

PART-I ADMINISTRATION

1. Short title, extent and commencement

(I) **Title:** These Regulations shall be called the “Development Control Regulations for Greater Mumbai, 2034” (hereinafter called “these Regulations”).

(II) **Jurisdiction:** These Regulations apply to building activity and development work in areas under the entire jurisdiction of the Municipal Corporation of Greater Mumbai (hereinafter called "the Corporation"). If there is a conflict between the requirements of these Regulations and those of any other rules or byelaws, these Regulations shall prevail. Approval taken under the Regulations prior to these Regulations coming into force shall be deemed to be valid & continue to be so valid unless otherwise specified

Provided, however, that in respect of areas included in a finally sanctioned Town Planning Scheme, if there is a conflict between the requirements of these Regulations and the Town Planning Scheme Regulations, the provisions of these Regulations shall prevail, except provisions regarding access, where Town Planning Scheme Regulations shall prevail.

(III) **Protection:** Any action of the Commissioner in respect of the implementation of Development Plan in accordance with the provisions of these Regulations, grant of permissions, and action against violations, etc. shall be deemed to have been done in good faith.

(IV) **Date of coming into force:** These Regulations shall come into force on sanction by the Government under section 31 of Maharashtra Regional and Town Planning Act, 1966 (Mah. Act No. XXXVII of 1966) and shall replace the existing Development Control Regulations for Greater Mumbai framed under the MR&TP Act, 1966.

(V) **Transitional arrangement:** Section 46 of the MR&TP Act, 1966 provides that “The Planning Authority in considering application for permission shall have due regard to the provisions of any draft or final plan or proposal published by means of notice submitted or sanctioned under this Act.”

Notwithstanding such provision, it is clarified that from the date of publication of Revised Draft Development Plan 2034 (RDDP) of Greater Mumbai under Section 26 of the said Act till its sanction under Section 31 of the said Act, the following transitional provisions shall apply

1. **Land Use Zones:** The stringent of Land Use Zones of DP 1991 and RDDP shall prevail.

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2. **Development of Land Reserved for Public Purposes:** The reservations from SRDP 1991 including those proposed to be deleted in the RDDP will continue to be in force. The reservations as reflected in RDDP shall be considered as reservations. However, the land reserved for public purpose shall be developed as per provisions of DCR 1991 till its sanction under section 31 of the said Act.

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Reservations if any, not reflected in DP 1991, but reflected in the RDDP, and where there is no provision in DCR 1991 for the development of such reservations, shall be developed as per RDDP. The permissibility of FSI, however, shall be as per DCR 1991.

Development of Land Reserved for Public Purposes: The reservations from SRDP 1991 including those proposed to be deleted in the RDDP- will continue to be in force. The reservations as reflected in RDDP shall be considered as reservations. However, the land reserved for public purpose shall be developed as per provisions of DCR 1991 till its sanction under section 31 of the said Act. Reservations if any, not reflected in DP 1991, but reflected in the RDDP, and where there is no provision in DCR 1991 for the development of such reservations, shall be developed as per RDDP. The permissibility of FSI, however, shall be as per DCR 1991 and these regulations.

3. Control of other Development: All other aspects of development shall continue to be governed by the DCR 1991 including payments for premium as amended up to date till the RDDP is sanctioned.

2. Definitions of Terms and Expressions

- (I) **General:** In these Regulations, unless the context otherwise requires, the terms and expressions shall have the meaning indicated against each of them.

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- (II) **Meaning as in the Acts, Rules, etc.:** Terms and expressions not defined in these Regulations shall have the same meanings as in the MR&TP Act, 1966 or the Mumbai Municipal Corporation Act, 1888 (Mumbai Act No. III of 1888) or any other Act and the rules or bye-laws framed thereunder, as the case may be, unless the context otherwise requires.

- (III) Terms and expressions neither defined in these Regulations nor defined in (I) and (II) above shall be interpreted with reference to the latest National Building Code in the relevant context.

- (IV) **Definitions.**

(1) "Access" means clear approach to a plot or a building.

(2) "Accessory building" means a building separated from the main building on a plot, and put to one or more accessory/ancillary use.

(3) "Accessory/Ancillary use" means use of the building, subordinate and customarily incidental to the principal use.

(4) ~~"Accommodation Reservation" means a land instrument enabling a Planning Authority to acquire part of the reserved land and/or developed amenity in accordance with these Regulations.~~ "Accommodation Reservation" means a plot of land reserved for public purpose, where land owner has an option of handing over part of land along with required built up area to MCGM for intended public

purpose and developing balance land with permissible development rights for the entire plot.

(4a) Accommodation Reservation Principle : the use of land which has been reserved for certain purpose in development plan shall be regulated in regard to type and manner of development/redevelopment according to the provisions mentioned in Appendix - AR of UDD Notification bearing No. TPS-1813/3067/CR-492/13/MCORP/AR/UD-13 dtd. 02 May 2016 or any other notification issued on the subject from time to time.

(5) "Act" means-

(i) The Maharashtra Regional and Town Planning Act, 1966 (Mah. Act No. XXXVII of 1966); or

(ii) The Mumbai Municipal Corporation Act, 1888 (Mumbai Act No. III of 1888)

(6) "Addition and/or alteration" means changes to the RCC or Load Bearing Walls or which involves increase in the FSI ~~change from one occupancy to another, or a structural change, such as addition to the area or height, or the removal of part of a building, or a change to the structure, such as the construction or cutting into or removal of any wall or part of a wall, partition, column, beam, joist, floor including a mezzanine floor or other support, or a change to or closing of any required means of ingress or egress, or change to fixtures or equipment,~~ as provided in these Regulations.

(7) "Advertising sign" means any surface or structure with characters, letter or illustrations applied thereto and displayed in any manner whatsoever out of doors for the purpose of advertising or giving information regarding or to attract the public to any place, person, public performance, article or merchandise, and which surface or structure is attached to, forms part of, or is connected with any building, or is fixed to a tree, or to the ground or to any pole, screen, fence or hoarding or displayed in space or in or over any water body included in the limits of Greater Mumbai i.e. Island City, Suburbs or extended Suburbs as defined in section 3 of the Mumbai Municipal Corporation Act, 1888, and area specified in Part II to IV of Schedule `A` to the Greater Mumbai Laws and Mumbai High Court (Declaration of Limits) Act, 1945 However, advertising sign shall not include any hoarding which is for the display of the project, at the site of the project

(8) "Air-conditioning" means the process of treating air to control simultaneously its temperature, humidity, cleanliness and distribution to meet the requirement of an enclosed space.

(9) "Alcove" means a cooking place with direct access from the main room without a communicating door.

(10) "Amenity Space" means space for public amenities such as Development Plan Roads, Streets, Setbacks, Recreational Open Spaces, Markets, Welfare Centres, Adhar Kendras, Police Chowkies, Public Sanitary Conveniences, Municipal Library, Reading Rooms, Gymkhanas/Gymnasium, Municipal Chowkies, Shelter for Destitutes, Multi-purpose Housing for Working women, Homeless Shelters, Old Age Homes, Pumping Stations, Citizen Facility Centres, Municipal Dispensaries,

Schools, Facility for Solid Waste Management, Fire Station, Fuel Stations, Electric Sub Station, etc. either for single facility or for multiple facilities as specified in these Regulations.

10 (a) "Appropriate Authority" means any public authority on whose behalf land is designated for a public purpose in any plan or scheme and which it is authorized to acquire.

(11) "Architect" means a person who is an associate or corporate member of the Indian Institute of Architects or who holds a degree or diploma which makes him eligible for such membership for such qualifications listed in Scheduled XIV of the Architects Act, 1972 and being duly registered with the Council of Architecture under the said Act.

(11)(a) "Atrium" means the area comprised of entrance lobby or common entrance hall of the building or common area at any floor level which serves as a Common Open Space for more than one floor.

(11)(b) "Authority Having Jurisdiction" means the Authority which has been created by a statute and which, for the purpose of administering the Code/Pint, may authorize a committee or an official or an agency to act on its behalf hereinafter called the 'Authority'.

(12) "Automatic sprinkler system" means an arrangement of pumps, pipes and sprinklers, set to activate automatically on detection of fire inside the building and spray water under force to douse fire, simultaneously setting an audible alarm.

(13) "Balcony" means a horizontal projection, including a parapet, hand-rail balustrade, to serve as a passage or sitting out place.

(14) "Basement or cellar" means the lower storey of a building below, or partly below the ground level.

(15) "Biotechnology Unit" means and includes Biotechnology units which are certified by the Development Commissioner (Industries) or any other officer authorized by him on his behalf.

(16) "Building" means a structure, constructed with any materials whatsoever for any purpose, whether used for human habitation or not, and includes-

- (i) Foundation, plinth, walls, floors, roofs, chimneys, plumbing and building services, fixed platforms;
- (ii) Verandahs, balconies, cornices, projections;
- (iii) part of a building or anything affixed thereto;
- (iv) any wall enclosing or intended to enclose any land or space, signs and outdoor display structures;
- (v) tanks constructed for storage of chemicals or chemicals in liquid form;
- (vi) all types of buildings defined in (a) to (q) below; but tents, shamianas and tarpaulin shelters erected for temporary purposes for ceremonial occasions,

with the permission of the Commissioner, shall not be considered to be "buildings".

(vii) different wings touching each other or connected to each other with basement or stilts or podium or any other means structurally

- (a) **"Assembly building"** means a building or part thereof where groups of people congregate or gather for amusement, recreation, social, religious, patriotic, civil, travel and similar purposes. "Assembly buildings" include buildings of drama and cinema theatres, drive-in-theatres, assembly halls, city halls, town halls, auditoria, exhibition halls, museums, mangal karyalayas, public skating rinks, public gymnasia, stadia, restaurants, eating or boarding houses, places of worship, dance halls, public clubs, public gymkhanas, malls, road, air, sea or other public transportation stations, and recreation piers. Public for this clause shall mean use open for general public at large.
- (b) "Business building" means any building or part thereof used for transaction of business and/or keeping of accounts and record therefor; offices, banks, professional establishments, IT establishments, call centres, offices for private entrepreneur, court houses, provided their principal function is transaction of business and/or keeping of books and records.
- (c) "Detached building" means a building with walls and roofs independent of any other building and with open spaces on all sides.
- (d) "Educational building" means a building exclusively used for a school or college, recognised by the appropriate Board or University, or any other competent authority involving assembly for instruction, education or recreation incidental to educational use, and including a building for such other users incidental thereto such as a library, a multipurpose hall, Auditorium or a research institution. It shall also include quarters for essential staff required to reside in the premises, and a building used as a hostel captive to an educational institution whether situated in its campus or not.
- (e) "Hazardous building" means a building or part thereof used for-
 - (i) storage, handling, manufacture or processing of radioactive substances or of highly combustible or explosive materials or products which are liable to burn with extreme rapidity and/or producing poisonous fumes or explosive emanations;
 - (ii) storage, handling, manufacture or processing which involves highly corrosive, toxic or noxious alkalis, acids, or other liquids, gases or chemicals producing flame, fumes and explosive mixtures or which result in division of matter into fine particles capable of spontaneous ignition.
- (f) "Industrial building" means a building or part thereof wherein products or material are fabricated, assembled or processed, such as assembly plants, laboratories, power plants, refineries, gas plants, mills, dairies and factories as approved and certified by the Development Commissioner (Industries).

- (g) "Institutional building" means a building constructed or used by Government, Semi-Government organisations or registered Trusts or persons and used for education, health, research and such other activities, multi-purpose housing/hostel for workingwomen/persons/students or for an auditorium or complex for cultural and allied activities or for an hospice, care of persons suffering from physical or mental illness, handicap, disease or infirmity care of orphans, abandoned women, children and infants, convalescents, destitute or aged persons and for penal or correctional detention with restricted liberty of the inmates ordinarily providing sleeping accommodation, and includes dharamshalas, hospitals, sanatoria, custodial and penal institutions such as jails, prisons, mental hospitals, houses of correction, detention and reformatories.

(g)(1) "Information Technology Buildings" means a building used for the purpose of Information Technology Establishment, Banking, Insurance and Financial Services.

(g)(2) "Heritage building" means a building possessing architectural, aesthetic, historic or cultural values which is declared as heritage building by the Government on the recommendation by the Commissioner.

- (h) "Mercantile building" means a building or part thereof used as shops, stores or markets for display and sale of wholesale or retail goods or merchandise, including office, storage and service facilities incidental thereto located in the same building.
- (i) "Office building" (Premises), means a building or premises or part thereof whose sole or principal use is for an office or for office purposes or clerical work. "Office purposes" includes the purpose of administration, clerical work, handling money, telephone, telegraph and computer operation and such other activities; and "clerical work" includes writing, book-keeping, sorting papers, typing, filing, duplicating, data processing, drawing of matter for publication and editorial preparation of matter for publication and such other activities.
- (j) "Public Building" means a building used or intended to be used either ordinarily or occasionally by the public such as;

i. offices of Central or State Government or any Public Sector Undertaking or Statutory Authority or Local Authorities.

ii. temple, mosque, church, chapel, or any place of public worship.

iii. public or private college, school, library, or places of educational facilities.

iv. cinema, public concert hall, drama theatre, auditorium, sports complex, sports facility, theatre for cultural activities.

v. public hall, welfare centre, exhibition hall, Museum or any other place of assembly.

vi. hospital, maternity home etc. or any other place of medical facility.

vii. market, shopping centre, departmental store or mall with or without multiplex or any other place of retail and wholesale merchandise

- ~~viii~~ viii. railway station, metro/mono rail station, bus station, airport or any other public transport terminal.
- ~~viii~~ ix. public or private hospital

(k) "Residential building" means a building in which sleeping accommodation is provided for normal residential purposes, with or without cooking or dining facilities, and includes one or more family dwellings, lodging or rooming houses, hostels, dormitories, apartment houses, flats, and private garages of such buildings.

(l) "Semi-detached building" means a building detached on three sides.

(m) "Special building" means-

- (i) a building solely used for the purpose of a drama or cinema theatre, a drive-in-theatre, an assembly hall or auditorium, an exhibition hall, theatre museum, a stadium, a "Mangal Karyalaya", ~~exceeding built-up area of 1000 sq.m. or where the built-up area of such a user exceeds 1000 sq. m in the case of mixed occupancies;~~
- (ii) an industrial building;
- (iii) a hazardous building;
- (iv) a building of wholesale establishment;
- (v) Educational, Institutional ~~and~~
- (vi) Residential hotel building
- (vii) or Centrally air-conditioned building which exceeds
 - (a) 15m in height, or
 - (b) a total built-up area of 1000sq.m.

(n) "Storage building" means a building or part thereof used primarily for storage or shelter of goods, wares or merchandise, warehouse, cold storage, freight depot, transit shed, store house, public garage hangar, truck terminal, grain elevator and barn.

~~(o) "Temporary Building/structure" means any building/structure of whatever size and of whatever material which the Commissioner has allowed to be built as a temporary measure.~~ Temporary Building/structure means any building which is constructed on the plot used for Sales and Marketing, Site Office principally of mud, leaves, grass, cloth, thatch, wood, corrugated iron or asbestos cement sheets or such other material and includes a building of whatever size constructed of whatever material which the Commissioner has allowed to be built as a temporary measure which also includes Transit Camps, Site Offices , Exhibition Hall erected temporarily by using construction material and Labour Camps.

(p) "Unsafe building" means a building which-

- (i) is structurally unsafe,
- (ii) is insanitary,
- (iii) is not provided with adequate means of egress,
- (iv) constitutes a fire hazard,
- (v) is dangerous to human life,
- (vi) in relation to its existing use, constitutes a hazard to safety or health or public welfare by reasons of inadequate maintenance, dilapidation or abandonment.

(q) "Wholesale establishment" means an establishment wholly or partly engaged in wholesale trade and manufacturers wholesale outlets, including related storage facilities, warehouses and establishments engaged in truck transport, including truck transport booking agencies.

(17) "Building line" means the line up to which the plinth of a building extends in any development.

(18) "Built-up area" means the area covered by a building on all floors including cantilevered portion, if any, but excluding external finishes and external cladding the areas specifically exempted under these Regulations for the purpose of computation of FSI.

(19) "Cabin" means a non-residential enclosure constructed of non-load bearing partitions.

(20) "Canopy" means a cantilevered projection over any building entrance.

(21) "Carpet area" means ~~the net usable floor area of a unit within a building excluding that covered by the walls or any other areas specifically exempted from floor space index computation in these Regulations.~~ the net usable floor area of an apartment, excluding the area covered by the external walls, areas under services shafts, exclusive balcony or verandah area and exclusive open terrace area, but includes the area covered by the internal partition walls of the apartment.

(22) "Chimney" means a construction by means of which a flue is formed for the purpose of carrying products of combustion to the open air and includes a chimney stack and the flue pipe.

(23) "Chajja" means a structural overhang provided over openings on external walls for protection from the weather.

(24) "Chowk" means a fully or partially enclosed space permanently open to the sky within a building at any level; inner chowk being enclosed on all sides and an outer chowk having one unenclosed side

(25) "Chute" means a vertical system passing from floor to floor provided with ventilation and inlet openings for receiving refuse from successive floors with or without sprinklers for cleaning and ending at the ground floor on the top of the collecting chambers.

(26) "Cluster" means any defined area with proper access comprising dwelling units, buildings, chawls, etc.

(27) "Combustible material" means that material which when burnt adds heat to a fire when tested for combustibility in accordance with the IS: 3808-1966 Method of Test for combustibility of Building Materials, National Building Code.

(27)(a) "Commissioner" for the purpose of this regulation shall mean Municipal Commissioner of Greater Mumbai or any other officer designated by him under any of these regulations.

(28) "Contiguous holding" means contiguous piece of land under one ownership irrespective of separate property register cards.

(29) "Conversion" means the change of occupancy or premises to any occupancy or use requiring development permission.

(30) "Convenience shopping," means shops, ~~each with a carpet area not exceeding 50sq.m except where otherwise indicated and~~ comprising those dealing with day to day requirements, as distinguished from wholesale trade or shopping provided on the ground and/or first floor of any building. It includes-

- (i) Food grain or ration shops,
- (ii) Pan shops.
- (iii) Shops for collecting and distribution of clothes and other materials for cleaning and dyeing establishments.
- (iv) Tailor or danner shops.
- (v) Groceries, confectioneries, wine and general provision shops
- (vi) Hair dressing saloons and beauty parlours.
- (vii) Bicycles hire and repair shops.
- (viii) Vegetable and fruits shops.
- (ix) Milk and milk products shops.
- (x) Medical and dental practitioners' dispensaries or clinics, pathological or diagnostic clinics and pharmacies, ~~each with a carpet area not exceeding 100sq.m.~~
- (xi) Florists.
- (xii) Shops dealing in ladies ornaments such as bangles, etc.
- (xiii) Shops selling bakery products.
- (xiv) Newspaper magazines stalls and circulating libraries.
- (xv) Books and stationery shops or stores.
- (xvi) Cloth and garment shops.
- (xvii) Plumbers', electricians, radio, television and video equipment repair shops and video libraries.
- (xviii) Restaurants and eating houses ~~of area not exceeding 100 sq. m~~
- (xix) Shoes and sports shops ~~each with a carpet area not exceeding 100 sq. m.~~
- (xx) Any shop to whom license under shop and establishment can be issued under MMC Act.

With the approval of the Corporation, the Commissioner may from time to time add to, alter or amend the above list.

(31) "Corridor" ~~means a common passage or circulation space including a common entrance hall.~~ a common passage, lift lobby, passages connecting the staircases or refuge areas or circulation space including a common entrance hall.

(32) "Courtyard" means a space permanently open to the sky within the site around a structure or surrounded by structure and may be paved/concreted.

(33) "Curb Cut" means a small solid (usually concrete) ramp that slopes down from the top surface of a side walk or footpath to the surface of an adjoining street. It is designed for ease of access for pedestrians, bicyclists and differently abled people.

(34) "Designation" means a public amenity provided or aided by an Appropriate Authority on a parcel of land.

(35) "Developer/Builder/Project Proponent" means the person who is legally empowered to carry out the development.

(35(a) "Development" with its grammatical variations means the carrying out .of holdings, engineering, mining or other operations in or over or under, land or the making of any material change, in any building or land or in the use of any building or land or any material of structural change in any heritage; demolition of any existing building, structure or erection or part of such building, structure of erection; and reclamation, redevelopment and lay-out and sub-division of any land; and "to develop" shall be construed accordingly.

35(b)"Development Plan" means a plan for the development or re- development of the area within the jurisdiction of a Planning Authority and includes revision of a development plan.

