevant provisions of the DCPR under which such areas are developed or are being developed. However, it shall be necessary to obtain consent of owner/owners of such areas for becoming part of the CDS <b>as per this regulation.</b>  <b>The above is not applicable to ongoing projects being converted and undertaken as per DCR 33(9) as mentioned in Sr. No. 18 of this Regulation.</b>	
26.	<b>VI/33 (9) 6(a)</b>  <b>Reconstruction or redevelopment of Cluster(s) of Buildings under Cluster Development Schemes(s) (CDS)</b> (page No. 163)	The total permissible FSI for an CDS shall be 4.00 on gross plot area, but excluding the reservations/designations, road set back, area under existing Municipal Roads but including the BUA under reservation/designation, road set back or sum total of the Rehabilitation FSI + Incentive FSI, whichever is more.	The total permissible FSI for an CDS shall be 4.00 on gross plot area, <del>but excluding the reservations/designations, road set back, area under existing Municipal Roads but including the BUA under reservation/designation, road set back</del> or sum total of the Rehabilitation FSI + Incentive FSI, whichever is more.	
27.	<b>VI/33 (9) 18</b>  <b>Reconstruction or redevelopment of Cluster(s) of Buildings under Cluster Development Schemes(s) (CDS)</b>	Any ongoing scheme under Regulation 33(7) which fulfils the criteria under this modified regulation 33(9) and can be included in the proposal under Regulation 33(9) for approval or converted into a CDS under Regulation 33(9). However all reservations under Regulation 33(7) shall have to be restored as per this Regulation	Any ongoing scheme under Regulation 33(7) <b>or redevelopment schemes under Regulation 33(5) or redevelopment under any other regulation as may be permitted by HPC</b> , which fulfils the criteria under this modified regulation 33(9) and can be included in the proposal under Regulation 33(9) for approval or converted into a CDS under Regulation 33(9). However all reservations under Regulation 33(7) shall have to be	

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark
	(page No. 170)		<p>restored as per this Regulation.</p> <p>Any redevelopment schemes being undertaken under Regulation 33(5) which have been permitted upon payment of premium prior to the date of coming into force of this Regulation (hereinafter referred to as the "appointed date") and if converted into a CDS under DCPR 33(9) at the option of the Project Proponent, then such built-up area which has been sanctioned upon payment of premium under DCPR 33(5) will be deducted from the share of built-up area to be handed over to MCGM / MHADA etc. as may be applicable as per DCPR 33(9).</p> <p>However the minimum Housing Stock to be handed over to MHADA / MCGM etc. free of cost will be 5% of BUA of the FSI of 4.</p>	
28.	VI/33(10) VI 1.1 Right of Hutment Dwellers (page No. 185)	Hutment-dwellers, in the slum or on the pavement, eligible in accordance with the provisions of this Regulation shall in exchange of the protected dwelling structure, be given free of cost a residential tenement having a carpet area of 25 sq. m including balcony, fungible compensatory area, bath and water closet, but excluding common areas.	Hutment-dwellers, in the slum or on the pavement, eligible in accordance with the provisions of this Regulation shall in exchange of the protected dwelling structure, be given free of cost a residential tenement having a carpet area of 25 sq. m including balcony, <del>fungible compensatory area</del> , bath and water closet, but excluding common areas & fungible compensatory area.	
29.	VI/ 33(10)VI Right of Hutment Dwellers 1.15 (page No. 187)	Where 70 percent or more of the eligible hutment-dwellers in a slum and stretch of road or pavement contiguous to it at one place agree to join a rehabilitation scheme, it may be considered for approval, subject to submission of irrecoverable written agreements of eligible hutment-dwellers before LOI. Provided that nothing contained herein shall apply to Slum Rehabilitation Projects undertaken by the	Where 70 percent or more of the eligible hutment-dwellers in a slum and stretch of road or pavement contiguous to it at one place agree to join a rehabilitation scheme, it may be considered for approval, subject to submission of irrecoverable written agreements of eligible hutment-dwellers before LOI. Land owner or developer appointed	



Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark																				
		State Government or Public authority or as the case may be a Govt. Company as defined in Sec. 617 of the Companies Act 1956 and being owned & controlled by the State Government.	by Land owner can develop his/her land without submission of 70% consent from Slum Dwellers, the same to be insisted before C.C. of 1st Rehab building. Provided that nothing contained herein shall apply to Slum Rehabilitation Projects undertaken by the State Government or Public authority or as the case may be a Govt. Company as defined in Sec. 617 of the Companies Act 1956 and being owned & controlled by the State Government.																					
30.	VI/33(10)VIII Rehabilitation and Free Sale Component 3.6 (page No. 190)	<div>In addition to the entitlement under Provisions in 3.3 and 3.4 herein above, for slum rehabilitation schemes that attempt larger agglomerated development allowing enhanced planning &amp; quality of life, the following additional BUA incentive will be admissible under free sale component of Slum Rehabilitation Schemes as shown in table below:</div> <table><tr><th>Area of the S.R. Scheme</th><th>Additional built-up area admissible under free sale component.</th></tr><tr><td>5 acre up to 10 acres</td><td>5%</td></tr><tr><td>Above 10 acre up to 20 acres</td><td>10%</td></tr><tr><td>Above 20 acre up to 40 acres</td><td>15%</td></tr><tr><td>Above 40 acres</td><td>20%</td></tr></table>	Area of the S.R. Scheme	Additional built-up area admissible under free sale component.	5 acre up to 10 acres	5%	Above 10 acre up to 20 acres	10%	Above 20 acre up to 40 acres	15%	Above 40 acres	20%	<div>In addition to the entitlement under Provisions in 3.3 and 3.4 herein above, for slum rehabilitation schemes that attempt larger agglomerated development allowing enhanced planning &amp; quality of life, the following additional BUA incentive will be admissible under free sale component of Slum Rehabilitation Schemes as shown in table below:</div> <table><tr><th>Area of the S.R. Scheme</th><th>Additional built-up area admissible under free sale component on Rehab Component.</th></tr><tr><td>5 acre up to 10 acres</td><td>5%</td></tr><tr><td>Above 10 acre up to 20 acres</td><td>10%</td></tr><tr><td>Above 20 acre up to 40 acres</td><td>15%</td></tr><tr><td>Above 40 acres</td><td>20%</td></tr></table>	Area of the S.R. Scheme	Additional built-up area admissible under free sale component on Rehab Component.	5 acre up to 10 acres	5%	Above 10 acre up to 20 acres	10%	Above 20 acre up to 40 acres	15%	Above 40 acres	20%	
Area of the S.R. Scheme	Additional built-up area admissible under free sale component.																							
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Above 20 acre up to 40 acres	15%																							
Above 40 acres	20%																							

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark
31.	VI/ 33(10)VIII Payments to be made to SRA and Installments 9.2 (page No. 202)	An amount at the rate of 2% of ready reckoner rate as prevailing on the date of issue of LOI per sq. m or such an amount as may be decided by GOM from time to time shall be paid by the Owner/Developer/Society/NGO for the BUA over and above the Zonal (basic) FSI (including excluding fungible compensatory area BUA), for the rehabilitation and free-sale components. Similarly, it shall be paid for the built-up area over and above the normally permissible FSI for construction of permanent transit camps in accordance with the provisions under DCR 33(11). This amount shall be paid to the SRA in accordance with the time-schedule for such payment as may be laid down by the CEO, SRA provided the installments shall not exceed beyond the completion of construction. This amount shall be used for Schemes to be prepared for the improvement of infrastructure in slum or slum rehabilitation areas. These infrastructural charges shall be in addition to development charges levied as per section 124 of MR&TP Act 1966.	<b>An amount Rs. 840 per sq. mt. (or Rs. 560 per sq. mt. for the localities mentioned in sub regulations 3.4 hereinabove) (16)</b> shall be paid by the Owner/Developer/Society/NGO for the built-up area over and above <b>the normally permissible FSI</b> , for the rehabilitation and free sale components. Similarly, it shall be paid for the built-up area over and above the normally permissible FSI for construction of <b>transit camps in accordance with the provisions under DCR 33(14)</b> . This amount shall be paid to the Slum Rehabilitation Authority in accordance with the time schedule for such payment as may be laid down by the Chief Executive Officer, Slum Rehabilitation Authority, provided the installments shall not exceed beyond the completion of construction, This amount shall be used for Schemes to be prepared for the improvement of infrastructure in slum or slum rehabilitation areas.  <b>[Provided that out of Rs. 560/- per sq. mt. infrastructural charges, 90% amount will go to MBC &amp; 10% amount will remain with SRA.]</b>	Existing provision to be retained
32.	VII/34 3.4 Special Development Zone(SDZ) 1. Special Development Zone-I (SDZ-I)	SDZ-I is a zone occupied by protected occupants as defined in Chapter IB of Maharashtra Slums Areas (Improvement, Clearance and Redevelopment) Act, 1971. Development of SDZ-I is governed by the Regulation No 33(10) and 17(3) (C) (c). The structures even if are situated within the physical boundary of SDZ-I, but not attracting the provisions of Maharashtra Slums Areas (Improvement, Clearance and Redevelopment) Act, 1971,	SDZ-I is a zone occupied by protected occupants as defined in Chapter IB of Maharashtra Slums Areas (Improvement, Clearance and Redevelopment) Act, 1971. Development of SDZ-I is governed by the Regulation No 33(10) and 17(3) <b>(D)</b> (c). The structures even if are situated within the physical boundary of SDZ-I, but not attracting the provisions of	Typo Error

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark
	(page No. 266)	will be deemed to be situated in SDZ II.	Maharashtra Slums Areas (Improvement, Clearance and Redevelopment) Act, 1971, will be deemed to be situated in SDZ II.	
33.	VI/33 (13) (i) Buildings of Information Technology Establishments (page No. 229)	New Provision	(i) Crèche to the extent of 2% of the total floor area subject to maximum of 200 sq.mt. shall be allowed free of FSI.	
34.	VI/33 (13) (j) Buildings of Information Technology Establishments (page No. 229)	New Provision	(j) Canteen to the extent of 200 sq. mt. for the benefit of the employees/ occupants of the building shall also permitted free of FSI.	
35.	VI/33 (18) VIII. Development of Multi Storey Public Parking Lots (PPL)  (page No. 232)	Public Parking shall be limited to G + 4 and three basements.	Public Parking shall be limited to <del>G + 4</del> and <b>three basements + Multi Level Podiums up to 32 mtrs height above ground level .</b>	As per parking guidelines

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark
36.	VI/33 (18) X. Development of Multi Storey Public Parking Lots (PPL) (page No. 232)	The developer of the PPL shall pay premium worked out as per the following formula : Premium = 60% of [Value of the additional BUA corresponding to incentive FSI admissible under this Regulation , as per A.S.R. - (Cost of construction of PPL +cost of extra amenities /facilities provided +cost of construction of BUA corresponding to the incentive FSI admissible under this regulation )]	The developer of the PPL shall pay premium worked out as per the following formula : Premium = <del>60%</del> 20% of [Value of the additional BUA corresponding to incentive FSI admissible under this Regulation , as per A.S.R. - (Cost of construction of PPL +cost of extra amenities /facilities provided +cost of construction of BUA corresponding to the incentive FSI admissible under this regulation+ <b>the cost incurred towards various statutory payments relating PPL as well as the incentive FSI admissible under this regulation</b> )]	On similar lines as recent notification for 33(14)
37.	VI/33 (19) (3) Additional FSI for Commercial User Development in Central Business district (CBD) or plot situated in residential or Commercial zone (Page No. 233)	(3) Development for residential purpose to the extent of maximum 30% of the permissible FSI as per provisions of Regulation No.30 (A) 1, Table No 12 may be allowed. Additional FSI as per this regulation shall not be permissible for residential user/development.	(3) Development for residential purpose to the extent of maximum 30% of the permissible FSI <del>as per provisions of Regulation No.30 (A) 1, Table No 12 may be allowed. Additional FSI as per this regulation shall not be permissible for residential user/development.</del> may be allowed.	

