

Government of Maharashtra

Number: TPB – 4319/772/C.No.8/2020/UDD-11
Urban Development Department, 4th Floor,
Mantralaya, Mumbai – 400032
Date: 13/02/2020

To,
Commissioner,
Municipal Corporation of Greater Mumbai

Sub: Clarification under Clause 4(3) of DCPR 2034 regarding applicability of Inclusive Housing as per Reg. 15 of DCPR 2034 for the on-going proposals where Residential development has partly taken place as per DCR 1991.

Ref: Your letter bearing number MGR/4585, dtd. 13/01/2020

Sir,

Please review your reference letter.

With reference to the application form CREDAI-MCHI dtd. 31.10.2019, MCGM is seeking clarification from the Government through the letter referred under Regulation 4 (3) regarding the provisions of Inclusive Housing in Regulation 15 of DCPR-2034.

I have orders to inform the following explanation as per Regulation 4 (3) of DCPR-2034 on the inquiry made by MCGM in this case.

- i) If the project proponent submits a proposal for the remaining area (Balance Potential) as per Regulation 9(6)(b) of DCPR-2034 in the approved ongoing schemes for Residential/ Commercial (I to R/C) instead of industrial as per the provisions of DCR-1991, the provisions of Regulation 15 of Inclusive Housing of DCPR-2034 shall not be applicable to such development. Also, as per the provisions of DCR-1991, while approving the use of residential / commercial (I to R / C) instead of industrial, if the amenity space has been kept/ adjusted as per the rules, then there will be no need to keep the amenity space in a separate plot.
- ii) The provision of Inclusive Housing was included in the notification dated 08/11/2013 by amending it in DCR, 1991. As per the said notification dtd.

08/11/2013, 11, the provisions of Regulation 15 of Inclusive Housing in DCPR - 2034 will not be applicable even while developing the remaining area (Balance Potential) in case of commencement certificate (CC) is given in the layout prior to the issuance of Government Notification in 2013.

(Nirmalkumar P. Chaudhari)
Under Secretary, Government of Maharashtra

1. Director, Town Planning, Govt. of Maharashtra
2. Chief Engineer, (DP), MCGM
3. Dy. Director, Town Planning, Mumbai
4. Selection Committee (UD 1)