35(c)"Development Right" means right to carry out development or to develop the land or building or both, and shall include the transferable development right in the form of right to utilise the Floor Space Index of land utilisation either on the remainder of the land partially reserved for a public purpose or elsewhere and right to utilize the Floor Space Index by paying premium as the Development Control Regulations in this behalf provide

(36) "Dharmashala" means a building used as a place of religious assembly, a rest house, a place in which charity is exercised with religious or social motives, or a place where in a certain section of people have a right of, or are granted, residence without payment or on nominal payment.

(37) "Drain" means a system or a line of pipes, with their fittings and accessories such as manholes, inspection chambers, traps, gullies, floor traps used for drainage of buildings or yards appurtenant to the buildings within the same curtilage. A drain includes an open channel for conveying surface water or a system for the removal of any liquid.

(38) "Dwelling Unit /Tenement" means an independent housing unit with separate facilities for living, cooking and sanitation.

(38(a) "Eating-house" means any premises to which the public; are admitted and where any kind of food is prepared or supplied for consumption on the premises for the profit or gain of any person owning or having an interest in or managing such premises.

(39) "Enclosed staircase" means a staircase separated by fire resistant walls and door from the rest of the building.

(40) "Escalator" means a power driven, inclined, continuous stairway used for ascending or descending between floors or bridge over the road/railway line.

(41) "Escape route" means any well ventilated corridor, staircase or other circulation space, or any combination of the same, by means of which a safe place in the open air at ground level can be reached.

(42) "Existing building" means a building or structure existing authorisedly before the commencement of these Regulations.

(43) "Existing use" means use of a building or a structure existing authorisedly before the commencement of these Regulations.

(44) "Exit" means a passage channel or means of egress from any building, storey or floor area to a street or other open space of safety; horizontal, outside and vertical exits having meanings at (i), (ii) and (iii) respectively as under:

(i) "Horizontal exit" means an exit which is a protected opening through or around a fire wall or a bridge connecting two or more buildings.

(ii) "Outside exit" means an exit from a building to a public way, to an open area leading to a public way or an enclosed fire resistant passage leading to a public way.

(iii) "Vertical exit" means an exit used for ascending or descending between two or more levels, including stairways, smoke-proof towers, ramps, escalators and fire escapes.

(45) "External wall" means an outer wall of a building not being a partition wall even though adjoining a wall of another building and also means a wall abutting on an interior open space of any building.

(46) "Fire and/or emergency alarm system" means an arrangement of call points or detectors, sounders and other equipment for the transmission and indication of alarm signals, activated automatically or manually in the case of fire or other emergency.

(47) "Fire Booster pump" means a mechanical/electrical device installed at intermittent level to boost up the water pressure so as to achieve the required pressure of 3.2 kg/cm² at the top level of high rise building or at the nearest point.

(48) "Fire lift" means a special lift designed for the use of fire service personnel in the event of fire or other emergency.

(49) "Fire proof door" means a door or shutter fitted to a wall opening, made of fire resistant material to prevent the transmission and spread of heat and fire for a specified period.

(50) "Fire Pump" means a machine, driven by external power for transmitting energy to fluids by coupling the pump to a suitable engine or motor, which may have varying outputs/capacity but shall be capable of having pressure of 3.2 kg/cm² at the topmost level of a high rise building.

(50(a) "Fire prevention and life safety measures" means such measures as are necessary in accordance with the building bye-laws / regulations or as required by or under the provisions of any laws or the National Building Code of India, 2005, for the time being in force, for the prevention, control and fighting of fire and for ensuring the safety of life and property in case of fire..

(51) "Fire resistance" means the duration of time which a fire resistant material i.e. material having a certain degree of fire resistance, fulfills its function of

contributing to the fire safety of a building when subjected to prescribed conditions of heat and load or restraint. The fire resistance test of structures shall be done in accordance with IS: 3809-1966 Fire Resistance Test of Structure.

(52) "Fire separation" means the distance in meters measured from any other building on the site or from another site, or from the opposite side of a street or other public space to the building.

(53) "Fire service inlet" means a connection provided at the base of a building for pumping up water through in-built fire-fighting arrangements by fire service pumps in accordance with the recommendations of the Chief Fire Officer.

(54) "Fire tower" means an enclosed staircase which can only be approached from the various floors through landings or lobbies separated from both the floor area and the staircase by fire-resisting doors and open to the outer air.

(55) "Fitness centre/Yogalaya in a building" means and includes the built up premises including toilet facilities provided in the building including gymnasium for the benefit of its inmates and for the purpose of fitness, physical exercises, yoga and such other activities as may be permitted by the commissioner from time to time

(56) "Floor" means the lower surface in a storey on which one normally walks in a building, and does not include a mezzanine floor. The floor at ground level with a direct access to a street or open space shall be called the ground floor; the floor above it shall be termed as floor 1, with the next higher floor being termed as floor 2, and so on upwards.

(57) "Floor space index (FSI)" means the quotient of the ratio of the total covered area on all floors i.e the combined gross floor area of all floors, excepting areas specifically exempted under these Regulations, to the gross area of the plot, viz.:

$$\text{Floor Space Index (FSI)} = \frac{\text{Total covered area on all floors}}{\text{Gross Plot area}}$$

(57) (a) "Base FSI" means the FSI available for development without using TDR and without payment of premium as permitted by these Regulations.

(57) (b) "Permissible FSI" or "Admissible FSI" means the maximum FSI permissible from time to time on the plot comprising of Base FSI, TDR, Premium FSI, or any other FSI available under these Regulations.

(57) (c) "Premium FSI" means the FSI available by payment of premium excluding fungible.

(58) "Footing" means a foundation unit constructed in brick work, stone masonry or concrete under the base of a wall or column for the purpose of distributing the load over a large area.

(59) "Foundation" means that part of the structure which is in direct contact with and transmitting loads to the ground.

(60) "Front Open Space" means the space between the boundary line of a plot abutting the means of access/road/street and the building line. Plots facing two or more means of accesses/roads/streets shall be deemed to front on all such means of accesses/roads/streets.

(60)(a) "Fungible Compensatory Area" means any built up area permitted over and above the admissible FSI to the extent of 35% for Residential development and 60% for non residential development by charging premium as may be notified and/or prescribed from time to time by the Government.

(61) "Gallery" means an intermediate floor or platform projecting from a wall of an auditorium or a hall, providing extra floor area, and/or additional seating accommodation. It also includes the structures provided for seating in stadia.

(62) "Gaathan" means portion of the land shown as such in the Revenue Records.

(63) "Garage-~~Private~~" means a building or a portion thereof or parking slot or a parking space (including stack and mechanically operated) ~~thereof~~ designed and used for the parking of vehicles.

(64) "Garage-Public" means a building or portion thereof, designed other than as a private garage, operated for gain, designed and/or used for repairing, servicing, hiring, selling or storing or parking motor-driven or other vehicles.

(65) "Grey Water" means waste water from kitchen sink, bathrooms, tubs, showers, wash basins, washing machines, and dish washers excluding the waste water from water closet (W.C.).

(65)(a) "Green Hill Slope" means a sloping hill with / without green coverage to be considered at par with the reservation of Recreation Ground.

(66) "Habitable room" means a room occupied or designed for occupancy for human habitation and uses incidental thereto, including a kitchen if used as a living room, but excluding a bath-room water closet compartment, laundry, serving and storing pantry, corridor, cellar, attic, store-room, pooja-room and spaces not frequently used.

(67) "Hazardous material" means-

- i) radioactive substances;
- ii) material which is highly combustible or explosive and/or which may produce poisonous fumes or explosive emanations or storage, handling, processing or manufacturing of which may involve highly corrosive, toxic or noxious alkalis or acids or other liquids;
- iii) other liquids or chemicals producing flame, explosive, poisonous, irritant or corrosive gases or which may produce explosive mixtures of dust or fine particles capable of spontaneous ignition.

(68) "Height of a building" means the vertical distance measured, in the case of flat roofs, from the average level of the ground around and contiguous to the building to the top of terrace level and, in the case of pitched roofs, upto the point where the external surface of the outer wall intersects the finished surface of the sloping roof,

and, in the case of gables facing the road, the mid-point between the eaves level and the ridge.

(69) "Height of a room" means the vertical distance measured, from the finished floor surface to the finished ceiling/soffit of slab. The height of a room with a pitched roof means the average height between the finished floor surface and the bottom of the eaves and the bottom of the ridge.

(69) (a) "Height of a floor" means the vertical distance measured, from the unfinished floor surface to the unfinished ceiling/slab surface. The height of a floor with a pitched roof means the average height between the unfinished floor surface and the bottom of the eaves and the bottom of the ridge.

(70) "High Rise Building" means a building having height more than 32m.

(71) "Home occupation" means customary services provided to the general public other than that of eating or a drinking place, by a member of the family residing on the premises without employing hired labour, and for which there is no display to indicate from the exterior of the building that it is being utilised in whole or in part for any purpose other than a residential or dwelling use, and in connection with which no article or service is sold or exhibited for sale except that which is produced therein, which shall be non-hazardous and not affecting the safety of the inhabitants of the building and the neighborhood, and provided that no mechanical equipment is used except that as is customarily used for purely domestic or household purposes and/or employing licensable goods. If motive power is used, the total electricity load should not exceed 0.75 KW. "Home Occupation" may also include such similar occupations as may be specified by the Commissioner and subject to such terms and conditions as may be prescribed.

(72) Information Technology Establishment means an establishment ~~which is in the business of developing either software or hardware or providing IT Enabled services.~~ which is in business of Developing Software, Back Office Operation, Business Process Outsourcing (BPO), Call Center, Content Development, Developing Animation, Developing Media Contents, Developing Audio Video and Graphic Content, Data Processing, Engineering and Design, Geographic Information System Service, Database Processing, Transcriptions, Payroll and Human Resource Services, accounting services, website services, providing consultancy services or any other IT enabled services. Data Center, Banking, Financial and Insurance Services shall also be considered as Information Technology Establishments

(72) (a) IT Enabled Services means any Services which is specified by the industry department vide Government Resolution from time to time and shall also include IT supported financial services.

(73) "Licensed Surveyor/Engineer/Structural Engineer/Supervisor" means a qualified surveyor, engineer, structural engineer or supervisor, licensed by the Commissioner.

(74) "Lift or Elevator" means an appliance designed to transport persons and materials between two or more levels in a vertical or substantially vertical direction by means of guided car or platform etc.

(74)(a) "Lift Landing or Lobby" means a portion of a building or structure used for discharge of passengers or goods or both into or from a lift car.

(74)(b) "Lift Pit" means the space in the lift well below the level of the lowest lift landing served.

(74)(c) "Lift Well" means the unobstructed space within an enclosure provided for the vertical movement of the lift car(s) and any counterweight(s), including the lift shaft walls.

(75) "Loft" means a structure providing intermediate space in between two floors with maximum height of ~~1.50~~ 1.80 m, ~~without having permanent access.~~

(76) "Mall" means a large enclosed area comprising shopping, entertainment, eating facilities and facilities incidental thereto.

(77) "Marginal Open Space/Distance" means the minimum distance measured between the ~~front~~, rear and sides of the building line and the respective plot boundaries

(77)(a) "Mezzanine floor" means on intermediate floor, not being a loft, between the floor and ceiling of any storey.

(77)(b) "Multi-level Parking" means a multi-storey vehicle parking structure (which includes parking garage, parking space, parking slot, ramp, car lifts or parking deck, stack car parks or mechanically operated parking system) in the building/ wing or as an independent structure.

(78) "Multiplex/Multiplex Theatre Complex (MTC)" means a place of public entertainment for the purpose of exhibition of motion picture with multiple screens and or dramas and other social or cultural programs with total aggregate minimum seating capacity of 450 seats, set up in a plot having an area of 3,500 Sq.M. or above. as described in Bombay Entertainment Duty Act 1923. The multiplex may include retail outlets, show-rooms, restaurant, fast food outlet, video games parlours, bowling alleys, health spa / centres and other recreational activities.(78)
(a) "Non-combustible" means not liable to burn or add heat to a fire when tested for combustibility in accordance with the IS-3808-1966 Method of Test for Combustibility of Building Materials.

(79) "Non-Conforming User" means any lawful use/building existed on the site but which does not conform to the zoning shown in the Development Plan.

(80) "Occupancy" or "Use" means the principal occupancy or use for which a building or a part of it is used or intended to be used, including contingent subsidiary occupancies; mixed occupancy buildings being those in which more than one occupancy are present in-different portions of the buildings.

(80)(a) "Occupier" includes a legal tenants or an owner in occupation of, or otherwise using his land or premises.

(81) "Owner" means a person who receives rent for the use of the land or building or would be entitled to do so if it were let, and includes:

- (i) an authorised agent or trustee who receives such rent on behalf of the owner;

- (ii) a receiver, executor or administrator, or a manager appointed by any court of competent jurisdiction to have the charge of or to exercise the rights of the owner;
- (iii) an agent or trustee who receives the rent of or is entrusted with or is concerned with any building devoted to religious or charitable purposes; and
- (iv) a mortgagee in possession.

(82) "Parapet" means a low wall or railing built along the edge of the roof or a floor.

(83) "Parking space," means an enclosed or unenclosed, covered or open area or area provided by mechanical means sufficient in size to park vehicles. Parking spaces shall be served by a driveway connecting them with a street or alley and permitting ingress or egress of vehicles.

(84) "Partition" means an interior non-load bearing barrier, one storey or part storey in height.

(85) "Permanent open air space" means air space permanently open;

- (i) if it is a street,
- (ii) if its freedom from encroachment is protected by any law or contract ensuring that the ground below it is either a street or is permanently and irrevocably appropriated as an open space.

In Determining the open air space required for construction of a building, any space occupied by an existing structure may, on its planned demolition to become a permanently open air space, be treated as if it were already such a place.

(86) "Permission" means a valid permission or authorisation in writing by the competent authority to carry out development or a work regulated by the Regulations.

(87) "Plinth" means the portion of a structure between the surface of the surrounding ground and surface of the floor immediately above the ground or basement or any storey level.

(88) "Plinth area" means the built-up covered area measured at the plinth level.

(89) "Porch" means a covered surface supported on pillars or otherwise for the purpose of a pedestrian or vehicular approach to a building.

(90) "Podium" means one or more ~~a~~ floors of a building extending beyond building line/s used for parking, providing other services and incidental purposes as prescribed under these Regulations.

(91) "Professionals on Record" means the persons educationally, technically and experientially qualified to perform a designated skilled job and who are appointed by the Owners/Developers and are responsible for the work carried out by his/her subordinates or team, such as Architects, Licensed Surveyors, Engineers, Structural Engineers, Fire Protection Consultants, etc. registered with the Competent Authority wherever applicable and under taking the responsibility for the particular work as prescribed by the Appropriate Authority in these Regulations.

(92) "Recreational Open space," means an area forming an integral part of a site left open to the sky and used for recreation, excluding terraces.

(93) "Refuge Area" means an area where persons can gather and await instructions or assistance for evacuation during fire.

(94) "Reservation" means plot of land proposed to be developed for a public purpose and so depicted on the Development Plan or as provided under these Regulations.

(95) "Retention activity" means an activity or use which is allowed to continue, notwithstanding its non-conforming nature in relation to the use permitted in the adjoining or surrounding area.

(96) "Road/Street" means any highway, street, lane, pathway, alley, stairway, passageway, carriageway, footway, square, place or bridge, elevated road whether a thoroughfare or not, over which the public have a right of passage or access or have passed and had access uninterruptedly for a specified period, whether existing or proposed in any scheme, and includes all bunds channels, ditches, storm-water drains, culverts, sidewalks, traffic islands, road-side trees, hedges, retaining walls, fences, barriers and railings within the street lines.

(97) "Road/Street level or grade" means the officially established elevation or grade of the centre line of the Street upon which a plot fronts, and if there is no officially established grade, the existing grade of the street at its mid-point.

(98) "Road/Street line" means the line defining the side limits of a road/street.

(99) "Road width" or "Width of road/street" means the whole extent of space within the boundaries of a road when applied to a new road/street, as laid down in the city survey or development plan or prescribed road lines by any act or law and measured at right angles to the course or intended course of direction of such road.

(100) "Row housing" means a row of houses with only front, rear and interior open spaces.

(101) "Sanctioned or Approved Plan" means the set of plans in connection with a development which are duly approved and sanctioned by the Planning Authority.

(101)(a) "Semi - detached building" means a building detached on three side with open spaces as specified in these Regulations.

(102) "Service road" means a road/lane provided at the front, rear or side of a plot for service purposes.

(103) "Site/Plot" means a parcel or piece of land enclosed by definite boundaries.

(104) "Site, Corner" means a site at the junction of land fronting on two or more roads or streets.

(105) "Site, Depth of" means the mean horizontal distance between the front and rear site boundaries.

(106) "Site with double frontage" means a site having a frontage on two streets other than a corner plot.

(107) "Site, Interior or Tandem" means a site access to which is by a passage from a street whether such passage forms part of the site or not.

(108) "Smoke-stop door" means a door for preventing or checking the spread of smoke from one area to another.

(108)(a) "Solar Energy system" means a device to heat water or generate power using solar energy.

(109) "Stair-cover/Stair case Room" means a structure with a covering roof over a staircase and its landing built to enclose only the stairs for the purpose of providing protection from the weather and not used for human habitation.

(110) "Stilt" means a space within framework of columns, beams and slabs without enclosure of walls over which the building rests. It is used for parking purposes/other services as provided under these Regulations.

(111) "Storey" means the portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between any floor and the ceiling next above it.

(111)(a) "Tenantable Repairs" shall mean repairs as defined as per the provisions of Section 342 of MMC Act including amalgamation of premises, removal, repositioning and addition of internal partition walls within the premises, renovation of bathrooms, toilets and kitchen including changes in its size not affecting plumbing outlet or sunk portion and provision of additional cabins or rooms or toilets or kitchen.

(111)(b) "Tenement" means an independent dwelling unit with a kitchen or a cooking alcove.

(112) "Theatre" means a place of public entertainment for the purpose of exhibition of motion picture and or dramas and other social or cultural programs.

(113) "Tower-like structure" means a structure in which the height of the tower-like portion is at least twice that of the broader base.

(114) "Travel distance" means the distance from the entrance/exit of the remotest Apartment/Office/Unit/Premises point on a floor of a building to a place of safety, be it vertical exit or a horizontally exit or an outside exit measured along the line of travel.

(115) "Volume to plot ratio (V.P.R.)" means the ratio expressed in meters of the volume of a building measured in cubic meters to the areas of the plot measured in square meters.

(116) "Water closet (W.C.)" means a privy with an arrangement for flushing the pan with water, but does not include a bathroom.

(117) "Water course" means a natural channel or an artificial channel formed by training or diversion of a natural channel meant for carrying storm and waste water.

(118) "Water course, Major" means a water course which carries storm water discharging from a contributing area of not less than 160 hectares, the decision of the Commissioner on the extent of the contributing area being final. A minor water course is one which is not a major one.

(119) "Window" means an opening other than a door, to the outside of a building which provides all or part of the required natural light, ventilation or both to an interior space.

(120) ~~"Wing of a building" means part of a building with independent access, staircase & lift connected to other parts with common basement/ stilt/ podium/terrace/common wall/connecting passages.~~

"Wing of the Building" means several structures of a single building with independent access, staircases and lift but connected by common basement, stilt or podium or terrace or have common wall or connecting passages or touching at a single point

3. *Applicability*

- (1) **Development and construction:** Except as hereinafter otherwise provided, these Regulations shall apply to all development, redevelopment, erection and/or re-erection of a building, change of user etc. as well as to the design, construction or reconstruction of, and additions and alterations to a building.
- (2) **Part construction:** Where the whole or part of building is demolished or altered or reconstructed/removed, except where otherwise specifically stipulated, these Regulations shall apply only to the extent of the work involved.
- (3) **Change of occupancy:** Where the occupancy of a building is changed, except where otherwise specifically stipulated, these Regulations apply to all parts of the building affected by the change.
- (4) **Reconstruction:** The reconstruction in whole or part of a building which has ceased to exist due to ~~an accidental fire, natural collapse or,~~ demolition or voluntary demolition, having been declared unsafe or which is likely to be demolished by or under an order of the Corporation or the Bombay Housing and Area Development Board and for which the necessary certificate has been given by either the said Corporation or the Board shall be allowed subject to the Regulation no 33(6). The constructed area of the building being reconstructed shall be protected irrespective of the FSI permissible under these regulations.
- (5) **Exclusions:** Nothing in these Regulations shall require the removal, alteration or abandonment or prevent the continuance of the lawfully established use or occupancy of an existing building or its use unless, in the opinion of the Commissioner, such a building is unsafe or constitutes a hazard to the safety of adjacent property.