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR			Suggestion Proposed			Remark
38.	VI/33 (19) (4) & (5)  Additional FSI for Commercial User Development in Central Business district (CBD) or plot situated in residential or Commercial zone  (Page No. 233)	4) Premium for granting such 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.  5) Provision of IH shall not be applicable for development in CBD.  Provided further that in case the entire commercial development is on a plot situated in Commercial Zone/Independent plot in Residential Zone, and satisfies other related provisions of these Regulations, the Commissioner may allow FSI as detailed below including permissible FSI as per provision of Regulation 30(A)1 Table No 12 for commercial uses/development on area of plots excluding area covered under Reservation/Designation in the DP except affected by proposed DP roads/Sanctioned RL under MMC Act, on payment of premium for BUA @ 80 % of ASR for open developed land for FSI 1 and shall be equally shared between the GoM and MCGM. In this case, no residential development will be allowed on such plot.			4) Premium for granting such additional BUA beyond permissible FSI as per Table No 12 shall be charged at the rate of <del>80</del> 30 % of ASR for open developed land of FSI 1 and shall be equally shared between the GoM. and MCGM.  5) Provision of IH shall not be applicable for development in CBD.  Provided further that in case the entire commercial development is on a plot situated in Commercial Zone/Independent plot in Residential Zone or plots converted from Industrial Zone to Residential or Commercial Zone under Regulation 14 (B), and satisfies other related provisions of these Regulations, the Commissioner may allow FSI as detailed below including permissible FSI as per provision of Regulation 30(A)1 Table No 12 for commercial uses/development on area of plots excluding area covered under Reservation/Designation in the DP except affected by proposed DP roads/Sanctioned RL under MMC Act, on payment of premium for BUA @ <del>80</del> 30 % of ASR for open developed land for FSI 1 and shall be equally shared between the GoM and MCGM.  . <u>In this case no residential development will be allowed on such plot.</u>			As per walk to work Concept
39.	VI/33 (19) 5 Table 33(19)							
		Sr.	Plot area excluding area covered under	Maximum	Sr.	Plot area excluding area covered	Maximum	

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR				Suggestion Proposed				Remark			
	<b>Additional FSI for Commercial User Development in Central Business district (CBD) or plot situated in residential or Commercial zone</b>  <b>(Page No. 233)</b>	No.	<b>to be handed over in lieu of</b> Reservation/Designation in the DP except affected by proposed DP roads/Sanctioned RL under MMC Act			Permissible FSI		No.	<del>under</del> <b>to be handed over in lieu of</b> Reservation/Designation in the DP except affected by proposed DP roads/Sanctioned RL under MMC Act	Permissible FSI			
		1	Up to 2000 sq. m			3		1	Up to 2000 sq. m		3		
		2	Above 2000 and up to 3000 sq. m			4		2	Above 2000 and up to 3000 sq. m		4		
		3	Above 3000			5		3	Above 3000		5		
						Note: Clause 33 (19)(3) shall be applicable in respect of above table.							
40.	<b>VI/34 (3.2) Table C</b>  <b>Conditions applicable for permitting various land-uses and occupancies</b>  <b>(page No. 243)</b>	<b>Table C</b> <b>Conditions under which uses and occupants will be permitted in Residential, Commercial &amp; Industrial Zones</b> <b>Sr. No. 4</b>											
		Sr. No.	Users and Occupancies	Conditions under which land uses and occupancies will be permitted in Zones				Sr. No.	Users and Occupancies	Conditions under which land uses and occupancies will be permitted in Zones			
				R	C	I	Additional Conditions			R	C	I	Additional Conditions
		4	Short term accommodation (i) 4 or 5 Star category hotels	1 or 2 <b>or 3</b> & 11, 16, 21	1 or 2 <b>or 3</b> & 11, 16, 21	1 or 2 <b>or 3</b> & 11, 16, 21, 28		4	Short term accommodation (i) 4 or 5 Star category hotels	1 or 2 <b>or 3</b> & 11, 16, 21, 28 <b>14, 16,</b> <del>16,</del> 21	1 or 2 <b>or 3</b> & 11, 16, 21, 28 <b>14, 16,</b> <del>16,</del> 21	1 or 2 <b>or 3</b> & 11, 16, 21, 28 <b>14, 16,</b> <del>16,</del> 21	
			(ii)3 Star category hotels	1 or 2 <b>or 3</b> &15,21	1 or <b>2 or 3</b> &15,21	1 or 2 <b>or 3</b> &15,21,28			(ii)3 Star	1 or 2	1 or 2	1 or 2	

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed						Remark
				category hotels	2 or 3 & 14, 15, 21	2 or 3 & 14, 15, 21	or 3 & 14, 15, 21, 28		
41.	VIII/37(9)  Requirements of parts of buildings  (page No. 297)	Office Room:  In every residential/non-residential building, constructed or proposed to be constructed for the use of a co -operative society or an apartment owners'/lessee's association, an office room will be permitted on the ground floor or 1st floor or parking floors or stilt floor. In an already developed property, it may be on an upper floor. The area of the room inclusive of toilet shall be limited to 20 sq. m.	Office Room:  In every residential/non-residential building, constructed or proposed to be constructed for the use of a co -operative society or an apartment owners'/lessee's association, an office room will be permitted on the ground floor or 1st floor or parking floors or stilt floor. In an already developed property, it may be on an upper floor. The area of the room inclusive of toilet shall be limited to 20sq. m. <b>in each wing.</b>						
42.	VIII/37(28)(ii)  Requirements of parts of buildings  (page No. 303)	Yogalaya or Fitness Centre:  (ii) The area of such center shall be allowed free of FSI equivalent to 2(two) percent of the total BUA for every building subject to a condition that, it shall not be less than 20 sq. m and not more than 200 sq. m per building. Any additional BUA, in excess of this limit would be counted towards FSI.	Yogalaya or Fitness Centre:  (ii) The area of such center shall be allowed free of FSI equivalent to 2(two) percent of the total BUA for every building subject to a condition that, it shall not be less than <b>25</b> sq. m <b>in each wing and</b> not more than 200 sq. m per <b>wing</b> /building. Any additional BUA, in excess of this limit would be counted towards FSI. This area will be exclusive of the structures permitted under DCR 27 (1)(g).						



Sr. No.	Part No/ Regulation No.	Provision in Draft DCR						Suggestion Proposed						Remark
43.	VIII/41 (2) (i) (a)  Open Spaces within Building Plots/Layout  (page No. 316)	Table A						Table A						
		Sr. No.	Ht. of Building (H)	Side & rear marginal open space		Side & rear marginal open space		Sr. No.	Ht. of Building (H)	Side & rear marginal open space		Side & rear marginal open space		
				Plot up to 1000sq.mt. or where average width/depth of plot is less than 20 m		Plot size more than 1000sq.m or more and average width/ depth of plot more 20 m				Plot up to 1000sq.mt. or where average width/depth of plot is less than 20 m		Plot size more than 1000sq.m or more and average width/ depth of plot more 20 m		
				Light & Ventilation	Dead Wall	Light & Ventilation	Dead Wall			Light & Ventilation	Dead Wall	Light & Ventilation	Dead Wall	
		1	Up to 32 m	Min – 3.6 in case of Residential building & 4.5 m in case of commercial building subject to H/5	3.6 m	Min – 3.6 in case of Residential building & 4.5 m in case of commercial building subject to H/4	3.6 m	1	Up to 32 m	Min – 3.6 in case of Residential building & 4.5 m in case of commercial building subject to H/5	3.6 m	Min – 3.6 in case of Residential building & 4.5 m in case of commercial building subject to H/5	3.6 m	
		2	More than 32 m & up to 70 m	H/5 subject to maximum 12 m	6 m	H/4 subject to maximum 12m	6m	2	More than 32 m & up to 120 m	H/5 subject to maximum 12 m	6 m	H/6 subject to maximum 12m	6m	
		3	More than 70m & upto 120 m	-----		H/4 or 16 m Max.	9 m	3		-----				
		4	More than 120m	-----		20 m	9 m	4	More than 120m	-----		16 m maximum	9 m	

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR						Suggestion Proposed						Remark
44.	VIII/41 (2) (i) (a)  Open Spaces within Building Plots/Layout  (page No. 317)	Table B						Table B						As fully Air Conditioned building does not derive light and ventilation 6 mtr. Open space all around is adequate.
		Sr. No.	Ht. of Building (H)	Side & rear marginal open space		Side & rear marginal open space		Sr. No.	Ht. of Building (H)	Side & rear marginal open space		Side & rear marginal open space		
				Plot up to 1000sq.mt. or where average width/depth of plot is less than 20 m		Plot size more than 1000sq.m and average width/ depth of plot more 20 m				Plot up to 1000sq.mt. or where average width/depth of plot is less than 20 m		Plot size more than 1000sq.m and average width/ depth of plot more 20 m		
				Light & Ventilation	Dead Wall	Light & Ventilation	Dead Wall			Light & Ventilation	Dead Wall	Light & Ventilation	Dead Wall	
		1	Up to 32 m	Min – 3.6 in case of Residential building & 4.5 m in case of commercial building subject to H/6	3.6 M	Min – 3.6 in case of Residential building & 4.5 m in case of commercial building subject to H/5	3.6 m			Light & Ventilation	Dead Wall	Light & Ventilation	Dead Wall	
		2	More than 32 m & up to 70 m	10 m or H/6 whichever is less	6 m	12 m or H/5 whichever is less	6m	1	Up to 32 m	Min – 3.6 in case of Residential building & 4.5 m in case of commercial building subject to H/6	3.6 M	Min – 3.6 in case of Residential building & 4.5 m in case of commercial building subject to H/5	3.6 m	
		3	More than 70m & upto 120 m	-----		14 m or H/5 or whichever is less	9 m	2	More than 32 m & up to 70 m	9m or H/6 whichever is less	6 m	9 m or H/6 whichever is less	6m	
		4	More than 120m	-----		18 m	9 m			-----				
		Provided further that due to site constraint and where demonstrable hardship is caused the open spaces as specified in table A above may be allowed to be relaxed as per table C below, by commissioner						3		-----				

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed					Remark
		by charging premium at 25% of ASR Rate of the developed land (for FSI 1). The premium so collected shall be used for the development of infrastructure to mitigate the strain on infrastructure caused due to such relaxation. The deficient area for the payment of premium shall not exceed the total BUA of building/s:	4	More than 120m	-----	12 m maximum	9 m	<p>Provided further that due to site constraint and where demonstrable hardship is caused the open spaces as specified in table B above may be allowed to be relaxed as <del>per table C below</del>, by commissioner by charging premium at 25% of ASR Rate of the developed land (for FSI 1). The premium so collected shall be used for the development of infrastructure to mitigate the strain on infrastructure caused due to such relaxation. The deficient area for the payment of premium shall not exceed the total BUA of building/s: Completely Air Conditioned building shall have Open Space of 6 mtr. all around (subject to CFO.NOC)</p>

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR				Suggestion Proposed		Remark	
45.	VIII/41 (2) (i) (a)  Open Spaces within Building Plots/Layout  (page No. 318)	Table C						Table C  To be deleted fully with provided	
		Sr. No.	Ht. of Building (H)	Side & rear marginal open space		Side & rear marginal open space			
				Plot up to 1000sq.mt. or where average width/depth of plot is less than 20 m		Plot size more than 1000sq.m and average width/ depth of plot more 20 m			
				Light & Ventilation	Dead Wall	Light & Ventilation	Dead Wall		
		1	Up to 32 m	Min – 3.6 in case of Residential building & 4.5 m in case of commercial building subject to H/7	3.6 M	Min – 3.6 in case of Residential building & 4.5 m in case of commercial building subject to H/6	3.6 m		
		2	More than 32 m & up to 70 m	9 m or H/7 whichever is less	6 m	12 m or H/6 whichever is less	6m		
		3	More than 70m & upto 120 m	-----		14 m or H/6 or whichever is less	9 m		
		4	More than 120m	-----		16 m	9 m		
		Provided further that due to site constraint and where demonstrable hardship is caused, the open spaces as specified in table A above may be allowed to be relaxed further with the special permission of							

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark
		Commissioner by charging premium. The premium so collected shall be used for the development of infrastructure to mitigate the strain on infrastructure caused due to such relaxation. The deficient area for the payment of premium shall not exceed the total BUA of building/s.		
46.	VIII/42(i)(c)  Features permitted in Open Spaces  (page No. 327)	(i) Permitted in the side or rear marginal open spaces:  (c) Suction tank, pump room, electric meter room or sub-station, garbage shaft/refuse chute, facility for treatment of wet waste in situ, space required for fire hydrants, electrical and water fittings, water tank, dust-bin, etc.	(i) Permitted in the side or rear marginal open spaces:  (c) Suction tank, pump room, electric meter room or sub-station, garbage shaft/refuse chute, facility for treatment of wet waste in situ, space required for fire hydrants, electrical and water fittings, water tank, dust-bin, <b>Control panel room as per CFO requirements, D. G. Sets,</b>	

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark
			Receiving Station as per requirements of Service provider etc.	
47.	VIII/42 (ii) (f) (iv)  Features permitted in Open Spaces  (page No. 328)	(ii)Other features permitted in open space:  (f) (iv) New Provision	<p>1) To allow parapet wall at terrace level of greater height up to 4.50 mts/ 6.50 mt, or more;</p> <p>The parapet wall of greater height up to 4.50 mt for building up to 70.00 mt, height up to 6.50 mt for building having height from 70.00 mt up to 120.00 mt and parapet wall for building height above 120.00 mt, parapet wall of required height may be allowed on all sides of the building periphery in any shapes/ any profile provided that-</p> <p>a) the parapet wall above 1.15 mt ( i.e, 3.35 m for building having height less than 70.00 m, 5.35 m for building having height from 70.00 m up to 120.00 m and height of parapet wall up to 7.50 m or up to top of LMR/ Water tank parapet top whichever is higher with specific designs requirement for a building having height beyond 120.00 m which may/ may not include need for providing seismic damper as per the structural requirement of the building approved by High Rise Committee) shall be provided with voids/opening so that the area of such voids/openings/ profile should not be less than 60% of the surface area of the parapet wall above 1.15 mt. Such opening shall be provided at 1.15 mt level from terrace level and shall be of</p>	As per New DCR of MMR

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark
			<p>adequate size ( width 1.5 mt&amp; height 1.5 mt) from where person can be taken out or communicated through visuals or orals easily.</p> <p>b) the regular parapet wall of 1.15 mt height without any voids/opening shall be provided all over the periphery of building line at terrace level as per provisions of the DCR. if the Architect/Developer has proposed to allow more height of parapet wall beyond regular 1.15 mt and up to 1.50 mt, then same may be allowed with the special permission of the Commissioner under the provisions of sub regulation 64 ( b) of DCR 1991.</p> <p>c) the parapet wall may be provided with or without decorative material with or without cladding/ bonds/ cornices/ support structure. The material used for decorative purpose or for cladding shall be fire resistant as per NBC.</p> <p>d) greater height of parapet wall shall only be allowed on topmost common terrace of building/ wing/wings and shall not be allowed on intermediate part terraces/ pocket terraces/ slopping terraces, podium/ parking floors, refuge floors etc.</p> <p>e) for part terrace on topmost floor, the parapet wall up to the maximum height of lift machine room/ Water tank parapet top whichever is higher can be permitted along all sides with voids in surface area not less than 75%, subject</p>	



Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark
			<p>to 1 ( b) and 1( c ) above.</p> <p>f) the elevation features in the form of MS/RCC railing up to the height of 1.15 mt from the finished top floor top of overhead water tank shall be allowed along the periphery of overhead water tank for protection/safety.</p> <p>2) to allow elevation features/dome like structures above water tank/lift machine room/ staircase room and at 4 corners of topmost terrace.</p> <p>The elevation features/dome like structure up to 4.00 mt height for building up to 70.00 mt height, 6.00mt for building having height more than 70.00 mt to up to 120.00 mt and beyond 120.00 mt the height may be allowed up to 9 mt in any geographical shape above water tank/lift machine room/staircase room along the periphery or at the 4 corners of topmost terrace may be permitted subject to providing 60% opening/voids of the surface area of elevation treatment/profile.</p> <p>3) to allow pergola at terrace slab level up to 2.00 mt beyond the building line.</p> <p>The pergola at terrace slab level may be allowed subject to:</p> <p>a) the pergola projection beyond building line shall not be more than 2.00 mt.</p> <p>b) the pergola projection shall not affect side marginal open space of 3.00 mt and front marginal open space of 1.5 mt.</p>	

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark
			<p>c) such pergola shall be allowed only on topmost common terrace of building/ wing/ wings.</p> <p>d) the pergolas shall not be allowed on part terraces /pocket terraces/ slopping terraces.</p> <p>4) to allow peripheral fins at podium level to camouflage stack parking at podium level. The peripheral fins may be allowed at podium level above parapet subject to:</p> <p>a) minimum 75% see through opening area of proposed peripheral area shall be provided</p> <p>b) the fins shall be provided with material such as Alco bond/ fibre/ aluminum sheets/ FRP plastic/ wooden panel.</p> <p>c) the fins with RCC , brick work, hollow block or any such construction material shall not be permitted.</p> <p>5) to allow drop chajja: To drop ( down ) chajja of 0.10 to 0.15 m thick may be allowed with 0.30 m drop (down) on either sides opening provided that,</p> <p>a) the width of the chajja should be as per provisions of the DCR and</p> <p>b) thechajja shall be at the level of minimum 0.60 m below the floor level as shown in sketch no.1.</p>	

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark
			<p>6) to allow slant chajjas: The slant chajjas as shown in sketch no.2 may be allowed.</p> <p>7) to allow drop chhajja on 1.20 m with cut out in between: The same may be allowed as shown in sketch no 3.</p> <p>8) to allow cornices: The cornices up to 0.10/ 0.15 mt maximum projection along the periphery of window opening top/bottom and vertical at external wall, at the floor level/ midlandind level/ terrace level/ parapet top level, dead wall/ staircase bay opening/ may be allowed along with cornices to chajjas as shown in sketch no 4.</p> <p>9) to allow chajja/ cornices for parking floors/stilt The chajjas up to 0.60 m projection with level difference of 0.6 mt or cornices up to 0.15 mt proposed at parking floor level shall be permitted.</p> <p>10) to allow elevational bands The elevation bands of maximum 0.75 mt width in the form of decorative/ material of maximum 20 mm thick including all fixtures/cement sand plaster of 20 mm thick may be allowed.</p> <p>11) Crown on the building :- The crown on the building with height of 70.00 mt. or more will be allowed with the height of 1/8<sup>th</sup> of the total height of the building above terrace. The crown profile selected</p>	

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark
			<p>will be allowed covering the entire terrace with 60% opening of all sides with the support system as per the design requirement and as approved by the Hon. M.C.</p> <p>12) Platform for providing A.C. Unit The M.S. chequered plat platform with 1.20 mt width exclusively to provide A.C units at suitable location for residential/non residential building may be allowed with prior permission of Hon'ble M.C.</p> <p>13) Connection of Terraces of the wings of the building The Terraces of the wings of the building will be allowed to be connected at Terrace slab level for a building if allowed by Hon'ble M.C subject to following conditions;</p> <ul style="list-style-type: none"> <li>(i) The area of such passage/extended terrace shall not be counted in FSI being extension to the terrace which is permissible free of FSI as per DCR.</li> <li>(ii) Necessary safety measures for taking care of light and ventilation, structural safety, fire safety and neighbourhood safety shall be taken during and after construction of such passages. Architect to submit complete details about steps taken for safety measures, details about ensuring adequate L/V in writing while putting up such proposal.</li> <li>(iii) Greater height of parapet wall shall not be allowed for such passages/extended terraces.</li> <li>(iv) Maximum 1.50 mtr. Height of parapet wall in</li> </ul>	