- (5)(a) No Permission shall be required for following
(i) for constructing fencing/compound wall or barricading the plot of land by the owner.
(ii) for installing Solar Panels on terrace of existing occupied buildings
(iii) Tenantable Repair

4. Interpretation

(1) In these Regulations, the use of the present tense includes the future tense, the masculine gender includes the feminine and neuter genders, the singular number includes the plural number and plural number includes singular number. The word "person" includes a corporation as well as an individual; "writing" includes printing, typing, e-communication and "signature" includes e-signature, digital signature and thumb impression of a person unable to sign, provided that his name is written below such impression.

(2) Sizes and Dimensions: Wherever sizes and dimensions of rooms and spaces within buildings are specified, they mean the clear dimensions, unless otherwise specified in these Regulations.

(3) If any question or dispute arises with regard to interpretation of any of these Regulations the matter shall be referred to the State Government which, after considering the matter and, if necessary, after giving hearing to the parties, shall give a decision on the interpretation of the provisions of these Regulations. The decision of the Government on the interpretation of these Regulations shall be final and binding on the concerned party or parties.

(4) In the case of provisions of other Acts/Rules/Regulations which are incorporated in these Regulations wherever applicable, the amendments made subsequently in parent Acts/Rules/Regulations, will automatically be applicable to these Regulations.

(5) If there is a conflict in interpretation of any clause between English & Marathi versions of these Regulations, then the interpretation of English version shall prevail

5. Delegation of powers

Except where the Commissioner's special permission is expressly stipulated, the powers or functions vested in him by these Regulations may be delegated to any municipal official under his control, subject to his ~~revision~~ if necessary and subject to such conditions and limitations, if any, as he may prescribe. In each of the said Regulations, the word "Commissioner" shall, to the extent to which any municipal official is so empowered, be deemed to include such official.

In conformity with the intent and spirit of these Regulations, the Commissioner may:-

- (i) decide on matters where it is alleged that there is an error in any order, requirement, decision, determination made by any municipal officer under delegation of powers in application of the Regulations or in interpretation of these Regulations;
- (ii) interpret the provisions of these Regulations where a street layout actually on the ground varies from the street layout shown on the development plan;

6. *Discretionary powers*

- (a) In conformity with the intent and spirit of these Regulations, the Municipal Commissioner may:-
- (i) modify the limit of a zone where the boundary line of the zone divides a plot
 - (ii) authorise the erection of a building or the use of premises for a public service undertaking, Government, Semi-Government, Local Bodies for public utility purposes only, where he finds such an authorisation to be reasonably necessary for public convenience and welfare, even if it is not permitted in any land use classification/zone.
- (b) In specific cases where a clearly demonstrable hardship is caused, the Commissioner may for reasons to be recorded in writing, by special permission permit any of the dimensions prescribed by these Regulations to be modified, except those relating to floor space indices unless otherwise permitted under these Regulations, provided that the relaxation will not affect the health, safety, fire safety, structural safety and public safety of the inhabitants of the building and the neighborhood.
- (c) Any discrepancy/error in regard to designations that are brought to the notice of the ~~Development~~ ~~Department of~~ MCGM may, after due enquiry, be corrected with the approval of the Municipal Commissioner.

7. *Power to delegate*

The State Government may, by notification in the Official Gazette delegate by a general or special order any of its powers under these Regulations, subject to such conditions as it may consider appropriate, to any officer of the State Government not below the rank of Deputy Secretary, except those relating to any matter which is required to be dealt with under the special permission of the Commissioner.

The Commissioner may, by a general or special order any of its powers under these Regulations, subject to such conditions as he may consider appropriate, to any officer of the Corporation not below the rank of Executive Engineer including for those relating to any matter which is required to be dealt with under the special permission of the Commissioner.

8. *Amendment/modification to Appendices/Annexures*

Except where the same are prescribed in Mumbai Municipal Corporation Act, 1888, or Maharashtra Regional and Town Planning Act, 1966 or the rules or bye-laws framed thereunder, the Commissioner may, from time to time, add to, alter or amend Appendices and Annexures appended to these Regulations.

PART II DEVELOPMENT PERMISSION

9. *Development permission and commencement certificate*

(1) ***Necessity of obtaining permission:*** No person shall erect or re-erect a building or alter any building or carry out any development or redevelopment, on any plot of land or cause the same to be done without obtaining development permission and a commencement certificate from the Commissioner. *Tenantable Repair shall not require any development permission under this regulation.*

(2) ***Items of operational construction by some authorities excluded:*** Construction for operational purposes, including maintenance of operational structures, by the following organisations, authorities or departments, whether temporary or permanent, ~~may be exempted by special permission of the Commissioner in each case~~ from the purview of these Regulations, except those relating to floor space index and fire precautions:

- i. Railways;
- ii. National Highways;
- iii. National Waterways;
- iv. Major ports;
- v. Aerodromes and Airports;
- vi. Posts and Telegraphs, Telephones, Television, Wireless, Broadcasting authorities and the authorities of other similar forms of communication;
- vii. Regional grids, towers, gantries, switchyards, control room, Relay room for transmission, distribution, etc. of electricity;
- viii. Defence Authorities;
- ix. Any other essential public services as may be notified by the State Government.
- x. Metrorail Administration (MRA)/Project Implementing Agency designated by the Government for the Metro Rail and Monorail/Light Rail Transit (LRT) Projects.
- xi. Facilities & services of Municipal Corporation of Greater Mumbai such as Roads, Water Supply, Sewerage, Storm Water Disposal and any other essential public services as decided by the Municipal Commissioner.

All such constructions shall, however, conform to the prescribed requirement for the provision of essential services, water supply connections, drains, etc. to the satisfaction of the Commissioner.

(3) ***Operational constructions excluded:*** The following constructions for operational purposes of the organizations, authorities or departments listed above are exempted from the purview of these Regulations except those relating to floor space index and fire precautions:

(i) Repairs and renovation of existing installations of buildings used for operational purposes alone and which do not involve addition to or increase of built-up areas.

(ii) In the case of the Railways/Metro Rail and Monorail/LRT Authority:

a) repairs and renovation of existing railway tracks, including culverts, over bridges, under-passes or bridges, tunnels and side drains;

b) platforms, goods sheds and offices, parcel offices, sub-stations, foot-over bridges turn-tables, lifting towers, gantries, signal and signal boxes or control cabins in hump yards;

c) running (loco) sheds, carriage and wagon depots, carriage washing places, overhead or ground level water tanks, pipelines and pumping station; running rooms, train examiners' offices, yard depots, permanent way inspectors' and signal inspectors' stores in railway yards and all overhead electric equipment for traction.

d) Operational Control Centre, Playback Training Room, Stabling Yards, Maintenance Workshop, Auto wash plant, Auxiliary Rail Vehicle Building, Under Floor Wheel Lathe & Blow Down Plant, Cooling Tower, Generator Area, Auxiliary Substation, Traction Substation, Transformer Area, Water Treatment Plant, Wastewater Treatment Plant, Depot, Control Centre, Sump Area, Parking Check post, Loading & Unloading Areas, Fouling Points, DG Set Rooms, Metro& Mono Stations(Underground& Elevated), Viaduct & Tunnel, Ventilation Shaft, Entry/Exit Block, Passages, Underground Passages to Station Box, Lift/ Staircases, Escalators, Air Handling Unit.

(iii) Store sheds, when ancillary to operational requirement only;

Provided that, for the construction of new railway lines or tracks the approval of the State Government shall be necessary. For construction of new buildings, goods stores, sheds or platforms, parcel offices and workshops or for purposes of major remodeling, the approval of the Commissioner shall be necessary.

Further provided that, the following constructions by the organizations, authorities or departments listed in sub-Regulation (2) herein shall not be deemed to be operational for the purpose of exemption under the said Regulations, namely:-

(i) Residential buildings, commercial buildings, office buildings and industrial buildings (other than gate lodges, essential operational staff quarters and the like), roads and drains, hospitals, clubs, institutes and schools in residential, commercial or industrial areas of the colonies of such organizations, authorities or departments.

(ii) Construction, installation or any extension of any building in the case of any service other than those mentioned in this Regulation.

(4) ***Exclusion from requirement of permissions:*** No permission shall be required to carry out tenantable repair works to existing buildings, which have been constructed with the approval from the competent authority or are in existence since prior to 17.04.1964 in respect of residential structures and 01.04.1962 in

respect of non residential structures, as described under section 342 of MMC Act 1888.

No permission shall be required for provision of safety grills to window/ventilator. No permission shall be required for repairs to the Existing Consumer / Distribution /Receiving Substation of the BEST/Electric Supply Company. However, no addition /alteration shall be permissible without the approval of the Commissioner.

No permission will be required for providing fencing, construction of compound wall, installation of HVAC unit, installation of solar panels and mechanised stack parking in existing building

No permission shall be required for internal light weight partitions/cabins up to height of 2.2 in the commercial building/establishment subject to structural stability from the Licensed Structural Engineer.

- (5) ***Validity of development permission:*** The development permission granted in the past shall be governed by the provision of section 48 of the MR&TP Act, 1966.

Where development has commenced as per the IOD issued prior to publication of these Regulations, the CC shall be issued or revalidated till completion of development in accordance with the plans / concessions approved for full permissible FSI as per DCR 1991 without requiring compliance with these Regulations.

- (6) ***Applicability to partially completed works:***

- (a) For 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. CC/OC/BCC shall be processed and granted from time to time in accordance with provisions of DCR 1991, without insisting compliance to these regulation. 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. Concessions which have been approved earlier shall also be granted to the additional potential.

- (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 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 occupation certificate or building completion certificate shall be deducted.

~~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.~~

- (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 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 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. Concessions which have been approved earlier shall also be granted to the additional potential.
- (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 including any addition, alteration, amendments or modification involving additional FSI/Fungible FSI/TDR/incentive FSI to sanctioned plans of that building.

10. Procedure for obtaining Development Permission and Commencement Certificate.

- (1) Notice of intention:** Every person who intends to carry out development or redevelopment, erect or re-erect a building or alter any building or part of a building shall give notice in writing to the Commissioner of his said intention in the form in Appendix II and such notice shall be accompanied by plans and statements with sufficient number of copies, as required by sub-Regulations (2) and (3) hereunder. The plans may be ordinary prints. One set of such plans shall be retained in the office of the Commissioner for record after the issue of permission or refusal. The Commissioner may set a date after which all submissions, approvals and communication in regard to development permission shall be on line.
- (2) Copies of plans and statements:**
- (i) **Notice:** The notice referred to in sub Regulations (2) of Regulation No 11 shall be accompanied by as many copies of plans as the Commissioner may prescribe after taking into consideration the clearances required from other agencies.
- (ii) **Size:** The size of drawing sheets shall be any of those specified in Table 1 hereunder.

TABLE

1

Drawing sheet sizes

Serial No.1 (1)	Designatio n (2)	Trimmed Size (mm) (3)
1	A0	841-1189
2	A1	594-841
3	A2	420-594
4	A3	297-420
5	A4	210-297

If necessary, submission of plans on sheets bigger than A0 size is also permissible

(iii) *Colouring notations for plans:* The plans shall be coloured as specified in Table 2 hereunder. The prints of the plans shall be on one side of the paper only.

TABLE 2

Colouring of Plans

Sr. No. (1)	Item (2)	Site Plan (3)	Building Plan (4)
1.	Plot Lines	----- Thick Black-----	-----
2.	Existing Street	Green	-----
3.	Future Street	Green Dotted Thick Dotted	-----
4.	Permissible Building	Black	
5.	Open Spaces	----- No Color	
6.	Work proposed to be demolished	----- Yello whatched	

7.	Proposed work	-----	Red filled in
	Drainage and Sewerage		
8.	work	-----	Red Dotted
9.	Water Supply Work	-----	Blue Dotted thin
10.	Deviations	-----	Red Hatched
11.	Recreation Ground	-----	Green Wash
12.	Roads and Set backs	-----	Burntsienna
		-----	Appropriate colour
13.	Reservation		code

Note.- (i) Site plans/building plans may be submitted in the form of Ammonia prints/Blue prints or White plans.

(ii) Existing work to be hatched black; for land development/sub-division/lay-out, suitable colouring notations shall be used duly indexed.

(3) Information accompanying notice:

- (i) Key plan, site plan, etc. to accompany notice. The notice shall be accompanied by the key plan (location plan), a site plan, sub-division/lay out plan, building plan, specifications and certificate of supervision, ownership, title, etc. as prescribed in clauses (ii) to (xiii) below.

- (ii) Ownership title and area.-Every application for development permission and commencement certificate shall be accompanied by a copy of certificate of the title of the land under development, obtained from Advocate. In case of application for development permission or commencement certificate is submitted by holder of power of attorney then a certificate from the advocate certifying that the power of attorney in favour of applicant is valid and subsisting. In addition to above certificate the following documents for verifying the area of the land shall be submitted :ownership and area etc. of the land:-

~~a) Attested copy or original sale/lease deed/power of attorney/enabling ownership documents wherever applicable;~~

~~b) Title clearance certificate with title search from Solicitors/Advocate on record;~~

~~ea)~~ Property register card of a date not earlier than twelve months prior to the date of submission of the development proposal;

~~db)~~ Statement of area of the holding by triangulation method from a licensed surveyor or architect with an affidavit from the owner certifying the boundaries as well as from licensed surveyor or architect in regard to the area in the form prescribed by the Commissioner;

~~ec)~~ Affidavit from the owner regarding non-holding of contiguous land to the site under development.

d) CTS/CS plan in original. If there is any sub-division due to ownership, documents related to sub-division.

e) In case of property owned by more than one owner Certificate from advocate certifying that all co-owners have consented for Development.

f) In case of Tenanted properties to be developed under clause 33 (7) 33(9) and certificate form MHADA/Land Owning public authority certifying that at least 70% of the certified and eligible tenants of the property have granted consent for development in favour of owner/developer.

g) In case of properties owned by Co-operative Societies, Certificate from advocate confirmimg that the registered society / society on the plot of development have entered into registered agreement with the Developer wherein it has granted permission for development of the project and atleast 70% of members of the society present in the Special General Body meeting convened for the purpose of approving the Agreement for Development have consented in favour of the Development by the applicant.

h) In case of properties situated in the layout and owned by MHADA/Land Owning Public Authority, a certificate from MHADA or Land Owning Public Authority certifying that minimum 70% of the certified and legal occupant of the property have granted consent in favour of owner/developer.

i) In the case of land leased by the Government or local authorities, clearance of Government or such authorities regarding observance of the lease conditions shall be obtained and attached to the application for development permission in respect of such land.

g) Any other documents as may be prescribed by the Commissioner;

~~h) In the case of land leased by the Government or local authorities, clearance of Government or such authorities regarding observance of the lease conditions shall be obtained and attached to the application for development permission in respect of such land.~~

(iii) Key plan or location plan- A Key plan drawn to a scale of not less than 1: 4000 shall be submitted along with the application in Appendix II for development permission and commencement certificate showing the boundary, locations of the site with respect to neighborhood land-marks.

(iv) Site plan- The site plan sent with an application for permission drawn to a scale of 1:500 shall be duly signed by the Owner & licensed Surveyor or architect showing in addition to the details in Form-II of Annexure I the following:-

- a) The boundaries of the site and of any contiguous land belonging to the owner of the site;
- b) The position of the site in relation to neighboring streets;
- c) The names of the streets on which the building is proposed to be situated if any;
- d) All existing buildings contained in the site with their names (where the buildings are given names) and their numbers;
- e) The position of the building and of other buildings, if any, which the applicant intends to erect upon his contiguous land referred to in (iv) (a) above in relation to-
 - i. the boundaries of the site and in a case where the site has been partitioned, the boundaries of the portions owned by others;
 - ii. all adjacent streets, buildings (with number of stories and height) ~~and premises within a distance of 12 m of the work site and of the contiguous land (if any) referred to in (iv)(a);~~ and
 - iii. if there is no street within a distance of 12m of the site, the nearest existing street with its name;
- f) The means of access from the street to the building, and to all other buildings (if any) which the applicant intends to erect upon his contiguous land referred to in (iv)(a) above;
- g) The space to be left around the building to secure free circulation of air, admission of light and access for service purposes;
- h) The width of the street (if any) in front and of the street (if any) at the side or near the building;
- i) The direction of the north line relative to the plan of the building;
- j) Any existing physical features, such as wells, tanks, drains or trees;
- k) The ground area of the whole property and the back-up of the covered area on each floor with the calculations;

- l) Overhead electric supply lines including space for electrical transformer sub-station according to the requirements of the electric distribution licenses, water supply and drainage line;
 - m) Such other particulars as may be prescribed by the Commissioner.
- (v) Sub-division/Lay-out Plan - Where development is proposed in a sub-division or involves a layout plan, the notice shall be accompanied by a key-plan showing the location of the plot in the ward at a scale of not less than 1:4000 and a sub-division layout plan to a scale of not less than 1:500, which shall be duly signed by the Owner & licensed surveyor or architect containing the following:-
- a) Scale used and the direction of the north line relative to the plan of the building;
 - b) The location of all proposed and existing roads with their names, existing/proposed/prescribed width within the land;
 - c) dimensions of the plot along with the building lines showing the set-backs with dimensions of each plot;
 - d) The location of drains, sewers, STP, tanks, wells, trees, public facilities and services, electric lines, etc;
 - e) A table indicating the size, area and use of all the plots in the sub-division/lay-out plan;
 - f) A statement indicating the total area of the site, area utilized under roads, open spaces for parks, playgrounds, recreation spaces and development plan designations, reservations and allocations, amenity space, school, shopping and other public places along with their percentage with reference to the total area of the site;
 - g) In the case of plots which are sub-divided in built-up areas, in addition to the above, the means of access to the sub-division from existing streets and in addition, in the case of plots which are sub-divided in built up area, the means of access to each sub-plot from existing streets.
 - h) Contour plan of site, wherever necessary.
- (vi) Building Plan - The plans of the building with elevations and section accompanying the notice shall be drawn to a scale of 1:100 and shall-
- a. Include floor plans of all floors together with the covered area clearly indicating the size of the rooms, the positions and width of staircases, ramps and other exit ways, lift wells, lift machine rooms and lift pit details, meter room and electric sub-station. It shall also include the ground floor plan as well as the basement plan and shall indicate the details of parking spaces, loading and un-loading spaces, if required to be provided around and within the building, as also the access ways and appurtenant open spaces with projections in dotted lines, the distance from any building existing on the plot in figured dimensions along with the accessory building. These plans will also contain the details of FSI calculations.

- b. Show the use or occupancy of all parts of the buildings;
- c. Show the exact location of essential services, e.g. water closet (WC), sink, bath,
- d. Include sectional drawing showing clearly the sizes of the footings, thickness of basement wall, wall construction, size and spacing of framing members, floor slabs and roof slabs with their materials. The section shall indicate the heights of the building and rooms and also the height of the parapet and the drainage and the slope of the roof. At least one section should be taken through the staircase & Lift well. The certified structural plan by Structural Engineer/Consultant giving details of all structural element sand materials used along with structural calculations can be submitted separately, but under any circumstances, before the issue of the development permission/commencement certificate;
- e. Show relative levels of streets;
- f. Give dimensions of the portions projecting beyond the permissible building line;
- g. Include a terrace plan indicating the drainage and the slope of the roof;
- h. Indicate the north line relative to the plans;
- i. Give a schedule of doors, windows and ventilators;
- j. Show the pump rooms, Rain Water Harvesting System, Sewage Treatment Plant, if any.
- k. Provide such other particulars as may be prescribed by the Commissioner; Provided that with the building plans for high rise or special buildings, the following additional information shall be furnished or indicated on the building plans;
- l. Access to fire appliances/vehicles with details of vehicular turning circle and clear motorable access way around the building;
- m. Size (width) of main and alternate staircases along with the balcony approach, corridor, ventilated lobby approach;
- n. Location and details of lift enclosures;
- o. Location and size of fire lift;
- p. Smoke stop lobby door/Fire resistant door, where provided;
- q. Refuse chutes, refuse chamber, service duct, etc.
- r. Vehicular loading and unloading and parking spaces;
- s. Refuse area if any;
- t. Details of air-conditioning system with position of fire dampers, mechanical ventilation system, electrical services (with dimensions of electrical transforming sub-stations etc.) boilers, gas pipes, meter rooms etc;
- u. Details of exits, including ramps, etc. for hospitals and special risks;
- v. Location of generator, transformer and switch gear room;
- w. Smoke exhaust systems, if any;
- x. Details of fire alarm system;

- y. Location of centralized control, connecting all fire alarms, built-in fire protection arrangements and public address system, etc; location and dimensions of static water storage tank and pump room along with fire service inlets for mobile pump and water storage tank;
- z. Location and details of fixed fire protection installation such as sprinklers, wet hose reels, drenchers, carbon-dioxide (CO₂) installations, etc; and.
- aa. Location and details of first aid and firefighting equipment/installations.