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark
			<p>these portions shall be insisted as a safety measures of the occupants.</p> <p>(v) Necessary CFO NOC shall be insisted before approval of plans.</p> <p>(vi) This area shall be kept vacant and maintained open to sky and not be allowed for any other purpose.</p> <p>14) To allow roof top solar system The solar panel system will be permitted on the roof top of the building as specified in the sub regulation 38 (31) on request of Architect/Developer subject to following condition:</p> <p>(i) The provision/condition/specification, mentioned in the DC Regulation 38 (31) of DCR 1991 shall be adhered to.</p> <p>(ii) The headroom below solar devises (height between finished surface of Terrace and bottom of Solar panel system) shall not exceed 1.80 mt. and shall not exceed the building height at the highest point.</p> <p>(iii) The approval of exclusive roof top solar system will be granted by concerned EE (BP) for all types of building for which OCC is given or which are under construction.</p> <p>15) The above elevation features except the features</p>	

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark
			<p>mentioned in sub clause 14 (iii) may be permitted by the Municipal Commissioner subject to the following;</p> <p>(a) The elevation treatment shall not be counted in FSI. However, for the purpose of Civil Aviation, Heritage, Archeology, High Rise Building etc. the height of building up to the Top most point of elevation treatment shall be taken into consideration.</p> <p>(b) Regarding undertaking for not misusing the said elevation features shall be submitted by the developer/owner.</p> <p>(c) the individual propose shall be scrutinized by concerned building proposal department and submitted for special sanction of Municipal Commissioner.</p> <p>(d) No pergola or horizontal roof type enclosure shall be allowed on terrace.</p> <p>(e) The detailed drawings showing plans, sections shall be submitted for approval.</p> <p>(f) The specific NOC from CFO shall be obtained for such proposed elevation features before processing the proposal for approval.</p> <p>(g) Where, HRC, NOC is obtained earlier for full height, the structural stability from VJTI, IIT or SPCE for Serial No.</p>	

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR			Suggestion Proposed			Remark
					1, 2, 11 and 13 shall be obtained.			
48.	VIII/42 (ii) (f) (v) Features permitted in Open Spaces (Pg. No. 328)	New provision f(v)			The architectural features as permissible as per unified DCR for the state.			
49.	VIII/44 (2) Table 21  Parking Spaces  (Page No. 330 & 331)	Sr. No. (1)	Occupancy (2)	Parking Space required (3)	Sr. No. (1)	Occupancy (2)	Parking Space required (3)	
		1	(i)Residential	In the Island City areas, Suburbs and Extended Suburbs;	1	(i)Residential	In the Island City areas, Suburbs and Extended Suburbs;	
				<p>One parking space for every.</p> <p>a) 4 tenements having carpet area up to 45 sq. m each.</p> <p>b) 2 tenements with carpet area exceeding 45 sq. m but not exceeding 60sq.m each. Provided further that in case of (a) &amp; (b), at the option of owner/developer, may provide one parking for each tenement.</p> <p>c) 1 tenement with carpet area exceeding 60 sq. m but not exceeding 90 sq. m</p> <p>d) 1/2 tenement with carpet area exceeding 90 sq. m</p> <p>In addition to the parking spaces specified in (a), (b), (c)&amp; (d) above, parking for visitors shall be provided to the extent of 25 per cent of the number stipulated above, subject to minimum of one.</p> <p>Provided that for the redevelopment under Regulation 33(5), 33(6), 33(7), 33(7)(A),33(9),33(9)(B), 33(10) 33(10)(A), 33(11) (A),33(15) &amp; 33(20) (A) the parking shall be as follows. One parking space for every.</p> <p>a) 8 tenements having carpet area up to 45 sq. m each</p> <p>b) 4 tenements with carpet area exceeding 45 sq. m but not exceeding 60 sq. m each</p> <p>c) 2 tenements with carpet area exceeding 60 sq. m but</p>			<p>One parking space for every.</p> <p>8 tenements having Carpet Area less than 30 sq. mtr.</p> <p>a) 4 tenements having carpet area from 30 to 45 sq. m each.</p> <p>b) 2 tenements with carpet area exceeding 45 sq. m but not exceeding 60sq.m each. Provided further that in case of (a) &amp; (b), at the option of owner/developer, may provide one parking for each tenement.</p> <p>c) 1 tenement with carpet area exceeding 60 sq. m but not exceeding 90 sq. m</p> <p>d) 1/2 tenement with carpet area exceeding 90 sq. m</p> <p>In addition to the parking spaces specified in (a), (b), (c)&amp; (d) above, parking for visitors shall be provided to the extent of 5 per cent of the number stipulated above, subject to minimum of oneand maximum of 25.</p> <p>Provided that for the redevelopment under Regulation 33(5), 33(6), 33(7),</p>	



Sr. No.	Part No/ Regulation No.	Provision in Draft DCR			Suggestion Proposed			Remark
				not exceeding 90 sq. m each. d) 1 tenement with carpet area exceeding 90 sq. m			33(7)(A),33(9),33(9)(B), 33(10) 33(10) (A), 33(11) (A),33(15) & 33(20) (A) the parking shall be as follows. One parking space for every. a) 8 tenements having carpet area 30 to 45 sq. m each b) 12 tenements having carpet area below 30 sq. mtrs. each. b) 4 tenements with carpet area exceeding 45 sq. m but not exceeding 60 sq. m each c) 2 tenements with carpet area exceeding 60 sq. m but not exceeding 90 sq. m each. d) 1 tenement with carpet area exceeding 90 sq. m	
				In addition to the parking spaces specified in (a), (b), (c) & (d) above, parking spaces for visitors shall be provided to the extent of 25 per cent of the number stipulated above, subject to minimum of one			In addition to the parking spaces specified in (a), (b), (c)& (d) above, parking spaces for visitors shall be provided to the extent of 5 per cent of the number stipulated above, subject to minimum of one and maximum of 25.	
50.	VIII/ (Page. 333)	Additional parking spaces beyond the parking spaces as stipulated in this regulation at the option of developer is proposed then the construction area for the additional parking to the extent of 25 % shall be beyond 25% and upto 50% on payment of premium at the rate of 50% of ASR of open land (for FSI 1) and beyond 50% on payment of premium at the rate of <del>100</del> 15% of ASR of open land (for FSI 1). For this purpose maximum area of construction per car parking space shall be considered at 25 sq. m excluding the area required for effective maneuvering ,passages ,slopes/ramps columns, car lifts etc. and 40 sq. m including the area required for			Additional parking spaces beyond the parking spaces as stipulated in this regulation at the option of developer is proposed then the construction area for the additional parking to the extent of <del>25</del> 50% shall be <b>allowed without premium at the rate of 25% 10% of ASR of open land (for FSI 1), 0 to 25% no premium to be charged and 25 to 50% - premium to be charged 10% of ASR of open land</b> and beyond 50% on payment of premium at the rate of <del>100</del> 15% of ASR of open land (for FSI 1). For this purpose maximum area of construction per car parking space shall be			

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark
		effective maneuvering, passages, slopes/ramps columns, car lifts etc.	considered at 25 sq. m excluding the area required for effective maneuvering ,passages ,slopes/ramps columns, car lifts etc. and 40 sq. m including the area required for effective maneuvering, passages, slopes/ramps columns, car lifts etc.	
51.	<b>IX/47(1) (A)</b>  <b>Fire Protection Requirements</b>  <b>(Pg. No. 339)</b>	Provided, if the building abuts another road of 6 m or more, this condition shall not be insisted upon. Provided, however, if podium is proposed it shall not extend 6 m beyond building line so as to have clear open space of 6 m beyond podium for height up to 70 m & 9 m beyond 70 m.	Provided, if the building abuts another road of 6 m or more, this condition shall not be insisted upon. Provided, however, if podium is proposed it shall not extend 6 m beyond building line so as to have clear open space of 6 m beyond podium for height up to -120 m & 9 m beyond -120 m.	
52.	<b>IX/47(1)(B)(a)</b>  <b>Fire Protection Requirements</b>  <b>(Pg. No. 339)</b>	<p>Buildings having height more than 32 m up to 70 m, at least one side, accessible from road side, shall have clear open space of 9 m at ground level.</p> <p>Provided, if the building abuts another road of 6 m or more, this condition shall not be insisted upon.</p> <p>Provided, however, if podium is proposed it shall not extend 6m beyond building line so as to have clear open space of 6m beyond podium.</p> <p>Provided, further, where podium is accessible to firefighting appliances (fire engines and other equipment) by a ramp, the above restriction shall not apply.</p> <p>Buildings having height more than 70 m, at least two sides, accessible from road side, shall have clear open space of 9 m at</p>	<p>Buildings having height more than 32 m up to -120 m, at least one side, accessible from road side, shall have clear open space of -6m at ground level.</p> <p>Provided, if the building abuts another road of 6 m or more, this condition shall not be insisted upon.</p> <p>Provided, however, if podium is proposed it shall not extend 6m beyond building line so as to have clear open space of 6m beyond podium.</p> <p>Provided, further, where podium is accessible to firefighting appliances (fire engines and other equipment) by a ramp, the above restriction shall not apply.</p> <p>Buildings having height more than -120m, at least two sides, accessible from road side, shall have clear open</p>	

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark
		ground level.  Provided however, if podium is proposed it shall not extend 6 m beyond building line so as to have clear open space of 9 m beyond podium. No ramps for the podium shall be provided in these side open spaces.	space of 9 m at ground level.  Provided however, if podium is proposed it shall not extend 6 m beyond building line so as to have clear open space of 9 m beyond podium. No ramps for the podium shall be provided in these side open spaces.	
53.	IX/48 (5) (A) (a)(ii) Note  Requirements of Exits  (Page No. 345)	<b>(5) (A) Additional Staircase (a) (ii) Note</b>  Note : These staircases shall be enclosed type having minimum width of <del>1.5</del> <b>2.0</b>	Note : These staircases shall be enclosed type having minimum width of <del>1.5</del> 1.5	
54.	IX/48 (5) (A) (b) Requirements of Exits (Page No. 345)	Buildings having height 70 m or more, shall be provided with two enclosed type staircases, each having width not less than <del>1.5</del> <b>2.0</b> m.	Buildings having height 70 m or more, shall be provided with two enclosed type staircases, one having width not less than <del>1.5</del> <b>1.5</b> m and other one having width of 2.0 mt..	
55.	IX/48 (5) (A) (e) Requirements of Exits (Page No. 345)	The fire escape staircase other than one required per building/ wing shall be free of FSI without charging premium.	The fire escape staircase and other than one required per building/ wing shall be free of FSI without charging premium.	
56.	IX/48 (5) (B)	In case of Institutional/Special Buildings, non-residential high-rise buildings minimum two staircases shall be necessary.	In case of Institutional/Special Buildings, non-residential high-rise buildings minimum two staircases shall be	