(vii) *Service plan* - Plan and sectional elevations of private water supply, sewage disposal system and details of building services, where required by the Commissioner, shall be made available on a scale of not less than 1:100 before undertaking such work.

(viii) *Specifications*. - General specifications of the proposed construction, giving the type and grade of materials to be used in the form in Annexure 2 to 9 signed by a licensed surveyor/engineer/structural engineer, supervisor, ~~or~~ architect or qualified professionals as the case may be, shall accompany the notice. It shall be ensured that the construction materials to be used shall be in accordance with the relevant I S Codes

(ix) *Supervision Certificate*. - The notice shall be further accompanied by a certificate of supervision in the form in Annexure 2 to 8 by the licensed surveyor/engineer/structural engineer/supervisor or architect/Professional on Record as the case may be. If the said licensed technical person or architect ceases to be employed for the development work, further development shall be suspended till a new licensed technical person or architect is appointed and his certificate of supervision along with a certificate for the previous work erected, if any, is accepted by the Commissioner.

(x) *Development permission fee receipt* - The notice shall be accompanied by an attested copy of the receipt of payment of the development permission application fee.

(xi) *Security deposit* - To ensure compliance with these Regulations and the directions given in the sanctioned plan and other conditions, a security deposit, shall be charged at rates specified by the Commissioner. It shall be returned to the owner one year after the issue of the full occupancy certificate after the Commissioner is satisfied with the compliance with various conditions stipulated in the said full occupancy certificate.

(xii) *Clearance certificate for tax arrears* - The notice shall also be accompanied by ~~an attested copy of a clearance certificate from the Assessment Department~~

~~of the Corporation for payment of tax up to date.~~ self-certification by the owner/ developer regarding payment of tax up to date.

(xiii) *No objection certificate* - For occupancies requiring clearance from authorities like the Civil Aviation Department, Directorate of Industries, Maharashtra Pollution Control Board, Inspectorate of Boilers and Smoke Nuisances, electrical distribution licensers regarding requirements of electrical transforming stations, the no objection certificate from these authorities, applicable to the occupancy, shall also accompany the notice.

(xiv) *Other facilities to be provided during construction.* - The notice shall also be accompanied by an undertaking from the owner/developer/contractor to the effect that during the period of construction facilities will be made available for day-care centre, crèche, adult-literacy and non-formal education programs for the construction workers, directly by him or through a voluntary agency.

(4) *Signing of plans by owners and licensed personnel/architect:*

(i) *Signing of Plans* - All the plans shall be signed by the owner and the licensed surveyor/engineer/structural engineer/supervisor or architect or any Professional on Record as the case may be, and shall indicate their names in block capital letters, addresses and license numbers when so licensed, allotted by the Commissioner. The list of Professionals on Record is as per Annexure 10.

(ii) *Qualification and competence of the licensed surveyor/engineer/structural engineer/supervisor/Professional on Record* - The Commissioner shall grant license to surveyors, engineers, structural engineers and supervisors with the qualifications listed in Annexure 10 to perform the tasks mentioned in that Annexure.

(5) *Processing of the development permission application:*

(i) *Grant of permission or refusal.* - The Commissioner may either sanction or refuse to sanction the plans and specifications or may sanction them with such modifications or directions as he may deem necessary, and thereupon, he shall communicate his decision accordingly to the person giving the notice in the formats specified in Annexure 11 and 12

(ii) *Fire brigade scrutiny.* - The plans for all high rise and special buildings shall also be subject to the scrutiny of the Chief Fire Officer, and development permission shall be given by the Commissioner only after clearance by the Chief Fire Officer.

(iii) *Deemed permission.*- If within sixty days of the receipt of the notice under sub-Regulations (1) of Regulations 10, the Commissioner fails to intimate in writing to the person who has given the notice, his refusal or sanction, or sanction with modifications or directions, the notice with its plans and statements shall be deemed to have been sanctioned, provided that this shall not be construed to authorize any person to do anything on the site of the work in contravention of or against the terms of lease or titles of the land, development plan, these Regulations or any law in force.

(iv) *Revised plans.* - Once the plans have been scrutinized and objections have been pointed out, the owner giving notice shall modify the plans to comply with the objections raised and resubmit them. The plans submitted for final approval shall not contain superimposed corrections. The Commissioner shall scrutinize the revised plans and shall grant or refuse development permission/commencement certificate within sixty days from the date of resubmission.

(6) Commencement of work:

A development permission/commencement certificate shall remain valid for four years in the aggregate, but shall have to be renewed before the expiry of one year from the date of its issue. The application for renewal shall be made before expiry of one year, if the work has not already commenced. Such renewal can be done for three consecutive terms of one year each, after which proposals shall have to be submitted to obtain development permission afresh.

For the purpose of this Regulation, `Commencement` shall mean as under: -

(a)	For a building work including additions and alterations	Completion of foundation work such as pile foundation, casting of raft or raft for basement, casting of footing of open foundation. This shall not include the sheet piling/diaphragm wall/touch piles/ retaining Wall for protection of site/neighborhood.
(b)	For bridges and overhead Tanks	Foundation and Construction work upto the base Floor.
(c)	For Underground works	Foundation and Construction work upto floor of underground Floor.

(d)	For lay-out, sub-division and amalgamation proposals	Final demarcation and provisions of Infrastructure and services upto the following stages: (i) Roads: Water bound macadam complete. (ii) Sewerage, Drainage and water supply excavation and base concreting complete.

(7) *Payments of the development charges/ premium/ development cess/off-site infrastructure charges/fees:*

Development permission/ Commencement certificate shall be granted only on payment of the requisite fees, development charges, premiums, Development cess/off-site infrastructure charges, as applicable for the proposal. The commissioner may form a policy of granting installments for the payment of the aforesaid charges linked to the period or the progress of the work. The development shall be considered unauthorized if carried out without requisite payments to the Government/MCGM/Planning Authority.

(8) *Manual of Procedure for Building proposal approvals*

NOTE: The Municipal Commissioner may decide the modalities of procedure for Development Permission from the point of view of Ease of Doing Business time to time. The Municipal Commissioner has notified the manual of procedure for building proposal approvals vide No. CHE/DP/49/Gen/2015-16 Dt. 29/12/2015 and CHE/DP/41375/ Dt. 29/12/2015. The procedure as prescribed in the Manual shall be the basis on which the approvals of the layout and the buildings will be processed. The commissioner may modify the said manual from time to time to further simplify building approval process. The Municipal Commissioner shall implement online approval process.

11. *Procedure during Construction*

(1) *Construction to be in conformity with Regulations:* Owner`s liability-Neither the grant of permission nor approval of the drawing and specifications nor inspections by the Commissioner during erection of the building, shall in any way relieve the owner of such building from full responsibility for carrying out the work in accordance with these Regulations.

(2) *Notice to start of work:* The owner shall give notice to the Commissioner of his intention to start work on the building site in the format given in Annexure 13 The owner may start the work after 7 days have elapsed from the date of the service of such notice to the Commissioner or earlier, if so permitted.

(3) *Documents at site:*

(i) Results of tests- Where tests of any material are made to ensure conformity with the requirements of these Regulations, record of the test data shall be kept available for inspection during the construction of the building and for such period thereafter as required by the Commissioner.

(ii) Development permission - The person to whom development permission is issued shall during construction, keep-

(a) ~~posted in a conspicuous place~~, on the site for which permission has been issued, a copy of the development permission/ commencement certificates; and

(b) a copy of the approved drawings and specifications referred to in Regulations 10 on the site for which the permission was issued.

(c) list of Professionals on Record with their contact details.

(d) copies of various remarks obtained from various professionals/departments related to the development.

(4) *Checking of plinth columns up to plinth level:* The owner through his licensed surveyor, or his architect shall give notice in the form given at Annexure 14 to the ~~Commissioner~~ Executive Engineer on completion of work up to plinth level to enable the ~~Commissioner~~ Executive Engineer to ensure that the work conforms to the sanctioned plans. The ~~Executive Engineer~~ Commissioner may inspect the work jointly with the licensed technical personal or architect within fifteen days from the receipt of such notice and either give or refuse permission for further construction as per the sanctioned plans in the form given at Annexure 15. If within this period, the permission is not refused, it shall be deemed to have been given provided the work is carried out according to the sanctioned plans.

(5) *Deviation during constructions:* If during the construction of a building, any departure of a substantial nature from the sanctioned plans is intended by way of internal or external additions, ~~prior~~ sanction of the Executive Engineer ~~Commissioner~~ shall be mandatory. A revised plan showing the deviations shall be submitted and the procedure laid down for the original plans heretofore shall apply to all such amended plans. Any work done in contravention of the sanctioned plans, without prior approval of the ~~Executive Engineer~~ Commissioner, shall be deemed as unauthorized only if the said work is beyond permissible FSI of the plot. Any work done in contravention of the sanctioned plan but within the permissible FSI of the plot, the same can be regularized at the time of granting further commencement certificate or occupation certificate or building completion certificate.

(6) *Completion certificate:* The owner, through his licensed plumber, shall furnish a drainage completion certificate to the ~~Commissioner~~ Executive Engineer in the form

given at Annexure 17. The owner through his licensed surveyor/engineer/structural engineer/supervisor or his architect, or any professional on record, who has supervised the construction, shall furnish a building completion certificate to the Executive Engineer~~Commissioner~~ in the form given at Annexure 18. These certificates shall be accompanied by three sets of plans of the completed development. The Executive Engineer~~Commissioner~~ shall inspect the work and, after satisfying himself that there is no deviation from the approved plans, issue a certificate of acceptance of the completion of the work in the form given at Annexure 19. Further on receipt of development completion certificate for entire development in the form of Annexure 16, and after satisfying himself that there is no deviation from the sanctioned plans, may issue Building Completion certificate in the form given at Annexure 22 or refuse the Building Completion Certificate within 21 days from the date of receipt of the request for the said Building completion certificate.

(7) *Occupancy certificate:* On receipt of the acceptance of completion certificate in the form given at Annexure 19, the owner, through his licensed surveyor or his architect shall submit to the Executive Engineer~~Commissioner~~ a development completion certificate in the form given at Annexure 16 with three copies of the completion plan, one of which shall be cloth mounted for record. The Executive Engineer~~Commissioner~~ may inspect the work and after satisfying himself that there is no deviation from the sanctioned plans, issue an occupancy certificate in the form given at Annexure 20 or refuse to sanction the occupancy certificate within 21 days from the date of receipt of the said completion certificate, falling which the work shall be deemed to have been approved for occupation, provided the construction conforms to the sanctioned plans. One set of plans, certified by the Executive Engineer~~Commissioner~~ as the completed plans, shall be returned to the owner along with the occupancy certificate. Where the occupancy certificate is refused or rejected, the reasons for refusal or rejection shall be communicated to the owner in writing.

(8) *Part occupancy certificate or Part Building Completion Certificate:* When requested by the owner, the Executive Engineer~~Commissioner~~ may issue a part occupancy certificate or part building completion certificate for a building or part thereof, before completion of the entire work as per the development permission, provided sufficient precautionary measures are taken by the holder to ensure public safety and health. The part occupancy certificate or part building completion certificate shall be subject to the owner's indemnifying the Executive Engineer~~Commissioner~~ in the format given at Annexure-21

12. Inspection -

(1) *Inspection at various stages:* The Executive Engineer~~Commissioner~~ may at any time during erection of a building or the execution of any work or development, make an inspection thereof without giving previous notice of his intention so to do.

(2) *Inspection by Fire Departmental:* For all high-rise and special buildings the work shall also be subject to inspection by the Chief Fire Officer, and the Executive Engineer~~Commissioner~~ shall issue the occupancy certificate or building completion certificate only after clearance by the said Chief Fire Officer.

(3) **Unsafe building:** All unsafe buildings shall be considered to constitute danger to public safety, hygiene and sanitation and shall be restored by repairs or demolished or as otherwise directed by the Commissioner.

(4) **Unauthorized development:** In case of unauthorized development beyond permissible FSI, the Commissioner shall –

(a) take suitable action which may include demolition of unauthorized works as provided in section 53 of the Maharashtra Regional and Town Planning Act, 1966 and the relevant provisions of the Mumbai Municipal Corporation Act, 1888.

(b) take suitable action against the licensed surveyor or the architect, site supervisor, professional on record and persons who are directly ~~are indirectly~~ responsible for such unauthorized development as provided under section 52 and 53 of the Maharashtra Regional and Town Planning Act, 1966

(5) **Safety Precautions:** It shall be responsibility of the Owner/Developer and the respective professionals on record appointed by Owner/Developer, to ensure all the necessary safety measures are taken on site and its immediate surroundings, especially in regard to workmen engaged, as directed in part -7, Constructional Practices & Safety, National Building Code of India, as amended to date.

Grant of IOD/C.C/O.C or issuance of any written instructions to ensure public safety or reduce nuisance/ inconvenience does not render MCGM liable for any injury, damages or loss whatsoever that may be caused to anyone in and around the construction area/site.

(6) **Revocation of permission:**

(i) Without prejudice to the powers of revocation conferred by Section 51 of the Maharashtra Regional and Town Planning Act, 1966, Municipal commissioner may, after giving the opportunity of being heard, revoke any development permission issued under these regulations where it is noticed by him that there had been any false statement or any misrepresentation of material fact in the application on **the** basis of which the development permission was issued and thereupon such work carried out in pursuance of such permission shall be treated as unauthorized.

(ii) In the case of revocation of permission under sub-regulation (i) above, no compensation shall be paid.

(12(A) Grievance Redressal Committee:

- (1) The Grievance Redressal Committee shall comprise of two members one of which shall be a judicial member and another shall be an expert member.
- (2) The Chairman of the committee shall be the judicial member.
- (3) The Judicial Member shall be serving or retired judge of City Civil Court or higher judiciary. The expert member shall be serving or retired Deputy Chief Engineer or above of MCGM.
- (4) The term of the Committee shall be of two years.
- (5) The Committee shall be formed by the Municipal Commissioner in consultation with Principal Secretary, Department of Urban Development-I, Government of Maharashtra
- (6) Any Owner or Architect / Licensed Surveyour on Record is aggrieved by any of the decisions in respect of his application for Development Permission or any approval or rejection or delay thereof under these regulations, he may file appeal before the Grievance Redressal Committee.
- (7) The Grievance Redressal Committee shall conduct hearing in respect of such application and shall by an order in writing decide on such application. Such decision shall be taken within a period of 90 days from the date of application.
- (8) The manner of making application under this regulation and the procedure of hearing shall be laid down by the Municipal Commissioner within 30 days of Notification of these Regulations.
- (9) The administrative set up of the Grievance Redressal Committee shall be laid down by Municipal Commissioner within 30 days of Notification of these Regulations.
- (10) In the Owner or Architect / Licensed Surveyour on Record is aggrieved by any of the decisions in respect of his application for Development Permission or approval thereof, he may file appeal to the Grievance Redressal Committee. to be formed under Clause 12 (A) of these Regulations.

PART III LAND USES AND MANNER OF DEVELOPMENT

13. Development Stipulations.

- (1) **General:** In every case of development/re-development of any land, building or premises, the intended use shall conform to the use zones, purpose of designation, allocation or reservation as the case may be, unless specified otherwise.

(1) A. In every case of development/re-development under any of the regulation 33 (1) to 33 (22) of any land, building or premises, the intended use shall conform to the use zones purpose of designation, allocation or reservation as specified in the respective clauses.

- (2) **Development of the designation/reservation/partly designated /partly reserved/amenity Plot:**

a) Development of the designation: Where a building on a site comprises a designation, the development of such land shall necessarily comprise minimum BUA equal to the existing designation. Any balance permissible BUA, thereafter, may be put to use in conformity with development otherwise permissible in these Regulations.

Provided further that if a land is designated and such designation is spread over a number of adjoining plots as per DP 2034 and if any of such plot has not contributed towards its reservation as per DP 1991 now forming designation, such plot will be deemed to be reserved for such purpose and shall be developed as per Regulation No 17.

b) Development of Reservations: Land reserved in the DP shall be developed as per the provisions of Regulation No.17, Table No.3, 4 & 5 for land use and manner of development.

c) Development of land partly designated/reserved: Where a building exists on a site shown as designation or reservation in the DP, only its appropriate part of land as used for such designation or reservation, shall be used for the said purpose and the remaining part of the land/building of the developable land may be put to use in conformity with the purpose of development as otherwise permissible in these Regulations as per the zone in which such property is situated.

d) Development of Amenity plot: Wherever lands are received by the Planning or Appropriate Authority as an amenity plot as per the provisions of these Regulations, such entire plot shall be used exclusively for public purpose as decided by the Municipal Commissioner, without applying provisions of Accommodation Reservation (AR) under Regulation No. 17.

- (3) **Combination of public purposes/uses in reserved sites:** Where the Corporation or the Appropriate Authority proposes to use land/building/premises reserved for a specific public purpose/purposes, for a different public purpose/purposes, it may do so, with the previous approval of the Government, provided that the combination of such different uses conform to these Regulations and the permissible use in the zone in which the site falls. Provided further that this shall not apply

- (a) to any site being developed for education, wherein a branch of a bank/ATM may be allowed,

- (b) to any site being developed for health, wherein shops of pharmacists or chemists / ATM may be permitted,
- (c) to any site encumbered by another non-educational user and being redeveloped for educational purposes, in which case the existing non-educational uses may be allowed to continue without any increase in the net floor area covered by them, and
- (d) to any site Public Open Space (POS)

(4) Reservation for Multiple Public Purposes: Where land is reserved for multiple public purposes in the DP, the distribution of land area/BUA under reservation for each public purpose shall be preferably equal.

Provided further that where specific percentages of multiple public purposes are specified in DP, the said percentage shall prevail.

Provided further that where reservations for public amenities are proposed on plots already designated (with developed amenity, but with potential of the land not fully utilized), then in such cases, the areas of reservation/s will be as decided by the Municipal Commissioner, if not defined by DP.

(5) Area of reserved land: The area of the reservation shall be considered after deduction of area under proposed DP Road/Sanctioned Regular line/Existing Municipal Road affecting the reservation.

(6) Shifting and/or interchanging the purpose of designations/reservations: In the case of specific designations/reservations in the DP, the Commissioner, with the consent of owners may shift, interchange the designation/reservation in the same or on, adjoining lands/buildings in the same zone, provided that the relocated designation/reservation abuts a public street and it is not encumbered and the area of such designation/reservation is not reduced.

(7) Art and Culture: The Commissioner may permit temporary use of POS such as Gardens, Leisure Parks, multi-purpose community centres, libraries, reading rooms, public halls, Heritage area and Heritage Precincts, educational complexes, parking lots, institutional areas and the like for the purpose of Art and Culture and related activities in defined time slots, when the primary functions and uses of such spaces are not being performed. In allowing such user, under no circumstance, the activities of the primary user shall be compromised or impaired.

(8) Temporary Vending Zone: The Commissioner may, through special permission, allow certain designated amenity lands or premises, as determined by the Commissioner, such as public parking lots, to be brought under vending zone. During such time slots (not more than one to four hours per week on weekends), the primary user of the designated amenity land/premises shall remain temporarily suspended. However, the normal functioning of the primary user, under no circumstance, shall be compromised or displaced.

14. Amenities and Facilities

(A) In Plots/lay-outs of the land admeasuring ~~4000~~10,000 sq. m or more:

In case of development of land admeasuring ~~4000-10,000~~ sq.m and more(excluding the area under Road set back / DP Road) in Residential and Commercial Zones, amenity areas as specified below ~~shall be fronting a public road or~~ shall be provided with a perpetual independent right of way. Such amenity area shall be ~~inclusive~~ exclusive of area under perpetual independent right of way.

~~(i) Development of plots with area 4,000 sq.m and more and up to 10,000 sq. m shall require handing over 5% of plot area to MCGM as POS.~~

~~(i)(ii)~~ Developments of plot with area exceeding 10,000 sq. m shall require handing over 10% of plot area to MCGM as public amenity space. ~~50% of such public amenity space shall be used exclusively for POS and the balance 50%.~~ Such public amenity shall be used for provision of such amenities as education, health, social and other amenities as approved with the special permission of the Commissioner. In determining the amenity, the Commissioner shall give due regard to amenity deficits in the ward.

~~(ii)(iii)~~ Such public amenities or facilities ~~(i) and (ii)~~ above shall be deemed to be accommodation reservation under these regulations and shall be developed in accordance with provisions of development of accommodation reservation under these regulations subject to the entire plot of public amenity land shall be developed entirely for the purpose of public amenity ~~designations or reservations in the DP thereafter.~~

Provided further that, in cases where DP has provided any reservation on the plot under development ~~including~~ excluding the D P Road /Road set back, the following criteria would be applicable:

- a) If the area under DP reservation to be handed over to MCGM (~~including~~ excluding the DP Road/Road set back) is less than the required area of public amenity space as per this Regulation, then only the additional area required shall be provided for public amenity space.
- b) If the area under DP reservation to be handed over to MCGM (~~including~~ excluding the DP Road/Road set back) is more than the required area of public amenity space as per this Regulation, then the provision for public amenity space shall not be necessary.
- c) Such amenity areas shall not be deducted from the plot for the calculation of FSI permissible on the balance plot.
- d) These areas will be in addition to the Recreational Open Space (ROS) as required under Regulation No. 27.
- e) The minimum dimension of any side of such amenity space shall not be less than 7.5 m and ~~if the average width of such amenity space is less than 16.6 m,~~ the ratio of length ~~thereof to width~~ shall not exceed ~~2 1/2~~ 4.00 times the average width.

Note: (i) No amenity plot will be carved out of any land entirely reserved for public purpose.

(ii) no independent amenity plot will be carved out of any land when the size of independent plot for amenity space is less than 1000 sq. mtrs.

(B) Conversion of Industrial Zone to allow the Uses permissible in Residential or Commercial Zone

~~With the previous approval of the Commissioner, a~~Any open land in the Industrial Zone, (I-Zone) (including industrial estates), excluding lands of cotton textile mills, ~~shall~~ ~~may~~ be permitted to be converted into Commercial or Residential zone for permissible uses in the Residential Zone (R- Zone) or Commercial Zone (C Zone) The area for conversion shall be considered after deduction of area under proposed DP Road/Sanctioned Regular line/Existing Municipal Road affecting the plot/s.

Such conversion shall be subject to the following:

- (a) Conversion of Industrial Zone to Residential/Commercial Zone in respect of closed industries shall be permitted subject to NOC from Labour Commissioner, GoM. Provided that where conversion has been permitted on the basis of this certificate, Occupation Certificate will not be given unless a no dues certificate is granted by the Labour Commissioner.
- (b) However, in respect of any open land in the Industrial Zone where industry never existed, NOC from Labour Commissioner will not be required.
- (c) If the land under such conversion admeasures
- (i) less than ~~10,000~~ ~~2000~~ sq. m, 5% of built up area worked out at zonal (base) FSI shall be handed over to MCGM free of cost in the form of residential or commercial premises. Such areas shall be over and above the FSI permissible on the plot.
- (ii) Equal to ~~10,000~~ ~~2000~~ sq. m or more amenity space area to be handed over to MCGM shall be as detailed below-

Sr. No	Plot Area for conversion	% of land area as Amenity space to be handed over to MCGM	Condition
1	~~10000~~ ~~2000~~ sq. m or more, but less than ~~4~~ ~~2~~ ha	10	Entire amenity space shall be designated as POS
2	~~4~~ ~~2~~ ha or more, but less than 5 ha	~~20~~ ~~12.5%~~	At least 50% of the amenity space shall be designated as POS reservation.
3	5 ha or more	~~25~~ ~~15%~~	

- (d) These areas will be in addition to the ROS as required to be provided under Regulation No. 27.
- (e) The required segregating distance as prescribed under these Regulations shall be provided within such land intended to be used for residential or commercial purposes.
- (f) Such residential or commercial development shall be allowed within the permissible FSI of the adjoining Residential or Commercial Zone.
- (g) Such provisions for public utilities, amenities and open space shall be considered to be reservations in the DP.

- (h) Public utility and amenity plots shall ~~not~~ be developed under AR as per Regulation No.17 ~~subject to:~~ ~~T~~ the entire plot of public amenity land shall be developed entirely for the purpose of public amenity or POS alone.

Note:

- I. Conversion from industrial zone to residential/commercial zone shall be applicable to the part area of land holding subject to the condition that total area of the entire land holding shall be considered for deciding the percentage of and to be reserved of the said part area of land for public amenity spaces, as per this Regulation. However necessary segregating distance shall be provided from industrial use.
- II. In the event of DP having provided a reservation/reservations on a plot desiring conversion from Industrial Zone to Residential/Commercial Zone, , the following shall apply:
 - a. If the area under DP reservation to be handed over to MCGM (~~including~~ ~~excluding~~ the areas under DP roads/ road setback) is less than the required area of public amenity space as per this Regulation, only the additional land area shall be provided for public amenity spaces.
 - b. If the area under DP reservation to be handed over to MCGM, (~~including~~~~excluding~~ the areas under DP roads/ road setback), is more than the required area of public amenity spaces as per this Regulation, then the provision for public amenity spaces is not necessary.
 - c. In case plot area under conversion is less than ~~10,000~~~~2000~~ sq. m, land component of built up amenity shall be considered (i.e.5% of plot area under conversion) for the purpose of calculation of amenity space as per note (a) and (b) above.
- III. Out of the total floor area proposed to be utilized for residential development, 20% of the same shall be built for residential tenements, each having BUA upto 50 sq. m.
- IV. If the development is already in progress and if full Occupation Certificate has not been granted to any of the buildings in the layout, then the land owner/developer may convert the proposal in accordance with the provisions of this Regulation subject to the following conditions:

Conditions:

- a) The revised provisions will be applicable in totality. The benefit of both old and revised Regulations shall not be allowed.
 - b) The benefit of revised Regulations will be applicable only in cases where (a) full Occupation Certificate has not been granted to any of the buildings in the layout and required public amenity space or DP reservation, if any, has not been handed over to the Corporation.
- V. For amalgamation of two or more plots which do not require amenity open space in individual capacity, then while amalgamation of plots, the provisions of amenity space shall not be insisted on the amalgamated plots.
- VI. The amenity area may be developed on the same plot or any where in the same Municipal Ward and at the option of the developer, such amenity space can be in the form of constructed premises. Such constructed premises may be part of the sale component of SRA Scheme and Redevelopment of Cess Properties.

VII. Amenity Space shall be of such nature which is required for the use and occupation of the MCGM/ Govt. & is not to be allotted to any Third Party for any purpose.

VIII. The amenities spaces above may be in the form of built-up amenity at the option of the Developer. The area to be handed over to the MCGM as Amenity Space can be constructed built-up areas and such built-up area shall be equivalent to the base F.S.I. & the built-up area shall be handed over to the MCGM free of costs. Wherever the amenity is being handed over in form of built-up amenity space then no separate plot shall be required to be handed over to the MCGM & built-up amenity can be provided in any of the building proposed.

15. Inclusive Housing (IH)

In case of any residential development partially or fully consisting of sub-division/amalgamation/layout or single plot of land having ~~gross~~net plot area admeasuring 4000 sq. m or more (excluding the area under Road set back/DP Road/designation/reservation) shall have the provision of IH as described below:

1. a) For construction of EWS/LIG tenements, minimum ~~20%~~5% of the plot area (excluding the area under Road set back/D P Road/designation/reservation) shall be handed over to MCGM free of cost. The FSI of the plot handed over to MCGM shall be allowed to be utilized on the remaining plot.

b) The aforesaid plot shall be handed over to MCGM within ~~twelve~~thirty six months from the date of approval /approval of the layout. The FSI of such plot can be utilized on remainder plot only after handing over of such plot to MCGM or before availing Zonal (basic) FSI beyond ~~50%~~80% of gross net plot area or granting Occupation Certificate to the area equivalent to last 20% of the zonal FSI in any of the building, whichever is earlier. The ownership of such plot shall be transferred in the name of MCGM in Revenue records before seeking occupation to the area equivalent to last 20% of the zonal FSI in any of the buildings in the layout.

c) MCGM after receipt of such plot shall immediately formulate a scheme of development for IH wherein the size of tenement shall have carpet area between ~~25.090~~27.88-sq. m. and ~~27.88~~42sq. m. Further, such plots shall not be used for any other purpose.

Provided that in case the Landowner/Developer desires not to utilize such FSI in the same land, fully or partly, then he shall be eligible for TDR in lieu of such unutilized FSI. The utilization of this TDR shall be subject to the prevailing provisions of DCR and as per the following formula.

Formula:

$$X = (R_g/R_r) * Y$$

Where, X = Utilization of Development Right (DR) on the receiving plot.

R_g = Land Rate in Rs. per sq. m as per the Annual Schedule of Rates (herein after referred to as "ASR") of generating plot in the year when project is sanctioned.

Rr = Land Rate in Rs. per sq. m as per ASR of the receiving plot of the same year of generating plot.

Y = Unutilized FSI.

d) In case the owner/developer opts to utilize the FSI on the remainder plot/within layout, the permissibility of the FSI for the purpose of development on balance plot shall be considered on the gross plot area including the area to be handed over to MCGM for IH.

OR

2. EWS/LIG Housing in the form of tenements of size ranging between carpet area shall be 25.09 27.88 sq. m. and 27.88 42 sq. m. (hereinafter referred to as 'IH tenements') and shall be constructed at least to the extent of 20% of the Zonal (basic) FSI. Such housing shall preferably be in separate wing/building subject to the following conditions:--

(a) The BUA of the IH EWS/LIG tenements constructed under the scheme shall not be counted towards FSI and such built up area shall be allowed over & above the permissible BUA under these regulations.

(b) The Landowner/Developer shall construct the stock of IH tenements in the same plot and the Planning Authority shall ensure that the Occupation Certificate for the rest of the development under the said Scheme is not issued till the Occupation Certificate is issued for IH tenements under the said Scheme and handed over to MCGM.

“Provided that the BUA of IH i.e. 20% of the Zonal (basic) FSI of the plot can also be provided at some other location (s) within the same Administrative Ward of the Municipal Corporation and the same shall be proportionate to the stamp duty ready reckoner of such respective lands. Such construction shall be free of FSI to the extent of 50% 20% of Zonal (basic) FSI over & above of the permissible BUA of such plot/alternative plot.

Built up Area B= Built up Area A X (RR-A / RR-B)

Where:

Built up Area A= BUA of IH units proposed to be transferred from plot A

Built up Area B= BUA of IH units to be handed over to MCGM at plot B in lieu of BUA of plot A

Where plot A and plot B are situated in the same Municipal Ward

RR-A= Ready Reckoner Rate for BUA at Plot A

RR-B = Ready Reckoner Rate for BUA at Plot B

Note : The constructed IH area can be given in the sale portion of any slum redevelopment scheme or urban renewal scheme or tenant rehabilitation scheme in the same municipal administrative ward.

(c) The completion of IH tenements under the said Scheme, along with necessary particulars, including a copy of the Occupation Certificate granted by the Planning Authority in respect thereof, shall be immediately intimated by the Landowner/Developer to

concerned department of MCGM. The disbursement of such 20 % IH tenements shall be as under:

i) 20% of such tenements shall be allotted to PAPs of vital infrastructure projects, preferably from the same ward.

ii) Balance 80% of such tenements shall be allotted to EWS/LIG/MIG households on outright sale.

If MCGM does not require tenements as per sr. no (i) above within six months from the date of receipt of such intimation, then the same may be sold as per sr. no ii) above.

iii) Money so received from proceeds of the sale shall be utilized by MCGM for implementation of DP.

iv) The developer/owner shall be entitled for the BUA in lieu of cost of construction of tenements as stated below:

BUA in lieu of cost of construction of IH = 2.5×1.50 [Rate of construction per sq. m as per ASR rate/Rate of developed land per sq. m as per ASR (for FSI 1)] * BUA of IH

This BUA shall be subject to maximum $40 \times 50\%$ of the BUA of IH handed over to MCGM

Note:

1) BUA in lieu of cost of construction of IH shall be allowed over and above the permissible FSI as specified in Regulation No.30, table 12 or can be adjusted against permissible TDR/Additional FSI on payment of premium.

2) Commencement Certificate in lieu of BUA of IH can be granted only after handing over of such BUA to MCGM or before availing Zonal (basic) FSI beyond $50 \times 80\%$ of gross plot area or granting Occupation Certificate to area equivalent to last 20% of the Zonal FSI in any of the buildings, whichever is earlier.

3) For arriving at number of tenements, ratio of BUA to carpet area shall be considered as 1.2×1.5 (including requirements as per provision of these Regulations). No separate compensation shall be given for areas under Regulation No.31 (1). BUA for the construction of staircase/lift/staircase and lift lobby & other areas as per 31(1) shall not be counted in BUA to be handed over and shall be without charging premium for the provision of IH tenements.

"Provided that there shall be no obligation to construct IH tenements in the redevelopment project of any Co-operative Housing Society in which the carpet area of all existing individual residential tenements does not exceed 80×140 sq. m.

This provision shall not apply to redevelopment of individual bungalows in Bungalow Scheme. However, this provision shall be applicable if redevelopment in Bungalow Scheme or plot having area more than 4000 sq. m under layout is proposed,

There shall be no obligation to construct IH tenements in accordance with these provisions in any redevelopment project under Regulation No. 33(3), 33(4), 33(5), 33(6), 33(7), 33(8), 33(9), 33(9)(A), 33(10), 33(10)(A), 33(11), 33(12), 33(13), 33(14), 33(15), 33(18), 33(19), 33(20) and specified under Regulation No. 35(3) and 14(B) as well as any Housing scheme or

residential development project wherein owing to the relevant provisions of the DCRs, more than 20% of the Zonal (basic) FSI is required to be utilized towards construction of residential EWS/LIG tenements and development of land situated in NDZ as per the regulation no 34 .3.4 and also for the development/redevelopment of any land owned by the Govt. or any Semi-Govt. Organization, provided such development / redevelopment is undertaken by Govt. or Semi-Govt. organization itself or through a developer/contractor under public private participation.

Provided that in cases of development of reservation for Rehabilitation & Resettlement (R & R)/Affordable Housing (AH) and the construction of EWS/LIG tenements under the provisions of any other Act, this provision shall not be applicable.

(3) Amalgamation of IH plots/IH tenements shall not be allowed.

(B) Project Affected Business and Community Workplaces (PABCW)

~~In such cases where the entire plot is proposed for Commercial development, in areas other than Central Business District (CBD), consisting of sub-division/amalgamation/layout or single plot of the land having plot area admeasuring 4000 sq. m or more (excluding the area under Road set back /DP Road/designation/reservation) shall provide for PABCW for restoration of their livelihood as described below.~~

~~1) a) For construction of PABCW, minimum 10% of the plot area (excluding the area under Road set back/DP Road/designation/reservation) shall be handed over to MCGM free of cost.~~

~~b) The permissibility of the FSI for the purpose of development of balanced plot shall be considered on the gross plot area including the area to be handed over to MCGM for PABCW.~~

~~c) The aforesaid plot shall be handed over to MCGM within six months from the date of approval /approval of the layout. The FSI of such plot can be utilized on remainder plot only after handing over of such plot to MCGM or before availing Zonal (basic) FSI beyond 50% of gross plot area or granting Occupation Certificate to any of the building, whichever is earlier. The ownership of such plot shall be transferred in the name of MCGM in Revenue records before seeking occupation to any of the buildings in the layout.~~

~~e) MCGM after receipt of such plot shall immediately formulate the scheme of development of PABCW. Further such plots shall not be used for any other purpose.~~

~~OR~~

~~2) PABCW consisting of shops, commercial premises or service industrial galas of the size as directed by the Commissioner, shall be constructed at least to the extent of 10% of the Zonal (basic) FSI and preferably in a separate building/wing subject to the following conditions:-~~

~~(a) BUA of the PABCW constructed under the Scheme shall not be counted towards FSI and such BUA shall be allowed over & above the permissible BUA under these Regulations.~~

~~(b) The Landowner/Developer shall construct the stock for the PABCW in the same plot and the Planning Authority shall ensure that the Occupation Certificate for the rest of the development under the said Scheme is not issued till the Occupation Certificate is issued for the PABCW under the said Scheme and handed over to MCGM.~~

~~e) Such premises shall be allotted to non-residential occupants dispossessed by implementation of infrastructure projects such as road /road widening /MUTP etc. of displaced workplaces.~~

~~d) The developer/owner shall be entitled for BUA in lieu of cost of construction of BUA so handed over towards PABCW as follows:~~

~~BUA in lieu of cost of construction of PABCW = 1.50 [Rate of construction per sq. m as per ASR /Rate of developed land per sq. m as per ASR (for FSI 1)] * BUA of PABCW~~

~~This shall also be considered as free of FSI in addition to the area of PABCW.~~

~~No separate compensation shall be given for areas under Regulation No.31 (1BUA for the construction of staircase/lift/staircase and lift lobby & other areas as per 31(1) shall not be counted in BUA to be handed over & without charging premium for provision of PABCW.~~

16. Road /Road Widening

The permissible BUA shall be on the gross plot area including the area required for road widening or roads proposed under the DP or the MMC Act, 1888, as stipulated in Regulation No 30 of these Regulations only if the Owner hands over the same entirely to the MCGM free of cost and free of encumbrances by leveling the land to the surrounding ground level and after constructing 1.5 m. high compound wall leaving the setback area as directed by the Commissioner. Thereafter, the road land shall be transferred in the Revenue records in the name of the Corporation and shall vest in it becoming part of a public street as defined in sub-section (3) of section 288 of the MMC Act, 1888. The additional BUA equal to area of plot so surrendered to MCGM free of cost and free of encumbrances shall be permissible over and above the permissible BUA as specified in Regulation No.30 (A) except in respect of proposal processed under Regulation No 33(5), 33(7), 33(8), 33(9), 33(9)(A), 33(10), 33(10)(A), 33(20)(A), 33(21).

In case where the development of plot/layout is already completed in all respects and the road is proposed to be widened subsequently as per the sanctioned road line prescribed under MMC Act 1888, plot owner shall be entitled for BUA as per the Zonal (basic) FSI/TDR of plot so surrendered to MCGM/ Appropriate Authority free of cost and free of encumbrances or monetary compensation as decided by the Competent Authority.

17 (1) Development of Reserved land for Public Purposes

Reservations which shall be exclusively developed by the MCGM or the Appropriate Authority (acquired by way of monetary compensation or TDR or any other means), or by owner, wherever permissible, entirely for the intended purpose are described in Table Nos. 4 & 5 with appropriate conditions or shall allow owner to develop under Accommodation Reservation (AR) subject to conditions mentioned below & further as described in Table No. 5

Conditions for Development of reserved land under Accommodation Reservation (AR)

1) For plot having reservation area 1000 sq. m. or more

i. The owner will be allowed to develop the land if he agrees to construct BUA equivalent to 'X'% of Basic (zonal) FSI and agrees to hand it over to MCGM/Appropriate Authority in lieu of FSI/TDR, as specified in this regulation along with 'Y'% of area of reserved plot, free of cost as per the designs, specifications, terms and conditions duly approved by the Commissioner.

ii. The owner will be entitled to avail the full permissible BUA of the entire reserved plot for other permissible uses in the zone on the remaining land [(100-'Y')%of the land].

iii. The values of 'X' and 'Y' for the respective reservations as mentioned in Sr. No. i and ii above are given in Table No.5 below.

iv. The construction of built up amenity (with all requirements as per the provisions of these Regulations) to be handed over to MCGM along with the land as stated above under AR may be allowed to be developed in independent building/semi-detached to the structures of other permissible development on the same plot or layout proposed by the owner/developer on the remaining land. The ownership of such plot or built-up area to be handed over to MCGM shall vest with MCGM. Revenue department shall enter in other rights column a mutation entry of the plot or built-up area handed over to MCGM. ~~correct the revenue records accordingly on receipt of such intimation and on payment of such fees by owner as may be decided by the Government.~~ An application for making a mutation entry to revenue authority. A separate property register card in words & figures thereof in the name of MCGM shall be submitted by owner before seeking Occupation Certificate for any part of building/buildings beyond ~~50%~~ 85% of ~~the~~ permissible ~~/-admissible~~ BUA as per ~~Zonal (basic)~~ FSI, other than the built up amenity.