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark
	<b>Requirements of Exits (Page No. 345)</b>		necessary. However, one staircase shall be free of FSI without charging premium.	
57.	<b>IX/48 (6) (b) (ii) Note</b>	Fire Escape balcony shall be counted in FSI.	Fire Escape balcony shall <b>not</b> be counted in FSI without charging premium.	
58.	<b>XIII/71 Restaurant on Roof Top</b>	<b>PART XIII – SPECIAL PROVISION</b>  <b>71. Restaurant on Roof Top</b>	<b>71. Restaurant on Roof Top</b> Granting of permission to the open to Air Terrace/Part terrace/common terrace (except Refuge floor) may be considered only to those buildings which are commercial mall building / Residential Hotel having existing eating house and lodging services available. Where part/pocket terraces are approved as refuge area, this policy will not be applicable. <ul style="list-style-type: none"> <li>• The regular proposal/application to grant permission for serving food to the Open to Air Terrace/part terrace/common terrace (except Refuge floor) as a serving area in approved buildings having O.C.C. shall be submitted to the office of the M.O.H. of the concern ward.</li> <li>• On receipt of application the procedure will be followed for granting permission on the lines of procedure of granting license for eating house.</li> <li>• The use of part terrace/Pocket Terrace / Common Terrace (except Refuge floor) as a service area can be considered only in commercial mall building/Residential Hotel having existing eating house and lodging services available which will not</li> </ul>	

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark
			<p>cause nuisance to the occupants.</p> <ul style="list-style-type: none"> <li>• The charges for such use of terrace for serving food would be similar as per the policy of “allowing the use of compulsory open space in front of eating house” vide circular No. HO/13761/C dt. 10.10.2001 i.e. the charges at the rate of Rs. 42/- per sq. mtr. as security deposit for observance of special conditions with Trade Refuse Charges (TRC) at the rate of double the TASOC for the first year and 10% increase every year subsequently. A separate receipt to be issued for this purpose which will bear the words “without prejudice” on the top and at the bottom a stamp should be put bearing the words “This receipt does not regularize the user and the corporation will be at liberty to take the action for violation of special conditions”.</li> <li>• The owner shall not claim the terrace area as habitable commercial area approved by M.C.G.M. while submitting the redevelopment proposal in future. An undertaking to this effect shall be submitted with the application.</li> <li>• No cooking/preparation of eatables shall be allowed on the terrace with the help of LPG or open flame. Only induction/microwave and electric oven shall be permitted.</li> <li>• The terrace to be used as a service area shall not be covered with any temporary/permanent structure /materials. No Monsoon shed/umbrella/Tarpaulin cover shall be permitted. No erection of any</li> </ul>	

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark
			<p>fixtures/frames will be allowed for covering and terraces shall be kept open to sky all the time.</p> <ul style="list-style-type: none"> <li>• Due care should be taken to avoid any complaints from the neighborhood of the building regarding any nuisance. The permission shall be liable for suspension or revocation in case of nuisance being created.</li> <li>• The timings for serving the food area shall be as per provisions in Police Act &amp; as per the provisions of Shop &amp; Establishment Act.</li> <li>• The lighting/illumination and ambient noise quality on terrace shall be conforming to the relevant provisions of Environmental Protection Act, 1986.</li> <li>• While processing the application for use of terrace as food serving area the aspects of legal matters such as Court orders for any status quo/injunction if any shall be invariably got confirmed from the concerned.</li> <li>• Building included in the list of heritage buildings of Grade I, II, III or precinct and if the proposal involves providing light fittings on terrace, N.O.C. from M.H.C.C. shall be a prerequisite. The applicant shall submit the heritage N.O.C. along with the application for use of terrace as food serving area.</li> <li>• In case of Municipal property/lease hold plot, NOC from Assistant Commissioner (Estate) shall be a</li> </ul>	

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark
			<p>prerequisite. In case of private property NOC from land lord/owner is a prerequisite.</p> <ul style="list-style-type: none"> <li>• The applicant shall submit indemnity Bond thereby indemnifying M.C.G.M. and their officers from any risk, damages, safety, loss of life and property. Litigations etc.</li> <li>• Access to Overhead Tank for PCO staff for tank inspection from malaria prevention point of view shall not be obstructed at any time.</li> <li>• Proper safety and security measures shall be ensured by the licensee to avoid any mishap/accident of whatsoever nature and the licensee shall be solely responsible.</li> <li>• There should not be any residential building up to 10 mtr. from the edge of the terrace where the license is issued.</li> <li>• If the existing height of parapet wall is less than 1.5 mt. same may be allowed to be increased by way of grills/openable glass cladding up to total height of 1.5 mt only.</li> <li>• The Licensee shall ensure that the ready to eat food will be served to the customers maintaining the food hygienic and shall take such measures to avoid contamination of food articles due to dust, files, dropping of birds and falling of leaves from nearby trees.</li> <li>• Undertaking to abide the special conditions related to use of terrace area for serving food shall be</li> </ul>	

Sr. No.	Part No/ Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark
			<p>obtained before issue of permission.</p> <ul style="list-style-type: none"> <li>N.O.C from Chief Fire Officer shall be insisted and the compliance of fire safety conditions is ascertained before issuing permission.</li> <li>M.C.G.M. reserves the right to revoke the permission at any point of time without prior notice is there is breach of any of the above conditions. The applicant shall submit the Registered Undertaking to stop the use of terrace as a serving area without any claims/compensation of whatsoever nature in case of any violation of the license conditions.</li> </ul>	
59.	XI/ Miscellaneous Provision	<b>Procedure for Building Proposal Approvals with respect to Ease of Doing Business</b> <b>NEW Provision</b>	Notwithstanding anything contained in Part II of this DCPR 2034 , Commissioner may grant development permission, as per Ease of Doing Business Manual of Procedure for Building Proposal approvals notified by the Commissioner vide No. CHE/DP/49/Gen/2015-16 Dt. 29/12/2015 and CHE/DP/41375/ Dt. 29/12/2015 and updated time to time .	
60.	XI/ Miscellaneous Provision	<b>Applicability of various clarifications , circulars and G.R. issued before the DCPR 2034 coming into force .</b> <b>NEW Provision</b>	In respect of provisions of DCPR 2034 which are same or are similar to the provisions of the DCR 1991 as modified / amended from time to time , all clarifications / circulars / GR issued for such provisions shall be valid and apply <i>mutatis mutandis</i> to the provisions of DCPR 2034 .	



**DCR 35**  
**Development or Redevelopment of lands of Cotton Textile Mills**

Sr. No .	Part No/Regulation No.	Provision in Draft DCR	Suggestion Proposed	Remark
	35	<p><b>(1) Lands of sick and/or closed cotton textile mills :-</b> With the previous approval of the Commissioner to a layout prepared for development or redevelopment of the entire open land and built-up area of a sick and/or closed cotton textile mill and on such conditions deemed appropriate and specified by him and as a part of a package of measures recommended by the Board of Industrial and Financial Reconstruction (BIFR) for the revival/rehabilitation of a potentially viable sick and/or closed mill, the Commissioner may allow:-</p> <p>(a) The existing built-up areas to be utilised -</p> <p>(i) For the same cotton textile or related uses subject to observance of all other Regulations;</p> <p>(ii) For diversified industrial uses in accordance with the industrial location policy, with office space only ancillary to and</p>	<p><b>(1) Lands of sick and/or closed cotton textile mills :-</b> With the previous approval of the Commissioner to a layout prepared for development or redevelopment of the entire open land and built-up area of a sick and/or closed cotton textile mill and on such conditions deemed appropriate and specified by him and as a part of a package of measures recommended by the Board of Industrial and Financial Reconstruction (BIFR) for the revival/rehabilitation of a potentially viable sick and/or closed mill, the Commissioner may allow:-</p> <p>(a) The existing built-up areas to be utilised -</p> <p>(i) For the same cotton textile or related uses subject to observance of all other Regulations;</p> <p>(ii) For diversified industrial uses in accordance with the</p>	

	<p>required for such uses, subject to and observance of all other Regulation;</p> <p>(iii) For commercial purposes, as permitted under these Regulations;</p> <p>(b) Open lands and balance FSI shall be used as in the Table below:-</p> <table><tr><th>Sr. No.</th><th>Extent</th><th>Percentage to be earmarked for Garden/Playground or any other POS as specified by the Commissioner</th><th>Percentage to be earmarked and handed over for development by MHADA for Public Housing/for mill worker's housing as per guidelines approved by Government to be</th><th>Percentage to be earmarked and to be developed for residential or commercial use (including uses permissible in residential or commercial zone as per these</th></tr><tr><td></td><td></td><td></td><td></td><td></td></tr></table>	Sr. No.	Extent	Percentage to be earmarked for Garden/Playground or any other POS as specified by the Commissioner	Percentage to be earmarked and handed over for development by MHADA for Public Housing/for mill worker's housing as per guidelines approved by Government to be	Percentage to be earmarked and to be developed for residential or commercial use (including uses permissible in residential or commercial zone as per these						<p>industrial location policy, with office space only ancillary to and required for such uses, subject to and observance of all other Regulation;</p> <p>(iii) For commercial purposes, as permitted under these Regulations;</p> <p>(b) Open lands and balance FSI shall be used as in the Table below:-</p> <table><tr><th>Sr. No.</th><th>Extent</th><th>Percentage to be earmarked for Garden/Playground or any other POS as specified by the Commissioner</th><th>Percentage to be earmarked and handed over for development by MHADA for Public Housing/for mill worker's housing as per guidelines approved by Government to be</th><th>Percentage to be earmarked and to be developed for residential or commercial use (including uses permissible in residential or commercial zone as per these Regulations)</th></tr><tr><td></td><td></td><td></td><td></td><td></td></tr></table>	Sr. No.	Extent	Percentage to be earmarked for Garden/Playground or any other POS as specified by the Commissioner	Percentage to be earmarked and handed over for development by MHADA for Public Housing/for mill worker's housing as per guidelines approved by Government to be	Percentage to be earmarked and to be developed for residential or commercial use (including uses permissible in residential or commercial zone as per these Regulations)						
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Sr. No.	Extent	Percentage to be earmarked for Garden/Playground or any other POS as specified by the Commissioner	Percentage to be earmarked and handed over for development by MHADA for Public Housing/for mill worker's housing as per guidelines approved by Government to be	Percentage to be earmarked and to be developed for residential or commercial use (including uses permissible in residential or commercial zone as per these Regulations)																			

					shared equality	Regulations ) or diversified Industrial users as per Industrial Location Policy, to be developed by the owner				shared equality	ns) or diversified Industrial users as per Industrial Location Policy, to be developed by the owner			
		1	2	3	4	5				1	2	3	4	5
		1	Up to and inclusiv e of 5 Ha.	33	27	40				1	Up to and inclusi ve of 5 Ha.	33	27	40
		2	Between n 5 Ha and up to 10 Ha.	33	34	33				2	Between n 5 Ha and up to 10 Ha.	33	34	33
		3	Over 10 Ha.	33	37	30				3	Over 10 Ha.	33	37	30
		Notes-								Notes-				
										(i) In addition to the land to be earmarked for				