2) For plot having reservation area less than 1000 sq. m

i) The owner will be allowed to develop the land if he agrees to construct BUA equivalent to 'X'% of Zonal (basic) FSI and agrees to hand it over to MCGM without insistence of separate plot as mentioned in the table no 5.

ii) The construction of built up amenity (with all requirements as per the provisions of these regulations) to be handed over to MCGM as stated above under accommodation reservation may be allowed to be developed in independent building/wing/semi-detached to the structures/in the building premises of other permissible development proposed by the owner/developer, preferably with independent access.

iii) The mutation entry in respect of built up area to be handed over to MCGM shall be made in property register card/Revenue records. On receipt of such intimation and on payment of such fees by owner as may be decided by the Government, Revenue department shall correct the revenue records accordingly. The owner shall submit an application made to

Revenue Authority to modify property register card with the mutation entry before seeking Occupation Certificate for any part of building/ buildings other than the built up amenity.

3) The Commissioner may entrust the operation and maintenance of such developed amenity to an appropriate agency as per the prescribed guidelines.

4) In cases, where proposals are already approved as per the provisions of Regulations in force prior to these Regulations, the lands/BUA which are required to be handed over to MCGM or the Appropriate Authority, as the case may be, for public purpose, as per the provisions of regulations in force prior to these Regulations, such lands/BUA shall be deemed to be reservations/ designations of DP and shall be developed for the intended purposes, even if such reservations/ designations/amenities are not reflected on the DP.

5) Constructions required for ingress and egress of passengers using Public Mass Transit Facilities shall be permitted on any land reserved/ designated for any public purpose irrespective of its permissibility given in any land use classification.

Table No: 3

Common set of conditions for development of Reservations and Authority/Person who may develop Reservation

Symbol	Applicable Conditions for Development
1	The Corporation or Appropriate Authorities may entrust the development, operation and maintenance of the entire reservation to an appropriate agency
2	The Owner will be allowed to develop the reservation only for its intended purpose
3	The Owner will be allowed to develop the reservation on Accommodation Reservation basis.
Za	Maximum % of plot area that can be used for ancillary uses.
Zb	Maximum % of permissible built up area at Zonal (basic) FSI of the built up reservation area that can be used for ancillary users.
X	Maximum % of development rights, permissible at Zonal (basic) FSI, of the reservation area affecting the plot, to be constructed as built-up amenity/amenity for reservation under AR.
Y	Maximum % of reserved plot to be set aside for built-up amenity developed under AR and to be handed over to MCGM, along with the built-up amenity.

Table No: 4

Reservations to be developed for the intended purposes along with permissible uses & ancillary activities.

Sr. No.	Reservation main Category	Reservation Sub Category		Users Permitted		Applicable conditions for development
		Code	Name	Permissible uses	Ancillary Activities	
1	Public Open Spaces	ROS1.2	Promenades	Costal Road, Promenade/ Promenades along periphery of water	Watchman cabin, Gardener chowky, toilet block, Art and	1

Sr. No.	Reservation main Category	Reservation Sub Category		Users Permitted		Applicable conditions for development
		Code	Name	Permissible uses	Ancillary Activities	
				body/ river/ sea/ pipeline	culture related uses, Public Toilet facilities	
2		ROS2.3	Zoo	Zoo, Aquarium	Ancillary compatible uses with the special permission of the Commissioner	1
3		ROS2.4	Municipal Sports Complex	Sports Complex for various or individual sports activity, Enclosed Sports Facility for indoor games, Gymnasium, Swimming Pool, Drama Theater, Public Toilet Facilities	Open air stage, cafeteria, restaurant, rest rooms, changing rooms, welfare activities, social and cultural activity\amenities, Art and culture related uses, hostel rooms and other ancillary facilities watchman's cabin, gardener's chowky, instrument room, Sport Store/Shop etc.	1, Zb=15
4		ROS2.5	Sports Complex /Stadium	Sports Complex for various or individual sports activity, Enclosed Sports facility for indoor games, Gymnasium, Swimming Pool	i) Hostel rooms and other ancillary facilities, welfare activities, social and cultural activity\amenities, watchman's cabin, gardeners chowky, instrument room, Changing Rooms. Art and culture related uses, etc. ii) Banks, Restaurants rest rooms, Sport Store/Shop.	1 or 2 or 3 , a) Za= 25 b)Zb= 50
5		ROS2.7	Green Belt	Green belt / Promenades	Watchman cabin, Gardener chowky, toilet block. (at	1

Sr. No.	Reservation main Category	Reservation Sub Category		Users Permitted		Applicable conditions for development
		Code	Name	Permissible uses	Ancillary Activities	
					suitable location)	
6	Housing	RR1.2	Police Staff Quarters	Police Staff Quarters with Police Station		1
7		RR1.3	Government Staff Quarters	Govt. Staff Quarters , Govt. Office		1
8		RR1.6	Police Housing	Police Housing		1
9		RR1.7	Government Housing	Government Housing, Staff Quarters, Guest House/ Hostel		1
10		RR3.1	Koli Housing	Koli Housing	Art and Culture related uses,	1
11		RPU2.1	Fuel Station	Fuel filling station with vehicle washing facility.	Ancillary uses of ATM, book shop, cafeteria, canteen,(without cooking with open flame)	1 or 2 Za=10 Zb=10
12	Public Utility and Facilities	RPU 3.1	Police Station	Police station, Police Chowky, Lock up Facility, Canteen, Toilet Blocks, Rest Rooms, Residential Quarters	Branch of Bank, Bill payment Kiosk	1, Zb=10
13		RPU 3.2	Police Chowky	Police chowky, Toilet Blocks, Rest Rooms		1
14		RPU3.3	Correction Facilities	Jail, Juvenile Home, Police Station etc. as decided by Appropriate Authority	Bank ATM, Ancillary uses as decided by Appropriate Authority	1 Za= 10 Zb=10
15		RPU3.4	Police Facilities	Police Station, Police chowky, Lockup Facility, Canteen, Toilet Blocks, Rest Rooms, Residential Quarters, Marching ground, court, Fuel Station for Police Facilities	Canteen, branch of a bank, stationary shop, meeting rooms for lawyers, photo copying shop, Ancillary uses as decided by Police Authority	1 Zb=15
16		RPU 3.5	Courts	Court, along with other uses if any, such as Library, Canteen, Meeting Rooms for Lawyers, Administrative Office	Branch of a bank, stationary shop, cafeteria, Photocopying shop, book store	1 , Zb=10
17		RPU5.2	Electricity Transmission & Distribution Facility	Sub Station , Receiving station, Bill Collection Centres, Administrative Office		1

Sr. No.	Reservation main Category	Reservation Sub Category		Users Permitted		Applicable conditions for development
		Code	Name	Permissible uses	Ancillary Activities	
18		RO2.1	Government Office	Government Office along with other uses if any, such as Staff Quarters	ATM of a Bank, Information Kiosk, CFC, police chowky, electric/ telephone bill payment center etc.	1, Zb=10
19		RSA3.5	Museum	Museum, Art Gallery, Exhibition Hall, Display Hall	Auditorium, Drama Theatre	1 or 2 Zb=30
20		RSA4.8	Cemetery	Cemetery, Cremation Ground, Burial Ground, Electric/gas Cremation Unit, Pyre shed	Storage for Wood, Facilities for Mourners, For Performing Rituals, Prayer Hall, Religious Facility, Water Body etc	1 Zb=15
21	Social Amenities	RSA5.1	Exhibition Centre	Exhibition Center cum Convention Hall, along with other uses if any, such as, Organizers office, Protocol Lounge, VIP Lounge, Press Lounge, Registration Area, Pre-function Area, Canteen cum refreshment area, surveillance and security rooms, strong room, first aid and emergency response room with supporting activities as Hotels not less than 3-Star category, Food court, fine dining, restaurant	Branch of a Bank, ATM, Information Kiosk, CFC, police chowky, etc.	1 or 2 Zb=10
22		RSA 7.1	Film Studio/ TV Studio	Film Studio/ TV Studio/Dubbing & Recording Studio/ Preview Theater with administrative office, Art and culture related Uses	ATM, shops, Dispensary, Canteen,	1 or 2 Zb=10
23		RSA 8.1	Animal Shelter	Animal shelter, shed for animals with animal eating & drinking facilities	Chowkie & toilet Block	1 or 2 Zb=10
24		RMS3.1	Solid Waste	Refuse Shed, Solid Waste Sorting Center,		1

Sr. No.	Reservation main Category	Reservation Sub Category		Users Permitted		Applicable conditions for development
		Code	Name	Permissible uses	Ancillary Activities	
			management Facilities and Allied Activity	Refuse Transfer Station, Municipal Chowky, Municipal Office, Municipal Store, Refuse Compactor, Rest Rooms, Workers or Rag Picker Shed and PSC Block		
25		RMS3.2	Land Fill Site	Solid Waste Disposal, Facility, Land Fill Site		1 Za=10 Zb=10
26		RMS4.1	Sewage Treatment Plant/Facilities	Sewerage Treatment Plant, Aerated Lagoons, ETP & Allied Services along with other uses if any, such as Municipal Chowky, Municipal Store, Municipal Office, Workshop With Staff	Canteen, Dispensary Unit, Branch of a Bank, Ancillary Uses as Decided by the Commissioner	1 Za = 10, Zb = 10
27	Municipal Services	RMS4.3	Sewage Pumping Station	Sewage Pumping Station along with other uses if any, such as, Municipal Chowky, Municipal Store, Municipal Office, Municipal Workshop, Staff Quarters	Canteen, Dispensary Unit, Branch of a Bank, Ancillary Uses as Decided by the Commissioner	1 Zb=10
28		RMS5.1	Reservoir	Water Reservoir, Overhead Service Reservoirs, Garden and Play Ground Pumping Station along with other uses if any, such as, Municipal Office, Municipal Chowky, Municipal Store, Staff Quarters	Canteen, Dispensary Unit, Branch of a Bank, Ancillary Uses as decided by the Commissioner	1 Zb=10
29		RMS5.2	Water Pumping Stations	Water Pumping Stations along with other uses if any, such as, Municipal Office, Municipal Chowky, Municipal Store and Staff Quarters.	Canteen, Dispensary Unit, Branch of a Bank, Ancillary Uses as decided by the Commissioner	1 Zb=10
30		RMS5.3	Water Treatment Plant	Water Treatment Facility and Allied Services, Municipal Chowky, Municipal Store, Municipal Office, Staff Quarters.	Canteen, Dispensary Unit, Branch of a Bank, Ancillary Uses as decided by the Commissioner	1 Zb=10
31		RMS6.1	Storm Water Pumping	Storm Water Pumping Station		1 Zb = 10

Sr. No.	Reservation main Category	Reservation Sub Category		Users Permitted		Applicable conditions for development
		Code	Name	Permissible uses	Ancillary Activities	
			Station			
32	Primary Activities	RP1.1	Fish & Net Drying Yards	Fish & Net Drying yards, fish drying related industries along with other uses if any, such as, diesel storage, Fish Godown, Fishing Related Industry	Art and culture related uses ,Food stalls/ Restaurant, Bank Branch	1 or 2 a) Za= 15 b) Zb=15
33		RT1.2	State Transport Depot	State Transport Depot along with other uses if any, such as Tracks for Vehicle Testing, Regional Transport Office, Staff Quarters, Canteen.	Branch of a bank, Ancillary uses as decided by the Appropriate Authority.	1, Zb=10
34		RT2.1	Water Transport Terminal	Water Transport Station Parking Lot for Public, Bus Stops, Sheds, Helipads, Repairing Facilities, Rickshaw and Taxi Parking	Canteen, ATM of bank, other ancillary uses with facilities for staff and visitors as decided by the Appropriate Authority	1 Zb=15
35		RT2.2	Jetty	Jetty, along with other uses if any, such as, Office ,Parking, Emergency Medical Centre	Other ancillary uses with facilities for staff and visitors as decided by the Appropriate Authority	1 Zb=15
36		RT3.1	Metro/Mo no Rail Car shed	Metro/Mono Car Shed, along with other uses if any, such as, Material Depot Store, Workshop, Office.	As may be decided by MMRDA or Appropriate Authority	1
37		RAM	Reservation Amenity	Social/Education/Health services & facilities as decided by Municipal Commissioner considering deficiency in Amenity in ward/ Appropriate Authorities		1

Table No 5

Reservations to be developed for the intended purposes or as per Accommodation Reservation.

Sr. No.	Reservation main Category	Reservation Sub Category		Users Permitted		Applicable conditions for development
		Code	Name	Permissible uses	Ancillary Activities	
1	Education	RE1.1	Municipal School	Primary school, Secondary School, Higher Secondary School, Integrated School with hostel, Pre School Centre , Nursery or other educational purposes Auditorium, art and culture related users After hours of principal uses, other educational/ permitted uses as decided by the Commissioner.	Other non educational compatible uses such as branch of a Bank, Stationery Shop, Dispensary, Canteen,	1 or 2 or 3 Zb = 10 In case of 3 a) X= 50 b) Y= ~~25~~ 50
2		RE1.2	Primary And Secondary School	Primary School, Secondary School, Higher Secondary School, Integrated School with hostel, Pre School Centre, Nursery or other educational purposes Auditorium and art and culture related users. After hours of principal uses, other educational / permitted uses as decided by the Commissioner.	Other non educational compatible uses such as branch of a Bank, Stationary Shop, Dispensary, Canteen,	1 or 2 or 3 Zb = 10 In case of 3 a)X= 50 b)Y= ~~25~~ 50
3		RE1.3	Special School	Institute for Differently abled, hostel or other educational purposes, Auditorium. Other facilities for children with special needs, such as soft play areas, sensory rooms or swimming pools which are necessary for treating students with certain conditions. After hours of principal uses other educational / permitted uses as decided by the Commissioner.	Other non educational compatible uses such as branch of a Bank, Stationary Shop, Dispensary, Canteen.	1 or 2 or 3 Zb = 10 In case of 3 a)X= 50 b)Y= ~~25~~ 50

Sr. No.	Reservation main Category	Reservation Sub Category		Users Permitted		Applicable conditions for development
		Code	Name	Permissible uses	Ancillary Activities	
4		RE2.1	Higher Education	Bachelors and higher degree colleges including Technical, Medical, Architecture, Management Institutions with/without hostel, or other educational purposes auditorium and art and cultural related users. After hours of principal uses, other educational / permitted uses as decided by the Commissioner.	Sports Center, Gymnasium, Canteen, Banks, Post Office, Dispensary, Shops.	1 or 2 or 3 Zb = 20 In case of 3 a) X= 50 b) Y= ~~25~~ 50
5		RE3.1	Other Education	Vocational Training Institutes Training Centre etc., Medical College (Including General Hospital), Sports School, Skill Development Center, Hostel, or other educational purposes, Auditorium and art and culture related users. After hours of principal uses other educational / permitted uses as decided by the Commissioner	Sport Center, Gymnasium, Canteen, Banks, Post Office, Dispensary, Shops.	1 or 2 or 3 Zb = 20 In case of 3 a) X= 50 b) Y= ~~25~~ 50
6		RE 4.1	Urban Planning Institute	Urban Planning , Environmental Planning and other related Institutes viz. Transportation , Housing , Public Policy , Infrastructure Planning, GIS and Geography with/without hostel facilities and art and culture related users	Sports Center, Gymnasium, Canteen, Banks, Post Office, Dispensary, Shops, <u>Hostels</u> .	1 or 2 or 3 Zb = 20 In case of 3 a)X=50 b)Y= ~~25~~ 50
7		RE 4.2	Medical Institute	Institutes for Medical Institutions Education as defined by Medical	Sports Center, Gymnasium, Canteen, Banks, Post	1 or 2 or 3 Zb = 20 In case of 3

Sr. No.	Reservation main Category	Reservation Sub Category		Users Permitted		Applicable conditions for development
		Code	Name	Permissible uses	Ancillary Activities	
				Council of India with/without hostel facilities, and art and cultural related users	Office, Dispensary, Shops, <u>Hostels</u> .	a) X=50 b) Y= ~~25~~ 50
8		RE 4.3	Financial Institute	Institutes devoted to the study of Financial, Economics and such other field with/without hostel facilities and art and culture related users	Sports Center, Gymnasium, Canteen, Banks, Post Office, Dispensary, Shops, <u>Hostels</u> .	1 or 2 or 3 Zb = 20 In case of 3 a) X=50 b) Y= ~~25~~ 50
9		RE 4.4	Other Institutes	Institutes for Art, Culture, Fine Arts, Social education with/without hostel facilities and art and culture related users	Sports Center, Gymnasium, Canteen, Banks, Post Office, Dispensary, Shops, <u>Hostels</u> .	1 or 2 or 3 Zb = 20 In case of 3
10		RH1.1	Municipal Dispensary / Health Post	Dispensary, Health Post, Urban Primary Health Centre, Urban Community Health Centre, Pathology Lab, Physiotherapy etc.	Nurses Quarter Post-Partum center, Recovery centers, Generic Medicine dispensing facility. Medical Stores/Shops, Public toilet Facilities	1 or 2 or 3 Zb =30 In case of 3 a) X= 50 b)Y= ~~25~~ 40
11		RH1.2	Hospital	Hospital, Dispensary, Maternity Home, Municipal Health Facility, , Diagnostic centre, Rehabilitation Centre, Peripheral / General Hospital, Specialty Hospital, Multi-specialty / Tertiary Hospital, Peripheral / Intermediate Hospital	Nurses and other staff Quarters, Night Shelters, Generic Medicine dispensing facility and built up area of commercial uses such as Branch of a bank, Medical Stores/Shops, Public toilet facilities shall not exceed10% of the Zonal(basic) FSI	1 or 2 or 3 Zb =30 In case of 3 a) X= 50 b)Y= ~~25~~ 40
12	Health	RH1.3	Municipal Maternity Home	Maternity Hospital, Dispensary, Post-Partum	Nurses and other staff Quarters,	1 or 2 or 3 Zb =30 In case of

Sr. No.	Reservation main Category	Reservation Sub Category		Users Permitted		Applicable conditions for development
		Code	Name	Permissible uses	Ancillary Activities	
				Centre, Recovery Centre, Rehabilitation Centre, Physiotherapy Centre.	Night Shelters for staff, Generic Medicine dispensing facility and built up area of commercial uses such as Medical Stores/Shops& Public toilet	3 X= 50 b)Y= ~~25~~ 40
13		RH3.1	Rehabilitation Centre	Rehabilitation Centre, Dispensary, Health Post, Physiotherapy Centre Sanitarium, Hospice etc.	Nurses and other staff Quarters, Generic Medicine dispensing facility, Commercial uses such as Medical Stores/Shops& Public toilet facilities.	1 or 2 or 3 Zb=20 In case of 3 a)X=50 b)Y= ~~25~~ 40
14		RH3.4	Veterinary Hospital	Veterinary hospital	Other compatible uses, Medical Stores/Shops	1 or 2 or 3 Zb=20 In case of 3 a)X=50 b)Y= ~~25~~ 40
15	Public Open Spaces	ROS1.4	Play Ground	Play Ground	Art and culture related uses, Watchman cabin, Gardener chowky, toilet block.	1 or 3 In case of 3 Y=70
16		ROS 1.5	Garden/ Park	Garden, Parks, Botanical Garden, Children Park with Waking Track, Wooded Areas Water Body	Art and culture related uses, Watchman cabin, Gardener chowky, toilet block.	1 or 3 In case of 3 Y=70
17		ROS2.1 <u>ROS2.5</u>	Club/ Gymkhana <u>Sports Complex /Stadium</u>	Club/ Gymnasium/ Yogalaya, swimming pool <u>Sports Complex for various or individual</u>	Art and culture related uses, Watchman cabin, Gardener	1 or 2 or 3 In case of 3 <u>X=50</u>

Sr. No.	Reservation main Category	Reservation Sub Category		Users Permitted		Applicable conditions for development
		Code	Name	Permissible uses	Ancillary Activities	
				<u>sports activity. Enclosed Sports facility for indoor games. Gymnasium. Swimming Pool</u>	chowky, toilet block. <u>i) Hostel rooms and other ancillary facilities, welfare activities, social and cultural activity\ amenities, watchman's cabin, gardeners chowky, instrument room, Changing Rooms, Art and culture related uses, etc. ii) Banks, Restaurants rest rooms, Sport Store/Shop.</u>	<u>Y=40</u>
18	Housing	RR1.1 <u>RR 1.2</u> <u>RR 1.3</u> <u>RR 1.6</u> <u>RR 1.7</u>	Municipal Staff Quarters, <u>Police Staff Quarters, Government Staff Quarters, Police Housing, Government Housing</u>	Municipal Staff Quarters, Municipal chowky, Municipal Office <u>Police Staff Quarters, with Police Station Govt. Staff Quarters, Govt. Office Police Housing Government Housing Guest House / Hostel</u>		1 or 3, In case of 3 a) X=50 b) Y= <u>25</u> <u>40</u>
19		RR 1.5	Municipal Housing	Municipal Housing/ Municipal facilities, Rehabilitation of PAPS		1 or 3, In case of 3 a) X=50 b) Y= <u>25</u> <u>40</u>
20		RR2.1	Rehabilitation & Resettlement	Rehabilitation Tenements.		1 or 3, In case of 3 a) X=50 b) Y= <u>25</u> <u>40</u>