		<p>(i) In addition to the land to be earmarked for garden/playground or any other open use as in column (3) of the above Table, open spaces, public amenities and utilities for the lands shown in columns (4) and (5) of the above Table as otherwise required under these Regulations shall also be provided.</p> <p>(ii) Segregating distance as required under these Regulations shall be provided within the lands intended to be used for residential/commercial uses.</p> <p>(iii) The owner of the land will be entitled for the FSI as per the Regulation No. 30(A) (1) and (4), excluding area of notional plot of residential buildings/chawls located on the lands of Cotton Textile Mills if any.</p> <p>(iv) Where FSI is in balance but open land is not available, for the purposes of column (3) and (4) of the above Table, land will be made open by demolishing the existing structures to the extent necessary and made available accordingly.</p> <p>(v) Where the lands accruing as per Columns (3) &amp; (4) are, in the opinion of the Commissioner, of such small sizes that they do not admit of separate specific uses provided for in the said columns, he may, earmark the said lands for use as provided in Column</p>	<p>garden/playground or any other open use as in column (3) of the above Table, open spaces, public amenities and utilities for the lands shown in columns (4) and (5) of the above Table as otherwise required under these Regulations shall also be provided.</p> <p>(ii) Segregating distance as required under these Regulations shall be provided within the lands intended to be used for residential/commercial uses.</p> <p>(iii) The owner of the land will be entitled for the FSI as per the Regulation No. 30(A) (1) and (4), excluding area of notional plot of residential buildings/chawls located on the lands of Cotton Textile Mills if any.</p> <p>(iv) Where FSI is in balance but open land is not available, for the purposes of column (3) and (4) of the above Table, land will be made open by demolishing the existing structures to the extent necessary and made available accordingly.</p> <p>(v) Where the lands accruing as per Columns (3) &amp; (4) are, in the opinion of the Commissioner, of such small sizes that they do not admit of separate specific uses provided for in the said columns, he may, earmark the said lands for use as provided in Column (3); the commissioner may allow any</p>	
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	<p>(3); the commissioner may allow any other POS Lands for any Mills received as Municipal Corporation of Greater Mumbai's share of Mill land as per column no. (3), to be earmarked for MHADA in exchange of such plots, for using as per column no. (4), special permission of Commissioner.</p> <p>(vi) It shall be permissible for the owners of the land to submit a composite scheme for the development or redevelopment of lands of different cotton textile mills, whether under different/common ownership or otherwise, upon which the lands comprised in the integrated scheme shall be considered by the Commissioner in an integrated manner. The land to be handed over as per column no (3) and (4) shall be preferably handed over in the respective land of mills. Provided further that where owner intends to hand over the share of land as per column no (3) and (4) at other mill within the integrated scheme having different stamp duty ready reckoner rate then area to be handed over shall be in proportion to the stamp duty ready reckoner rate of these lands of mills.</p> <p>(vii) Notwithstanding anything above, the layout of mill land shall be submitted by the mill owner within six months of closure of the mill or within six months from sanction of these Regulations whichever is later and the lands earmarked for MHADA &amp; POS shall be handed over to the concerned Authority within six months after the approval of layout and such period of handing over shall not be more than six months.</p>	<p>other POS Lands for any Mills received as Municipal Corporation of Greater Mumbai's share of Mill land as per column no. (3), to be earmarked for MHADA in exchange of such plots, for using as per column no. (4), special permission of Commissioner.</p> <p>(vi) It shall be permissible for the owners of the land to submit a composite scheme for the development or redevelopment of lands of different cotton textile mills, whether under different/common ownership or otherwise, upon which the lands comprised in the integrated scheme shall be considered by the Commissioner in an integrated manner. The land to be handed over as per column no (3) and (4) shall be preferably handed over in the respective land of mills. Provided further that where owner intends to hand over the share of land as per column no (3) and (4) at other mill within the integrated scheme having different stamp duty ready reckoner rate then area to be handed over shall be in proportion to the stamp duty ready reckoner rate of these lands of mills.</p> <p>(vii) Notwithstanding anything above, the layout of mill land shall be submitted by the mill owner within six months of closure of the mill or within six months from sanction of these Regulations whichever is later and the lands earmarked for MHADA &amp; POS shall be handed over to the concerned Authority within six months after the approval of layout and such period of handing over shall not be more</p>	
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			<p>than <del>six months</del> <b>one year.</b></p> <p><b>(viii) The provisions of this Regulation for sharing of Land shall not be applicable where the share of MHADA and MCGM Land if any has already been handed over as per Previous Regulations, Layout is already approved and C.C. is granted.</b></p>	
		<p><b>(2) Lands of cotton textile mills for purpose of modernization.-</b> With previous approval of the Commissioner to a layout prepared for development or redevelopment of the entire open land and/or built-up area of the premises of a cotton textile mill which is not sick or closed, but requiring modernization on the same land as approved by the competent authorities, such development or redevelopment shall be permitted by the Commissioner, subject to the condition that it shall also be in accordance with scheme approved by Government, provided that, with regards to the utilization of built up area, the provisions of clause (a) of sub-Regulation (1) of this Regulation shall apply.</p> <p><b>(3) Lands of cotton textile mills after shifting-</b> If a cotton textile mill is to be shifted outside Greater Mumbai but within the State, with due permission of the competent authorities, and in accordance with a scheme approved by Government, the provisions of sub-clauses (a) and (b) of Sub-Regulation (1) of this Regulation shall also apply in regard to the development or redevelopment of its land after shifting.</p>	<p><b>(2) Lands of cotton textile mills for purpose of modernization.-</b> With previous approval of the Commissioner to a layout prepared for development or redevelopment of the entire open land and/or built-up area of the premises of a cotton textile mill which is not sick or closed, but requiring modernization on the same land as approved by the competent authorities, such development or redevelopment shall be permitted by the Commissioner, subject to the condition that it shall also be in accordance with scheme approved by Government, provided that, with regards to the utilization of built up area, the provisions of clause (a) of sub-Regulation (1) of this Regulation shall apply.</p> <p><b>(3) Lands of cotton textile mills after shifting-</b> If a cotton textile mill is to be shifted outside Greater Mumbai but within the State, with due permission of the competent authorities, and in accordance with a scheme approved by Government, the provisions of sub-clauses (a) and (b) of Sub-Regulation (1) of this Regulation shall also apply in regard to the development or redevelopment of its land after shifting.</p>	

	<p><b>(4)</b> The condition of recommendation by the Board of Industrial and Financial Reconstruction (BIFR) shall not be mandatory in the case of the type referred to in sub-Regulations (2) and (3) above.</p> <p><b>(5)</b> Notwithstanding anything contained above, the Commissioner may allow additional development to the extent of the balance FSI on open lands or otherwise by the cotton textile mill itself for the same cotton textile or related use.</p> <p><b>(6)</b> With the previous approval of the Commissioner to a layout prepared for development or redevelopment of the entire open land and/or built up area of the premises of a cotton textile mill which is either sick and/or closed or requiring modernization on the same land, the Commissioner may allow:-</p> <p><b>(a)</b> Reconstruction after demolition of existing structures limited to the extent of the built up area of the demolished structures, including by aggregating in one or more structures the built up areas of the demolished structures;</p> <p><b>(b)</b> Multi-mills aggregation of the built-up areas of existing structures where an integrated scheme for demolition and reconstruction of the existing structures of more than one mill, whether under common ownership or otherwise, is duly</p>	<p><b>(4)</b> The condition of recommendation by the Board of Industrial and Financial Reconstruction (BIFR) shall not be mandatory in the case of the type referred to in sub-Regulations (2) and (3) above.</p> <p><b>(5)</b> Notwithstanding anything contained above, the Commissioner may allow additional development to the extent of the balance FSI on open lands or otherwise by the cotton textile mill itself for the same cotton textile or related use.</p> <p><b>(6)</b> With the previous approval of the Commissioner to a layout prepared for development or redevelopment of the entire open land and/or built up area of the premises of a cotton textile mill which is either sick and/or closed or requiring modernization on the same land, the Commissioner may allow:-</p> <p><b>(a)</b> Reconstruction after demolition of existing structures limited to the extent of the built up area of the demolished structures, including by aggregating in one or more structures the built up areas of the demolished structures;</p> <p><b>(b)</b> Multi-mills aggregation of the built-up areas of existing</p>	
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		submitted, provided that FSI is in balance in the receiving mill land.	structures where an integrated scheme for demolition and reconstruction of the existing structures of more than one mill, whether under common ownership or otherwise, is duly submitted, provided that FSI is in balance in the receiving mill land.	
		<p><b>(7) Notwithstanding anything contained above-</b></p> <p>(a) if and when the built up areas of a cotton textile mill occupied for residential purposes as on the 1st of January, 2000 developed or redeveloped, it shall be obligatory on the part of the land owner to provide to the occupants in lieu of each tenement covered by the development or redevelopment scheme, free of cost, an alternative tenement of the size of 27.88 sq. m (300 sq. ft) carpet area; Provided that no such occupants shall be evicted till such time, he/she is provided with alternative accommodation of the size 27.88 sq. m (300 sq. ft) carpet area in such development or redevelopment scheme.</p> <p>For reconstruction/redevelopment to be undertaken by landlord/or Co-op. Housing society of occupiers in respect of residential buildings/chawls located on the lands of Cotton Textile Mills, the following conditions shall apply.</p> <p>i) In case of redevelopment of buildings occupying part of larger holding, the notional area of plot on the basis of Zonal (basic) FSI and the total built up area of the building shall be computed and</p>	<p><b>(7) Notwithstanding anything contained above-</b></p> <p>(a) if and when the built up areas of a cotton textile mill occupied for residential purposes as on the 1st of January, 2000 developed or redeveloped, it shall be obligatory on the part of the land owner to provide to the occupants in lieu of each tenement covered by the development or redevelopment scheme, free of cost, an alternative tenement of the size of 27.88 sq. m (300 sq. ft) carpet area; Provided that no such occupants shall be evicted till such time, he/she is provided with alternative accommodation of the size 27.88 sq. m (300 sq. ft) carpet area in such development or redevelopment scheme.</p> <p>For reconstruction/redevelopment to be undertaken by landlord/or Co-op. Housing society of occupiers in respect of residential buildings/chawls located on the lands of Cotton Textile Mills, the following conditions shall apply.</p> <p>i) In case of redevelopment of buildings occupying part of larger holding, the notional area of plot on the basis of Zonal</p>	