Sr. No.	Reservation main Category	Reservation Sub Category		Users Permitted		Applicable conditions for development
		Code	Name	Permissible uses	Ancillary Activities	
21		RR2.2	Housing	Affordable Housing		3 a) X=50 b) Y= ~~25~~ 40
22		RPU 1.1	Fire Station	Fire Brigade Station, Training center, staff quarters, Municipal office.	As may be decided by the Commissioner	1 or 3, In case of 3 a) X=50 b) Y= ~~25~~ 50
23		RPU 6.1	Service Industrial Estate	Service industrial users, shop/commercial user permitted in service industrial Estate		1 or 3, In case of 3 a) X=50 b) Y= ~~40~~ 25
24		RO1.3 <u>RO2.1</u>	Municipal Office <u>Government Office</u>	Municipal Office along with other uses if any, such as Staff Quarters, Disaster Management Facility <u>Government Office along with other uses if any, such as Staff Quarters</u>	ATM of a Bank, Information Kiosk, CFC, police chowky, electric/ telephone bill payment center, Public toilet block. <u>ATM of a Bank, Information Kiosk, CFC, police chowky, electric/ telephone bill payment center etc.</u>	1 or 3, Zb =10 In case of 3 a) X=50 b) Y= ~~40~~ 25
25		RO3.1	Disaster Management Facility	Administrative Office, Storage facility for materials/goods, Fire Station, Medical aid, any ancillary/ Training Centre for Disaster Management/Municipal /Govt. office/Home guard station & facilities thereof	Canteen, dispensary, ATM, Public toilet facilities.	1 or 3, Zb =10 In case of 3 a) X=50 b) Y= ~~25~~ 40
26		RSA1.1	Municipal Market with Vending Zone	Markets for fruits and vegetables, Flower, Fish, weekly Markets, Organized informal Market and Shops for	Municipal office, Police chowky, Drama theatre, reading rooms, Branch of	1 or 3. Zb =30. In case of 3, a) x = 50 b) y = ~~25~~ 40

Sr. No.	Reservation main Category	Reservation Sub Category		Users Permitted		Applicable conditions for development
		Code	Name	Permissible uses	Ancillary Activities	
				Rehabilitation of PAP's if required (Min. 15% vending area of which 50% for women)	Bank, Refuse shed, Public toilet facilities.	
27		RSA1.2	Retail Market with Vending Zone	Markets for Fruits and vegetables, Flower, Fish and Shops for Rehabilitation of PAP's if required (Min. 15% vending area of which 50% for women)	Reading rooms, Branch of Bank, Public toilet Facilities	1 or 2 Or 3. Zb =20. In case of 3, a) x = 50 b) y = ~~25~~ 40
28		RSA2.1	Multi-Purpose Community Centre	Community Centre, Student Hostel, Dormitories, Library, reading Rooms, Study Rooms for Students, Public toilets, Community hall, exhibition hall	Art and cultural related users ,Banks, Restaurants, bill payment kiosk, Citizen Facilitation Centre	1 or 2 or 3 Zb =30 In case of 3 a) x = 50 b) y = ~~25~~ 40
29		RSA2.7	Students Hostel	Students Hostel	Other non educational compatible uses such as branch of a Bank, Stationary Shop, Dispensary, Canteen	1 or 2 or 3 Zb =30 In case of 3 a) x = 50 b) y = ~~25~~ 40
30		RSA2.9	Homeless Shelter	Night Shelter, Home for Destitute, Dormitory with toilet facility & other ancillary Facility	Dispensary, Watchman's cabin	1 or 2 or 3. Zb = 10 In case of 3 a) x = 50 b) y = ~~25~~ 40
31		RSA3.3	Cultural Centre/Drama Theatre/ Theater	Cultural Centre/Drama Theatre Open Air Theatre, Art Gallery, Aquarium, Auditorium along with other uses if any, such as rest room, make-up room, welfare activity center, welfare activity center, Parking Lot	Recording rooms, dubbing rooms, restaurant, café, Reading halls, Library ,hostel rooms for artists	1 or 2 or 3 Zb=30 In case of 3 a) X=50 b) Y= ~~25~~ 40

Sr. No.	Reservation main Category	Reservation Sub Category		Users Permitted		Applicable conditions for development
		Code	Name	Permissible uses	Ancillary Activities	
32		RSA3.6	Art Gallery	Art and cultural facilities	Public Toile facilities. ATM	1 or 2 or 3 Zb=10 In case of 3 a) X=50 b) Y= <u>25</u> 40
33		RSA3.7	Leisure Park	Garden, Semi Open areas, Food stalls with temporary roofing facility, Food courts with temporary roofing facility, Open spaces, Children play area, Art display area, Cultural spaces, Amphitheaters, etc.	Watchman cabin, Gardener chowky, Public toilet facilities.	1 or 3 In case of 3 Y=70
34		RSA4.9	Old Age Home	Dormitories along with other uses if any, Health Clinic, Canteen, Recreational Area, Office, Day Care Centre For Elders, Geriatric Care Centre, Activity Room, Day Care For Children	Branch of a bank, ATM, shops, Dispensary,	1 or 2 or 3 Zb=10 In case of 3 a) X=50 b) Y= <u>25</u> 40
35		RSA5.2	Multi-Purpose housing for working Women	Hostel, Dormitories and guest rooms for working women, for women in distress, single Women/Student, dormitories for women, activity room, Balwadi, Day Care for children, Old Age people, Counselling Centre, Care centre	ATM, shops, Dispensary,	1 or 2 or 3 Zb=10 In case of 3 a) X=50 b) Y= <u>25</u> 40
36		RSA6.1	Care Centre	Care centre for Children and Women, Children Play area, Reading area, activity area	ATM, shops, Dispensary	1 or 2 or 3 Zb=10 In case of 3 a) X=50 b) Y= <u>25</u> 40
37		RSA6.2	Adhar Kendra with skill development centre	Women Skill Development Centre & Livelihood Centre	Art and culture related uses, ATM, CFC	1 or 2 or 3 Zb=10 In case of 3 a) X=50 b) Y= <u>25</u> 40

Sr. No.	Reservation main Category	Reservation Sub Category		Users Permitted		Applicable conditions for development
		Code	Name	Permissible uses	Ancillary Activities	
38		RSA6.3	Public Convenience	Public Toilet, Toilet For Women, Rest Rooms, Drinking Water Hubs		1 or 2 or 3 In case of 3 a) X= 50 b) Y = <u>25</u> 40
39		RMS1.1	Road Depot	Municipal Material Depot, Municipal Labour Chowky, Store, Workshop, Municipal Office	Public Toilet Facilities	1 or 3, In case of 3 a) X=50 b) Y= <u>25</u> 40
40		RMS1.2	Municipal Chowky	Municipal Labour Chowky, Material Depot, Store, Workshop, Municipal Office	Public Toilet Facilities	1 or 3, In case of 3 a) X=50 b) Y= <u>25</u> 40
41		RMS1.3	Municipal Facilities	Municipal Workshop, Municipal Central Store Municipal Labour Chowky, Material Depot, Store, Municipal Office	Public Toilet Facilities	1 or 3, In case of 3 a) X=50 b) Y= <u>25</u> 40
42		RMS2.1	Transport Garage	Transport Garage, Repair Garage, Store, Related Municipal Office, Municipal Chowky., Municipal Office, Workshop	Auto-parts shop, ATM of bank, canteen, municipal store, Public Toilet facilities Ancillary uses as decided with the special permission of the Commissioner	1 or 3, Za= 10 Zb=10 In case of 3 a) X=50 b) Y= <u>25</u> 40
43		RMS3.3	Scrap Yard	Scrap Yard	ATM of bank, canteen, store, Ancillary uses as decided with the special permission of the Commissioner	1 or 3, Za= 10 Zb=10 In case of 3 a) X=50 b) Y= <u>25</u> 40

Sr. No.	Reservation main Category	Reservation Sub Category		Users Permitted		Applicable conditions for development
		Code	Name	Permissible uses	Ancillary Activities	
44		RMS5.5	Hydraulic Engineering Store/Office	Municipal Store, Municipal Office, Municipal Chowky, Pumping station, Workshop with staff Quarters	ATM, Information Kiosk, CFC, Public Toilet facilities	1 or 3 Za= 10, Zb=10 In case of 3 a) X=50 b) Y= ~~25~~ 40
45		RP2.1	Dhobi Ghat	Art and culture related uses	Public Toilet Facilities	1 or 2 or 3 Za= 10, Zb=10 In case of 3 a) X=50 b) Y= ~~25~~ 40
46		RP3.1	Cattle Pound	Animal shelter, shed for animals with animal eating & drinking facilities	Chowkie & toilet Block	1 or 3 Za= 10, Zb=10 In case of 3 a) X=50 b) Y= ~~25~~ 40
47		RT1.1	Truck Terminus	Truck Terminus, along with other uses if any, such as Workshop, Store, Garage, Dormitory with toilet and bath	Restaurant, Branch of Bank, ATM, Information Kiosk, CFC, Police Chowky, PSC	1 or 2 or 3, Za= 10 Zb=10 In case of 3 a) X=50 b) Y= ~~25~~ 40
48		RT1.4	BEST Bus Facilities	BEST Bus Depot, BEST Bus Station, Parking Lot for Public, Bus Stops, Sheds, Helipads, Rickshaw and Taxi Parking and Administrative office	Cafeteria, Canteen, Police Chowky, CFC, ATM of a Bank,	1 or 3, Zb=10 In case of 3 a) X=50 b) Y= ~~25~~ 40
49		RT1.6	Parking Lot	Parking Lot, Municipal Chowky	PSC Security Chowky	1 or 3 Zb=10 In case of 3 X=100

Note

1) Notwithstanding the manner of development of Reservations for the intended purpose as mentioned in Table 4, any reservation shown in development plan which are not covered in Table 5, the owner shall be entitled to develop such Reservation;

i) The Commissioner may allow the owner to develop the buildable reservation subject to handing over to the Planning Authority, 25% of the land area out of reserved land along with 50% of the permissible built up area at zonal (Basic) FSI in the form of built up amenity area to be handed over to MCGM.

ii) The Commissioner may allow the owner to develop the non-buildable reservation subject to handing over to the Planning Authority, 60% of the land area out of reserved land to be handed over to MCGM.

1 a) The plot area to be handed over to MCGM under AR shall not be deducted from the gross plot area for the purpose of calculation of full permissible BUA under these regulations and may be utilized on the balance plot. Additional BUA equal to area of the plot so surrendered to MCGM free of cost and free of encumbrances shall be permissible over and above the permissible BUA or TDR as specified in the Regulation No.30(A) except in respect of proposal processed under Regulation No 33(5), 33(7), 33(8), 33(9), 33(9)(A), 33(10), 33(10)(A), 33(20)(A), 33(21).

b) The BUA handed over to MCGM shall be free of FSI and balance plot will be allowed to be developed as per these Regulations, without taking into account said BUA so handed over

c) BUA of staircase, lift & lift lobby and BUA permissible free of FSI as per the provisions of Regulation no 31(1) shall not be counted in BUA to be handed over to MCGM and the same shall be without charging premium for the provision of built up amenity under AR.

c) (a) No premium shall be charged for the open space deficiencies if any for the amenity to be handed over to MCGM and the built up component of owner/developer for consumption of entire available FSI on the balance plot.

d) The developer / owner shall be entitled for the BUA in lieu of cost of construction of built up amenity under AR as follows:

BUA in lieu of cost of construction of built up amenity handed over under AR

= 1.50(Rate of construction per sq. m as per ASR rate / Rate of developed land per sq. m as per ASR)* constructed area ~~BUA~~ of constructed built up amenity handed over under AR.

~~This BUA shall be subject to maximum 40% of the BUA of amenity handed over to MCGM~~

~~In case of Sr. No. 49 (PPL), the incentive BUA shall be 50% of the above cited BUA as calculated above.~~

~~i) No separate compensation shall be given for areas under Regulation No.31~~

~~(1) BUA for the construction of staircase/lift/staircase and lift lobby & other areas as per 31(1) shall not be counted in BUA to be handed over and shall be without charging premium for built up amenity under AR. In case of residential amenity for arriving at number of tenements, ratio of BUA to carpet area shall be considered as 1:2~~

ii) The applicable rate of ASR shall be ASR rate of the year in which the development permission for amenity is granted ~~handed over to MCGM.~~

iii) The constructed built up amenity along with plot to be handed over to MCGM under AR shall have structural provisions for vertical extension upto two additional floors in order to consume additional FSI permissible as per provisions of these Regulations in future.

e) The entire Permissible FSI as per column (7) of Table 12 shall be allowed to be utilized on the balance plot along with the additional built up area available in accordance with (d) above without any deduction for built up amenity constructed in lieu of reservation. The Owner/Developer shall be eligible for grant of TDR against unutilized BUA including that of Zonal (basic) FSI.

Or

2) If the land is reserved as per the DP and owner desires to hand over the land without any encumbrances to MCGM/ Appropriate Authority, then he shall be entitled for the grant of TDR as per Regulation No 32.

Or

3) If the land reserved as per the DP is acquired by MCGM/Appropriate Authority, the Owner shall be entitled for the grant of TDR as per Regulation No 32 or monetary compensation.

4) 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.~~ Proforma of possession receipt shall be as per Appendix V.

5) The area of built up amenity shall be counted in FSI initially and after handing over of said built up amenity the area of built up amenity shall be allowed free of FSI. Commencement Certificate in respect of BUA in lieu of the built up amenity handed over to MCGM under AR can be granted only after handing over of such built up amenity or before availing zonal (basic) FSI beyond 75% of gross plot area or before seeking Occupation Certificate to any part of building/ buildings beyond 50% of permissible BUA as per Zonal (basic) FSI, other than the built up amenity.

6) In case where Principal and Ancillary users are not reflected in the above table but are compatible to the reservation development, such users shall be permissible with the special permission of the Commissioner.

7) In case of development of the plot reserved for Public Open Spaces under AR as per Serial No. 15, 16 & 33 of Table No 5, the provisions of Regulation No.27 may not be insisted.

8) In case a reserved plot under Sr No.1 of Table No 5 (Municipal School) is developed and run entirely by the private owner, then conditions, including admissions, stipulated by the Municipal Commissioner shall be applicable.

9) Where a private plot is notified by GOM or reserved in DP for infrastructure related facilities in respect of public transportation authorities (such as MRVC, MMRDA, BEST etc.), the said authority shall have the option of acquiring part plot under AR where ~~50~~ 25% of plot shall be handed over to the authority. The balance plot will be available for development for the Owner as permissible under these regulations.

Provided further that notwithstanding anything contained in these Regulations, if such plot is situated in NDZ, then the maximum permissible FSI shall be 0.8 on the gross plot area to be utilized on the remainder plot.

10) In case of social amenities, the built up amenities received under AR will be made available by the MCGM to GOM for operation, either through its own departments or through other institutions, only for the intended purpose on terms & conditions as decided by GOM. MCGM shall have the option of running such facility wherever it decides to do so.

17 (2) Redevelopment of authorisedly closed designated/allocated existing Cinema/Theater:

Notwithstanding anything contained in these Regulations, existing authorisedly closed cinema/theater, shall be redeveloped in the following manner:

1. In case of redevelopment of an existing cinema/ Theater on designated/allocated plot, the user for the cinema/ theater may be permitted in combination with the permissible uses in Residential/Commercial zone excluding the uses of Bakery/confectionery, coal &

firewood shops, maternity home, hospitals, schools, trade school & colleges, or any other uses as may be deemed fit by the Municipal Commissioner.

In case of redevelopment of an existing cinema/theater on designated/allocated plot in addition to other uses which are to be permitted, cinema/Theater having seating capacity to the extent of 33% of the number of seats in the old existing cinema/Theater and in any case not less than 150 seats shall be provided.

Provided further that if development of cinema/theater along-with other uses except residential use is proposed in single building then the open space requirement shall be considered as required for the special building. The residential uses shall be permitted in separate building.

Or

2. The Owner/Developer may develop the entire designated/ allocated plot for the purpose of entertainment of general public such as Drama Theater/Opera theater/Mini-theater/Multiplex or for Production facilities/studio/s for cinema/ Tele-serial /Dubbing & Recording studio/Preview Theater etc.

Or

3. i) The designated/allocated plot of the cinema/theatre can be developed at par with AR. For the plot area up to 1000 Sq. m, 40 % of BUA as per Zonal (basic) FSI and incase of the plot area more than 1000 sq. m, 40 % plot area & built up amenities to the extent of 50% of the Zonal (basic) FSI of the plot shall have to be handed over to MCGM free of cost & free of FSI.

ii) The Built up amenity shall be in the form of the activity related to the public entertainment as decided by the Commissioner such as Opera theater/Mini-theater/Production studio for cinema & or Tele-serial/Dubbing & Recording studio/ Preview theater. In case of plots up to 1000 sq. m, such activity shall preferably be located in a separate wing and with the separate access.

iii) The owner shall be entitled for the development of the balance potential as per the provision of Regulation No 17(1) and uses permissible in residential/commercial zones. Provided further that residential use shall be allowed in a separate building.

PART – IV REQUIREMENT OF SITE AND LAYOUT

18. Requirement of Site

No land shall be used as a site for the construction of building –

(a) if the Commissioner considers that the site is insanitary or that it is dangerous to construct a building on it or no water supply is likely to be available within a reasonable period of time;

(b) if the site is within 6.0 m from the edge of the water mark of a minor water course, or 15m from the edge of the water mark of a major water course, unless arrangements to the satisfaction of the Commissioner are made to drain the flow of the water course;

Provided that where a water course passes through low-lying land without well-defined banks, the Commissioner may, as determined by him, permit the owner of the property to restrict or divert the water course to an alignment and cross section.

(c) if the building is proposed on any area filled up with carcasses, excreta, and filthy and offensive matter, till the production of a certificate from the Commissioner to the effect that it is hygienically fit to be built upon;

Suggestion - I

~~(d) if the use of the said site is for a purpose which, in the Commissioner's opinion, may be a source of danger to the health and safety of the inhabitants of the neighborhood;~~

(e) if the level of the site is lower than the Datum Level prescribed by the Commissioner depending on topography and drainage aspects. This shall not be less than reduced level of 27.55m of the Town Hall Datum;

(f) if situated within the funnel of vision marked on DP plan of D Ward;

(g) if the building is nearer than 24.5 m in the case of residential buildings and m in the case of other buildings from the centre line of a National Highway, State Highway or Major District Road;

(h) if it is situated-

(i) within 2438 m from an international civil airport unless the application for development permission is accompanied by a certificate of consent from the Civil Aviation Authorities,

(ii) with in 1829 m from any other civil airport unless the application for development permission is accompanied by a certificate of consent from the Civil Aviation Authorities.

(i) for places of public worship unless the site has been previously approved by the Commissioner and the Commissioner of Police;

(j) Unless it derives access from an authorized street/means of access described in these Regulations;

(k) for industrial use other than a service industry unless the application is accompanied by NOC from the appropriate officer of the Industries Department of the Govt. according to the prevailing Industrial Location policy;

(l) if the proposed development is likely to involve damage to or have deleterious impact on or is against urban aesthetics of environment or ecology and/or on historical/architectural/aesthetical buildings and precincts unless and otherwise specified in these Regulations.

19. Public Street and Means of Access

(1) Every site to have access free of encroachment: Every site proposed to be developed or redeveloped shall have access from a public street/ road as required in these Regulations. Such access shall be kept free of encroachment.

(2) High Rise and Special Buildings: The Commissioner may permit access to such buildings from any street as stated below in the Table No6

Table No 6

Building type	Height of Building	Minimum road width required in Metres (m)
High Rise	Above 32 m up to 70 m	~~9.0~~ 6.0
High Rise	Above 70 m up to 120 m	~~12.0~~ 9.0
High Rise	Above 120 m	~~18.0~~ 9.0
Special/Assembly Building	For Height up to 32 m	~~12.0~~ 9.0
Special/Assembly Building	For Height above 32 m	~~18.0~~ 12.0

And one end of street shall join another street of width as specified above or greater width.