	<p>thereafter considering such notional area of the plot, FSI of 4.0 shall be allowed.</p> <p>ii) The FSI computation of 4.00 shall be as follows:</p> <p>Rehab area shall be the total built up area required for rehabilitation of all the occupants of residential buildings/chawls with the carpet area of 27.88 sq. m (300 sq. ft) each or existing carpet area whichever is more. In case of authorized non-residential occupier existing on 1st January, 2000 the area to be given in the reconstructed building will be equivalent to the area occupied in the old building. Provided further that each eligible residential cum commercial occupant shall be entitled to a tenement of minimum carpet area of 27.88 sq. m (300 sq. ft.). Over and above BUA mentioned above, fungible compensatory area as permissible as per Regulation No 31(3) on the rehab component shall be allowed without charging premium.</p> <p>Difference between FSI 4.00 and FSI used for rehabilitation of existing occupants shall be used and shared as follow:</p> <p>a) Available difference shall be divided into two parts in a ratio of 1:60.</p>	<p>(basic) FSI and the total built up area of the building shall be computed and thereafter considering such notional area of the plot, FSI of 4.0 shall be allowed.</p> <p>ii) The FSI computation of 4.00 shall be as follows:</p> <p>Rehab area shall be the total built up area required for rehabilitation of all the occupants of residential buildings/chawls with the carpet area of 27.88 sq. m (300 sq. ft) each or existing carpet area whichever is more. In case of authorized non-residential occupier existing on 1st January, 2000 the area to be given in the reconstructed building will be equivalent to the area occupied in the old building. Provided further that each eligible residential cum commercial occupant shall be entitled to a tenement of minimum carpet area of 27.88 sq. m (300 sq. ft.). Over and above BUA mentioned above, fungible compensatory area as permissible as per Regulation No 31(3) on the rehab component shall be allowed without charging premium.</p> <p>Difference between FSI 4.00 and FSI used for rehabilitation of existing occupants shall be used and shared as follow:</p> <p><del>a) Available difference shall be divided into two parts in a ratio of 1:60.</del></p>	
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		<p>b) Out of these two parts, 1.00 shall be constructed by the mill owners in the form of additional tenements having 27.88 sq. m(300 sq. ft) carpet area each and shall be handed over to MHADA/Government and to be used for rehabilitation of mill workers.</p>	<p>a) The incentive FSI admissible against the FSI required for Rehabilitation shall be as per Reg. 33(7) for plot area up to 4000 sq.mt.&amp; as per 33(9) for plot area above 4000 sq.mt.</p> <p><del>b) Out of these two parts, 1.00 shall be constructed by the mill owners in the form of additional tenements having 27.88 sq. m(300 sq. ft) carpet area each and shall be handed over to MHADA/Government and to be used for rehabilitation of mill workers.</del></p> <p>b) The balance FSI over and above total of rehabilitation FSI + incentive FSI up to the limit of 4.00 shall shared in terms of BUA between MHADA and the Promoter/Developer as per Reg. 33(7) &amp; 33(9) for plot area up to 4000 sq.mt. and above 4000 sq.mt. respectively. MHADA share shall be constructed by the mill owners in the form of additional tenements having 27.88 sq.m. (300 sq.ft.) carpet area each and shall be handed over to MHADA/Government and to be used for rehabilitation of mill workers.</p> <p><del>c) The mill owners shall be entitled for FSI of above 0.6 parts as stated in (a) in lieu of construction done and handed over to MHADA/Government.</del></p>	
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	<p>c) The mill owners shall be entitled for FSI of above 0.6 parts as stated in (a) in lieu of construction done and handed over to MHADA/Government.</p> <p>d) Construction for rehabilitation of all the occupants of residential buildings/chawls shall be done by mill owner. No incentive FSI against such construction shall be shall be given to landlord/or Co-op. Housing society of occupiers.</p> <p>iii) All the occupant of the old building shall be re-accommodated in the redeveloped building.</p> <p>iv) In case of the case building, the list of occupants and area occupied by each of them in the old building shall be certified by MHADA and for other building it shall also be certified by MHADA.</p> <p>v) In case of dispute the matter shall be referred to the Monitoring</p>	<p><b>c) The mill owners shall be entitled for incentive + sharing FSI on balance FSI as mentioned in D.C. Regulation 33(7) &amp; 33(9) in lieu of construction done and handed over to MHADA/Government.</b></p> <p>d) Construction for rehabilitation of all the occupants of residential buildings/chawls shall be done by mill owner. <del>No incentive FSI against such construction shall be shall be given to landlord/or Co-op. Housing society of occupiers.</del></p> <p>iii) All the occupant of the old building shall be re-accommodated in the redeveloped building.</p> <p>iv) In case of the case building, the list of occupants and area occupied by each of them in the old building shall be certified by MHADA and for other building it shall also be certified by MHADA.</p> <p>v) In case of dispute the matter shall be referred to the Monitoring Committee and the decision of the committee shall be binding on all parties.</p> <p>vi) An amount of Rs. 50.000/- per tenement have to be deposited by developer as a corpus fund with the society of</p>	
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	<p>Committee and the decision of the committee shall be binding on all parties.</p> <p>vi) An amount of Rs. 50.000/- per tenement have to be deposited by developer as a corpus fund with the society of the occupants at the time of completion of construction, for maintenance of the buildings.</p> <p>vii) Notwithstanding anything contained in these Regulation, the relaxations incorporated in clause 8 of regulation No. 33(7) of these regulations and amended from time to time, shall apply.</p> <p>(b) If and when a cotton textile mill is shifted or the mill owner establishes a diversified industry, he shall offer on priority in the relocated mill or the diversified industry, as the case may be, employment to the worker or at least one member of the family of the worker in the employ of the mill on the 1st January 2000 who possesses the requisite qualifications or skills for the job;</p> <p>(c) For purposes of clause (b) above, the cotton textile mill owner shall undertake and complete training of candidates for employment before the recruitment of personnel and starting of the relocated mill or diversified industry takes place.</p> <p>(d) Notwithstanding anything contained above, if and when a</p>	<p>the occupants at the time of completion of construction, for maintenance of the buildings.</p> <p>vii) Notwithstanding anything contained in these Regulation, the relaxations incorporated in clause 8 of regulation No. 33(7) of these regulations and amended from time to time, shall apply.</p> <p>(b) If and when a cotton textile mill is shifted or the mill owner establishes a diversified industry, he shall offer on priority in the relocated mill or the diversified industry, as the case may be, employment to the worker or at least one member of the family of the worker in the employ of the mill on the 1st January 2000 who possesses the requisite qualifications or skills for the job;</p> <p>(c) For purposes of clause (b) above, the cotton textile mill owner shall undertake and complete training of candidates for employment before the recruitment of personnel and starting of the relocated mill or diversified industry takes place.</p> <p>(d) Notwithstanding anything contained above, if and when a cotton textile mill is taken up for development/redevelopment for any industrial/commercial purposes, the mill owner or the developer or the occupier of the premises shall on priority provide employment to the</p>	
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	<p>cotton textile mill is taken up for development/redevelopment for any industrial/commercial purposes, the mill owner or the developer or the occupier of the premises shall on priority provide employment to the worker or at least one member of the family of the worker in the employ of the mill on the 1st January, 2000 who possesses the requisite qualifications or skills for the job.</p> <p>(8)(a) Funds accruing to a sick and/or closed cotton textile mill or a cotton textile mill requiring modernization or a cotton textile mill to be shifted, from the utilization of built up areas as per this Regulation shall be credited to an escrow account to be operated as hereinafter provided.</p> <p>(b) The funds credited to the escrow account shall be utilised only for the revival/rehabilitation or modernization or shifting of the cotton textile mill, as the case may be, provided that the said funds may also be utilised for payment of workers dues, payments under Voluntary Retirement Schemes (VRS), repayment of loans of banks and financial institutions taken for the revival/rehabilitation or modernization of the cotton textile mill or for its shifting outside Greater Mumbai but within the State. The escrow account may be closed after compliance of all the terms and conditions.</p> <p>(9)(a) In order to oversee the due implementation of the package of measures recommended by the Board of Industrial and</p>	<p>worker or at least one member of the family of the worker in the employ of the mill on the 1st January, 2000 who possesses the requisite qualifications or skills for the job.</p> <p>(8)(a) Funds accruing to a sick and/or closed cotton textile mill or a cotton textile mill requiring modernization or a cotton textile mill to be shifted, from the utilization of built up areas as per this Regulation shall be credited to an escrow account to be operated as hereinafter provided.</p> <p>(b) The funds credited to the escrow account shall be utilised only for the revival/rehabilitation or modernization or shifting of the cotton textile mill, as the case may be, provided that the said funds may also be utilised for payment of workers dues, payments under Voluntary Retirement Schemes (VRS), repayment of loans of banks and financial institutions taken for the revival/rehabilitation or modernization of the cotton textile mill or for its shifting outside Greater Mumbai but within the State. The escrow account may be closed after compliance of all the terms and conditions.</p> <p>(9)(a) In order to oversee the due implementation of the package of measures recommended by the Board of Industrial and Financial Reconstruction (BIFR) for the revival/rehabilitation of a potentially sick and/or closed textile mill, or schemes approved by Government for the</p>	
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		<p>Financial Reconstruction (BIFR) for the revival/rehabilitation of a potentially sick and/or closed textile mill, or schemes approved by Government for the modernization or shifting of cotton textile mills, and the permissions for development or redevelopment of lands of cotton textile mills granted by the Commissioner under this Regulation, the Government shall appoint a Monitoring Committee under the chairmanship of a retired High Court Judge with one representative each of the cotton textile mill owners, recognised trade union of cotton textile mill workers, the Commissioner and the Government as members.</p> <p>(b) The Commissioner shall provide to the Monitoring Committee the services of a Secretary and other required staff and also the necessary facilities for its functioning.</p> <p>(c) Without prejudice to the generality of the functions provided for in clause (a) of this Sub- Regulation, the Monitoring Committee shall:-</p> <p>(i) lay down guidelines for the transparent disposal by sale or otherwise of built up space, open lands and balance FSI by the cotton textile mills;</p> <p>(ii) lay down guidelines for the opening, operation and closure of escrow accounts;</p>	<p>modernization or shifting of cotton textile mills, and the permissions for development or redevelopment of lands of cotton textile mills granted by the Commissioner under this Regulation, the Government shall appoint a Monitoring Committee under the chairmanship of a retired High Court Judge with one representative each of the cotton textile mill owners, recognised trade union of cotton textile mill workers, the Commissioner and the Government as members.</p> <p>(b) The Commissioner shall provide to the Monitoring Committee the services of a Secretary and other required staff and also the necessary facilities for its functioning.</p> <p>(c) Without prejudice to the generality of the functions provided for in clause (a) of this Sub- Regulation, the Monitoring Committee shall:-</p> <p>(i) lay down guidelines for the transparent disposal by sale or otherwise of built up space, open lands and balance FSI by the cotton textile mills;</p> <p>(ii) lay down guidelines for the opening, operation and closure of escrow accounts;</p>	
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		<p>(iii) approve proposals for the withdrawal and application of funds from the escrow accounts;</p> <p>(iv) monitor the implementation of the provisions of this regulation as regards housing, alternative employment and related training of cotton textile mill workers.</p> <p>(d) The Monitoring Committee shall have the powers of issuing and enforcing notices and attendance in the manner of a Civil Court.</p> <p>(e) Every direction or decision of the Monitoring Committee shall be final and conclusive and binding on all concerned.</p> <p>(f) The Monitoring Committee shall determine for itself the procedures and modalities of its functioning.</p> <p>(10) Notwithstanding anything stated or omitted to be stated in these Regulations, the development or redevelopment of all lands in Gr. Mumbai owned or held by all cotton textile mills, irrespective of the operational or other status of the said mills or of the land use zoning relating to the said lands or of the actual use for the time being of the said lands or of any other factor,</p>	<p>(iii) approve proposals for the withdrawal and application of funds from the escrow accounts;</p> <p>(iv) monitor the implementation of the provisions of this regulation as regards housing, alternative employment and related training of cotton textile mill workers.</p> <p>(d) The Monitoring Committee shall have the powers of issuing and enforcing notices and attendance in the manner of a Civil Court.</p> <p>(e) Every direction or decision of the Monitoring Committee shall be final and conclusive and binding on all concerned.</p> <p>(f) The Monitoring Committee shall determine for itself the procedures and modalities of its functioning.</p> <p>(10) Notwithstanding anything stated or omitted to be stated in these Regulations, the development or redevelopment of all lands in Gr. Mumbai owned or held by all cotton textile mills, irrespective of the operational or other status of the said mills or of the land use zoning relating to the said lands or of the actual use for the time being of the said lands or of any other factor, circumstance or consideration whatsoever shall be regulated by the provisions of this regulation and</p>	
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	<p>circumstance or consideration whatsoever shall be regulated by the provisions of this regulation and not under any other Regulation. However the lands reserved for public purposes which is owned or held by Cotton Textile Mills, shall not be regulated by the provisions of this regulations and reserved lands shall be handed over to MCGM or the Appropriate Authority in lieu of TDR or shall be developed as per the provisions laid down under Regulation No 17.</p> <p>If the residential buildings/chawls are situated on a reserved parcel of land, then land component of the chawl shall be developed as per the provisions of clause (7) of this Regulation without considering the reservation &amp; remaining reserved land shall be developed as per the provisions laid down under Regulation No 17.</p>	<p>not under any other Regulation. However the lands reserved for public purposes which is owned or held by Cotton Textile Mills, shall not be regulated by the provisions of this regulations and reserved lands shall be handed over to MCGM or the Appropriate Authority in lieu of TDR or shall be developed as per the provisions laid down under Regulation No 17.</p> <p>If the residential buildings/chawls are situated on a reserved parcel of land, then land component of the chawl shall be developed as per the provisions of clause (7) of this Regulation without considering the reservation &amp; remaining reserved land shall be developed as per the provisions laid down under Regulation No 17.</p>	
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**Annexure 32 (1) TABLE 12 A**

Sr. No	Instances	Extent of TDR	Remarks/conditions
1	a) If entire plot of land reserved for public purpose in the DP and land is <del>surrendered to</del> <b>transferred in the name of</b> MCGM/ Appropriate Authority.	<b>In island city 2.5 times of the plot area of the land so transferred and in suburb 2 times of the area so transferred.</b>	a) Where land is not handed over yet and FSI benefit is not approved in the development proposal on remainder plot & no TDR/monitory compensation is availed.
			b) award is not declared under Section <del>41</del> <b>23</b> of <b>Right to Fair Compensation and Transparency in Land Acquisition Rehabilitation and Resettlement</b> L.A. Act <b>2013</b> or any compensation has not been paid
	c) DP Roads/RL under MMC Act/land under River widening, <del>major</del> <b>Nalla</b> widening <del>surrendered to</del> <b>transferred to in the name of</b> MCGM	<b>In island city 2.5 times of the plot area of the land so transferred and in suburb 2 times of the area so transferred.</b>	Only if FSI benefit is not approved in the development proposal /availed and not proposed to be utilized on remainder plot nor TDR is availed
11	TDR of the land falling in areas having legal impediments/constraints on construction or development like CRZ I and CRZ III areas,	50% of the normal TDR	

**Annexure 30 (A)(1) TABLE 12**

	<b>Occupancy and location</b>	<b>Floor Space Index (F.S.I.)</b>
<b>(1)</b>	<b>Residential and Commercial Zones</b>	
<b>(A)</b>	Island City	1.33
	<p>(i) Provided that FSI may be permitted to <b>exceed upto 1.83</b> subject to following conditions:-</p> <p>1) It is applicable only on plots fronting on road width of minimum 9.00 mt. and above.</p> <p>2) Additional 0.50 FSI is optional and non-transferable. It is to be granted on application and to be used on the same plot.</p> <p>3) As per concept of TDR, additional FSI shall be permissible on gross plot area.</p> <p>4) Additional FSI available as per Regulation <b>32 and 33</b>, shall be related to basic FSI of 1.33 <b>only, other than non cessed buildings having Basic/Normal FSI higher than 1.33.</b></p> <p>5) Premium shall be charged for additional 0.50 FSI at the rate as may be decided/amended by the Government from time to time.</p> <p>6) Premium shall be shared as follows:-</p> <p>i) 25% to Government of Maharashtra.</p> <p>ii) 25% to Dharavi Redevelopment Project (DRP) [This share is to be used for DRP upto completion of DRP or up to period as may be decided by the Government, after which said share will go to Municipal Corporation of Greater Mumbai (MCGM)</p> <p>iii) 25% to Maharashtra State Road Development Corporation (MSRDC) (This share is to be used for Bandra – VersovaSealink Project).</p> <p>iv) 25% to Municipal Corporation of Greater Mumbai (MCGM).</p> <p>(However, Govt. shall have right to change this ratio, depending upon the need.)</p> <p>7) In island City and Mumbai Suburban District, additional construction shall be permissible by way of use of TDR&amp; additional FSI on payment of premium as shown in table in new sub-clause (C) herein below.</p> <p>8) No vertical extension of existing building by utilizing 0.50 FSI shall be permitted with erection of columns in the required marginal</p>	

	open spaces. 9) <b>Prorata</b> tenement density shall be relatively increased as per the increase in FSI above 1.33. 10) 0.50 additional FSI shall not be permitted in areas where restrictions/prohibitions have been imposed under any other acts/rules/regulations for the time being in force. 11) The relaxation premium i.e, 10% of normal premium shall be charged while condoning deficiencies in open spaces (as applicable for use of slum TDR).							
(B)	Suburbs and Extended Suburbs –							
(i)	The area earmarked for BARC from M Ward <del>and the areas comprised in N Ward bounded on the west by the Eastern Express Highway, on the north by the northern boundary of the N ward, on the east by the Thane creek and on the south by the southern boundary of N ward.</del>							0.75
(ii)	Areas of the village of Akse, Erangal and Marve in the P North Ward and Gorai and Manori in the R Ward excepting gaothan proper							0.50
(iii)	The remaining area in Suburbs and Extended Suburbs including gaothans as per clause (1) C below							1.00
(C)	Total Maximum limit of building potential in terms of FSI as given in table below (for residential and commercial):-							
Sr. No.	Plots fronting on road width	Basic/Normal FSI		Maximum Permissible TDR Loading		Additional FSI on payment of premium as per Regulation 32, Table 12	Total Maximum limit of building potential in terms of FSI	
		Island City	Suburb/Extended Suburb	Island City	Suburb/Extended Suburb	Island City/ Suburb/Extended Suburb	Island City	Suburb/Extended Suburb
							Basic +TDR+ additional FSI on payment of premium as per Regulation 32, Table 12, Clause 1(A)	Basic+ TDR + additional FSI on payment of premium as per Regulation 32, Table 12, Clause – I (B) iii
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>(3+5+7)8</b>	<b>(4+6+7) 9</b>
1	9 m. and above but less	1.33	1.00	0.17	0.50	0.50	2.00	2.00

	than 12.20 m							
2	12.20 m and above but less than 18.30 m.	1.33	1.00	0.37	0.70	0.50	2.20	2.20
3	18.30 m. and above but less than 30.00 m	1.33	1.00	0.57	0.90	0.50	2.40	2.40
4	30 mtr. And above	1.33	1.00	0.67	1.00	0.50	2.50	2.50
Note : Additional FSI on payment of premium, TDR loading is subject to CRZ and other restrictions in the Development Control Regulation.								
a) For existing non-cessed buildings where the present FSI is more than 1.33 which is the Basic/Normal permissible FSI, the maximum TDR as permissible under Table 14 shall be allowed to be increased pro-rata to the existing FSI vis-à-vis the Basic/Normal FSI of 1.33 by relaxing the Total Maximum Limit of building potential in terms of FSI as per Regulation 32, Table 14, Clause 1(A)/1(B) of DCR 1991 accordingly.								
b) The additional FSI on payment of premium as per DCR 32, Table 14, Clause 1(A)/1(B) would continue to be permitted over and above the existing FSI of the pro-rata TDR loading as per (a) above of DCR 1991.								
(2)	<u>Service Industrial Zone (I-1),General Industrial Zone (I-2), Special Industrial Zone (I-3)</u>							
Basic/Normal FSI		Maximum Permissible TDR Loading		Additional FSI on payment of premium		Total Maximum limit of building potential in terms of FSI		
Island City/ Suburb/Extended Suburb		Island City Suburb/Extended Suburb		Island City/ Suburb/Extended Suburb		Island City Suburb/Extended Suburb		
						Basic +TDR+ additional FSI on payment of premium		
1.00		0.50		0.50		2.00*		
Note : Utilization of TDR in I Zone for uses permissible only in I Zone except for the hazardous activities , as per Table No. C of Regulation No.34.3 will be allowed.								