~~Development on plot along the road with width less than that specified in the above Table shall be allowed if along the entire stretch of a road, the plot owners/owner handover the land required for widening of road as required for the proposed development on plot, provided further that the width of the stretch proposed to be widened will not be more than the width of the road to which it connects.~~

Provided further that the Commissioner may allow access to building with height up to 70 m

(a) through the existing 6.0 m wide road which is proposed to be widened to 9.0 m or more, either in DP or by a sanctioned regular line under the MMC Act, 1888 provided that road is not dead end road and if the total width of 9.0 m including width of the road and front open space of the building is made available without construction of the compound wall for the movement of Fire engine.

(b) Through two numbers of existing roads each having minimum width of 6.0 m.

(c) Provided further that in case of redevelopment under Regulation No 33(5), 33(6), 33(7)~~33(9)~~, 33(10), 33(10)(A), ~~33(11)~~, 33(15), 33(20)(A), ~~33(20)(B)~~, ~~33(22)~~ or any other redevelopment scheme width of Road 9 m shall be deemed to be adequate for any height.

NOTE:- Wherever feasible, the MCGM shall strive to widen all roads having width below 9 m to a minimum 9 m, after a comprehensive traffic study and due implementation analysis and sanction as per MMC Act 1888.

(3) Other buildings:

(a) The Commissioner shall permit access from streets having width of not less than 6.0 m over which the public have a customary right of access or have used it or passed over it uninterruptedly for a period of 12 years.

(b) The Commissioner may permit access from

(i) any street 6.0 m wide or more (including streets in a gaothan which give access to other properties outside the gaothan),

(ii) any existing street not less than 3.6 m wide which is proposed to be widened either in DP or by sanctioned regular line of street under the MMC Act, 1888,

(iii) any street less than 3.6 m wide in a gaothan if the plot boundary is shifted 2.25m from the central line of the street. Provided that shifting of plot boundary to 2.25 m from central line of the street will be insisted upon only in respect of identified streets forming part of Traffic Circulation System in Gaothan. Such streets will be identified with specific approval of the Municipal Commissioner. In all other cases, existing access will be considered as adequate in Gaothan areas, subject to the physical verification on site,

(iv) any street or road more than 52.0 m in width specifically identified in the DP for giving direct access except where NOC has been granted by the appropriate road authorities,

(c) *In case of TP schemes access provided in TP scheme shall be considered adequate.*

Provided further that, in case where it is not feasible/possible to provide 6.0 m wide access (except T P Scheme), the Commissioner, by special permission, may consider access upto 3.6 m for the proposed building not exceeding 32m in height. For greater height provision of sub-Regulation (2) of this regulation shall apply.

Provided further that where any road is proposed to be widened in the DP for which a regular line of street has been prescribed under the MMC Act, 1888, the resulting proposed width shall be reckoned in dealing with a request for development permission. ~~Provided further that a high rise building shall require actual access as described in Sub-Regulation (2) of this regulation shall apply.~~

(4) Plots/Buildings abutting or fronting a means of Access:

Where a plot or building abuts/fronts a means of access; the width of the access shall be as specified in Regulation No 23.

20. Alignment & Intersection of Roads

(a) Where there is any conflict between the width provided in the DP and the width resulting from the prescription of a Regular Line of a street under the MMC Act, 1888, the larger of the two shall prevail. Further, if there is variation in the alignment of DP Road and sanctioned Regular Line under the MMC Act, 1888 of same width, the alignment as per the Regular Line shall prevail.

For intersection of roads, the rounding off, cut-off or splay or similar treatment shall be done to the satisfaction of the Commissioner depending upon the widths of the roads, the traffic generated, the sighting angle, etc. to provide clear side distance.

The alignment of road and their junctions shall be subject to actual demarcation on site by the Commissioner.

(b) Access to plot at the Carriage Entrance-The sloping portion for deriving vehicular access from the carriage-way to the plot shall be provided within the plot boundary.

21. Highway and wider Roads

No site excepting one proposed to be used for highway amenities like petrol pumps or motels or hospitals shall have direct access from a highway or specified road 52m or more in width, unless the same is permitted by Appropriate Authority.

Provided that this shall not apply to any lawful development along the highways and other specified roads which have existed before these Regulations have come into force and alternative measures are provided for their continuance.

22. Access to land-locked plot.

In the case of a plot, surrounded on all sides by other plots, i.e. a land-locked plot which has no access to any street or road, the Commissioner may require access through an adjoining plot or plots which shall, as far as possible, be nearest to the public street. The cost of land acquisition and development of such access shall be borne by the owner of land-locked plot and subject to other conditions prescribed by the Commissioner. Alternatively, if the owner of the adjoining plot, which is accessible from a public street, is willing to provide right of access to such land-locked plot then the same may be permitted from the required marginal side open space of the building on such adjoining plots.

“notwithstanding anything contained above additional FSI equal to zone FSI of Area of access provided to land lock plot shall be granted to plot who is providing the access to such land lock property subject to the access is handed over to MCGM.”

23. Internal means of access

(1) Minimum road width vis-à-vis the area served- Plots which do not abut on a street shall abut/front on a means of access, the width and other requirements of which shall be as given in Table No 7 hereunder for residential and commercial zones and as given in Table No8 hereunder for an industrial zone.

TABLE No 7

Width of access for Residential and Commercial Zones

Access length in meters (m) (1)	Plot Area served (sq. m)				
	Less than 1500	up to 4,000	More than 4000 & up to 10,000	More than 10,000 and up to 50,000	50,000
	Width in meters (m)				
	(2)	(3)	(4)	(5)	(6)
Less than 75	6	7.5-6.00	9	12 9	13.40
More than 75 & upto 150	7.5	7.5	9	12 9	13.40
More than 150 & up to 300	9	9	9	12 9	13.40
Over 300	12	12	12	12	13.401

Provided that in residential layouts, straight cul-de-sacs up to 150 m long roads are permissible. An additional length up to 125m will be permissible, if an additional turning space is provided at 150 m. The turning space, in each case, should not be less than 81sq.m area, no dimension being less than 9 m.

Provided further that, in case of any layout / subdivision approved prior to these Regulations, then the provision of width of internal access road shall be allowed as per the approved layout/subdivision.

TABLE No 8

Width of access for industrial zones

Access length in meters (m)	Width of means of access in meter (m)
(1)	(2)
Upto 100	9.0-6.00
Above 100 upto 300	12.0-9.00
Above 300	15.0-12.00

(2) Access for residential, commercial and industrial zones- as in table No 7 and 8 above-

- (a) shall be clear of marginal open spaces but not less than 3m from the building line;
- (b) may be reduced by 1 m from the prescribed widths if the plots are on only one side to the access;
- (c) shall be measured in length from the point of its origin to the next wider public street it meets.

(3) Larger width of Means of Access-

In the interest of the general development of any area, the Commissioner may require the means of access to be of larger width than that required under these Regulations.

(4) Access in Partially Built up Plots:

Notwithstanding the above, in partially built-up plots where the plot area still to be built upon does not exceed 5,000 sq. m an access of 3.6m width may be considered adequate. If such an access is through a built over arch, this access shall have a height of not less than 4.5m.

24 Minimum Width of Pathways

The approach to a building from a road/street/internal means of access shall be through a paved pathway of width specified in Table 9 here-under, the length of pathway being determined by the distance from the farthest plot or building to the internal road proposed under Regulation No 23 or to an existing road from which it takes off.

TABLE No 9

WIDTHS OF PATHWAYS

Types of Development (1)	Length of Pathway in meters (m) (2)	Width in meters (m) (3)
(i) Residential building	Upto 50	3.0
	Upto 40	2.5
	Upto 30	2.0
	Upto 20	1.5
	Upto 20	1.5
(ii) Non-residential building	more than and upto 50	3.0

25. Means of Access to be Constructed & Maintained

(1) General: Means of access shall be levelled, metalled, tarred, flagged, paved, sewerred, drained, channelled, provided with lights and water supply line and with trees for shade to the satisfaction of the Commissioner. They shall be free of encroachment by any structure or fixture that may reduce their width below the minimum required by Regulation No 23 and shall be maintained in condition considered satisfactory by the Commissioner.

(2) Private Street: If any private street or other means of access is not constructed or maintained as specified in sub-regulation (1) above, or if structures or fixtures arise thereon in contravention of that sub-rule, the Commissioner may, by written notice, direct the owner or owners of the several premises fronting or adjoining the said street or other means of access or abutting thereon or to which access is obtained through such street or other means of access or which shall benefit by works executed, to carry out any or all of the aforesaid requirements in such manner and within such time as he shall direct. If the owner or owners fail to comply with this direction, the Commissioner may arrange for its execution and recover the expenses incurred from the owner or owners.

- (3) How to measure the length of access-ways-** The length of main means of access shall be determined by the distance from the farthest plot or building plot and the main street. The length of a subsidiary access-way shall be measured from the point of its origin and the next wider road it meets.

26. Layout/amalgamation/subdivision of plots

(1) Circumstances warranting preparation of a layout or sub-division/amalgamation: A layout or subdivision/ amalgamation shall be submitted for the following:

- (a) when more than one building (except for building accessory to the main building) is proposed on any land;
- (b) when development or redevelopment of any tract of land includes its division or sub-division/*amalgamation* of plots;
- (c) when the land under development admeasures ~~2000sq~~2500 sq.m or more in any zone and more than one building is proposed.

(2) Contents: Every sub-division/*amalgamation*/ layout shall contain sub-plots being formed after sub-division, access thereto, ROS, if any, required under Regulation No 23 and 27, spaces for other ancillary uses if any required under Regulation No. 24 and 28 also all the reservations, designations, allocations, road or road widening proposals of the DP and the regular lines of streets prescribed under the MMC Act, 1888.

Provided that the Commissioner may, without any reduction in area, allow adjustment in the boundaries of **D.P ROAD** /reserved /allocated sites within the same holding and conforming to the zoning provisions to suit the development. In doing so, he will ensure that the shapes of altered, allocated/reserved sites are such that they can be developed in conformity with these Regulations.

(3) Minimum plot areas: The minimum plot areas permissible for different categories of use types of development permissible and the minimum dimension shall be as in Tables No 10 here under:

TABLE No 10

Minimum Plot areas for various Uses

Sr. No	Land use	Plot area (sq.m)	Type of Development
(1)	(2)	(3)	(4)
1	Residential and Commercial (except those in 2,3 and 4 below)	(i) 25 and above but less than 40	Row
		(ii) 40 and above but less than 125	Row/semi-detached.
		(iii) 125 and above with no dimension less than 9.0 m	Row/semi-detached/ detached.
2	Plots in Rehabilitation and Resettlement/Slum up-gradation/Reconstruction scheme.	21 with minimum width of 3.0 m	Row.
3.	Petrol filling Station -		
	(a) without service bay	545 (with one dimension not less than 16.75 m).	Detached

	(b) with service bay	1100 (with one dimension not less than 30.5 m).	Detached
4	Cinema theatre, assembly hall	3 sq.m per seat including parking requirements	
5	Mangal Karyalaya/ Public Hall	1000	
6	Industrial (I)	300 (with width not less than 15m)	Detached

27. Recreational Open Spaces (ROS) in Layout/Plot

(1) ROS in residential and commercial layouts:

(a) **Extent:** In any layout or sub-division/amalgamation/ for the development of individual plots with single building in a residential and commercial zone, ROS shall be provided as under.

(i)	Area from 1001 sq. m to 2500sq. m.	15 per cent
(ii)	Area from 2501 sq. m to 10,000 sq. m	20 10per cent
(iii)	Area above 10,000 sq. m	25 15per cent

These ROS shall be exclusive of areas of accesses/internal roads/designations or reservations, DP roads and areas for road-widening and shall as far as possible be provided in one place. Where however, the area of the layout or sub-division/amalgamated/plot area is more than 5000 sq. m, ROS may be provided in more than one place, but at least one of such places shall be not less than 1000 sq. m in size. Such ROS will not be necessary in the case of land used for educational institutions with attached independent playgrounds.

In case of provisions of Regulation No 33 the ROS shall be as stipulated in the relevant regulations if specified separately, or else the ROS as specified above shall be provided.

Provided further that the ROS shall be provided after deducting the area under D. P. Road/ Set Back/ Reservation/ Designation / land to be surrendered as per regulations 14 & 15.

Provided further that the provisions of ROS in case of the redevelopment schemes under the regulation no 33(5),33(7),33(8), 33(9), 33(10),33(15) and 33(20)(A) or any other redevelopment of residential development may be reduced due to planning constraints, minimum of at least 8% shall be maintained. Provided further that in case of redevelopment proposal under Regulation No 33(5), the existing area of ROS shall be maintained if it is more than 8 % of the layout.

(b) **Minimum area:** No such ROS shall measure less than 125 sq. m.

c) Minimum dimensions: The minimum dimension of such ROS shall not be less than 7.5 5.00 m, and if the average width of such ROS is less than 16.6 m, the length thereof shall not exceed 2 1/2 3 times the average width.

(d) **Access:** Every plot meant for a ROS shall have an independent means of access, unless it is approachable directly from every building in the layout.

(e) **Ownership:** The ownership of such ROS shall vest by provision, in a deed of conveyance, in all the property owners on account of whose holdings the ROS is assigned.

(f) **Tree growth:** Excepting for the area covered by the permissible structures mentioned under (g) below, the ROS shall be kept permanently open to the sky and

accessible to all owners and occupants as a garden or a playground etc. and trees shall be grown as under:-

(a) at the rate of ~~5~~ 2 trees per 100 sq. m or part thereof of the said ROS to be grown within the entire plot

(b) at the rate of 1 tree per ~~100~~ 200sq. m or part thereof to be grown in a plot for which ROS is not necessary

(g) Structures/uses permitted in ROS :

ROS – Recreational Open Space in a private layout shall be for the exclusive use of only the residents of such private layout and shall not be handed over to the MCGM or any Public Authority.

(i) In a ROS exceeding 400 sq. m in area (in one piece), elevated/underground water reservoirs/tanks, electric sub-stations, pump houses, facility for treatment of wet waste in situ may be built and shall not utilize more than 10 per cent of the ROS in which they are located.

(ii) In a ROS of 1000 sq. m or more in area (in one piece and in one place), structures for pavilions, gymnasia, club houses, swimming pools and other structures for the purpose of sports and recreation activities may be permitted with BUA not exceeding 15 per cent of the total required ROS, in one place. The area of the plinth of such a structure **except swimming pool** shall be restricted to 10 per cent of the area of the total required ROS in these regulations. The total height of any such structure, which may be Ground + one storey shall not exceed 8 m. The height may be increased to 13 m to accommodate badminton court/squash court. Where club house is proposed in ROS, then provision for gymnasium/fitness centre/yogalaya in club house shall be insisted upon. Structures for such sports and recreation activities shall conform to the following requirements: -

(a) The ownership of such structures and other appurtenant users shall vest, by provision in a deed of conveyance, in all the owners on account of whose cumulative holdings the ROS is required to be kept as ROS or ground viz 'R.G', in the layout or sub-division/amalgamation/plot of the land.

(b) The proposal for construction of such structure should come as a proposal from the owner/owners/society/societies or federation of societies shall be meant for the beneficial use of the owner/owners/members of such society/societies/federation of societies.

(c) Such structures shall not be used for any other purpose, except for recreational activities.

(d) The remaining area of the ROS shall be kept open to sky and accessible to all members as a place of recreation, garden or a playground.

(e) The owner/owners/or society or societies or federation of the societies shall submit to the Commissioner a registered undertaking agreeing to the conditions in (a) to (d) above.

(f) Recreation Open Space or Recreation Ground in the case of layout may be provided on the top most of the podium open to sky, irrespective of what is mentioned in a) to e) above.

(2) ROS in industrial plots/layout of industrial plots In any industrial plot admeasuring 1000 sq. m or more in area, ~~15~~ 10per cent of the total area shall be provided as ROS subject to a minimum of 2500 sq. m road.

- (i) such ROS shall have proper means of access and shall be so located that it can be conveniently utilised by the persons working in the industry;
- (ii) such ROS shall be kept permanently open to sky and accessible to all the owners and occupants and trees shall be grown therein at the rate of 5 trees for every 100 sq. m of the said open space or at the rate of 1 tree for every 100 sq. m in other cases.

Note:

1. The above area of ROS shall be calculated on the area excluding the areas under DP road/ setback/ reservations area to be handed over to appropriate authority
2. The minimum 60% of the required ROS shall be provided exclusively on the ground and at least 50% of this shall be provided on mother earth to facilitate the percolation of water and balance 40% of required ROS may be provided on podium area extending beyond the building line. The ROS on mother earth shall not be paved and all ROS shall be accessible to all the occupants of the plot/layout.

3) For educational building if the plot abuts reservation of POS/ROS then ROS as per this regulation shall not be insisted.

28. Substation

(A) Electrical Consumer Substation (CSS)/Distribution Substation (DSS):

In case of development/ redevelopment of any land, building or premises, provision for electric sub-stations may be permitted as under

Table No. 11.

Requirements of plot area for Consumer Substation (CSS). for Residential Use.

Sr. No	Plot Area (Sq. m)	Maximum area of land for CSS/DSS in sq. m
1	Upto 1000	Nil
2	Above 1000 & up to 2000	40.00 (single Transformer of 8.0 X 5.0)
3	Above 2000 & up to 4000	66.00 (single Transformer of 12.0 X 5.5)
4	Above 4000 & up to 20000	143.00 (Two nos of Transformers with each size 13.0 X 5.5)
5	Above 20000 & up to 40000	720

Table No.12: Requirement of plot area for consumer sub-station (C.S.S.) for I.T., Industrial & Commercial Use.

Sr. No	Plot Area (Sq. m)	Maximum area of land for CSS/DSS in sq. m
1	Up to 2000	40.00 (single Transformer of 8.0 X 5.0)
2	Above 2001 & up to 4000	80.00 (single Transformer of 8.0 X 10.0)
3	Above 4001 for every additional 4000 sq.mtr. or part thereof	40.00 (single Transformer of 8.0 X 5.0)

Note:

(a) If the CSS is forming a part of a building, it shall comply with all the safety precautions insisted upon by the concerned Electricity Distribution Company and the requirements of Chief Fire Officer.

(b) Such allotted public spaces shall be developed and maintained by the concerned Electricity Distribution Company at its own cost, as directed by the Commissioner.

(c) For installation of above, the height as required by the technical requirements of such installations and the ancillary installations necessary for effective functioning of the system shall be permitted without taking into account the height parameter in FSI.

(d) The provision for CSS shall not be made mandatory by the Electricity Distribution Company in each development. The experts in Electricity Distribution Company shall assess the requirement of CSS considering the existing facilities available in the neighborhood.

(e) CSS/DSS may be permitted to be constructed in ROS in such a way that area shall not exceed the limit prescribed in the Regulation No.27.

(f) Ownership of the space/land, where substation is proposed shall vest with concerned owner/society/association or the person deriving the title, and easement rights will vest with concerned Electric Authority till CSS/DSS remain in existence and functional.

(g) The sub-station be constructed in such a manner that it is away from ~~the main building the compound wall~~ at a distance of at least ~~3~~ 1.5 m. ~~and in general does not affect the required side margin open spaces or prescribed width or internal access or larger open space, or as may be decided by the Commissioner.~~ **The Sub-Station can be provided in Stilt/ Podium/within building line.**

h) The substation shall be allowed as open type or multi-storeyed.

(B) Requirements of plot area for Distribution Substation/Receiving Substation/Extra High Voltage Receiving Station (DSS/RSS/EHVRs).

Sr. No	Plot Area (sq. m)	Maximum area of land for DSS/RSS/ EHVRs in sq. m
1	Above 20,000 & upto 40,000	721 to 1200 (maximum) for DSS/RSS as per the requirements of concerned Electric Authority
2	Above 40,000 and up to 1,00,000	3,500 (maximum) DSS/RSS as per the requirements of concerned Electric Authority
3	Above 1,00,000	The construction of DSS/RSS as per the requirements of electric distribution company in their premises shall be permissible.
3 4	Extra High Voltage Receiving Station (EHVRs)	The construction of EHVRs as per the requirements of electric distribution company in their premises shall be permissible.

Note-

a) The height as required by the technical requirements of such installations and the ancillary installations necessary for effective functioning of the system shall be permitted without taking into account the height parameter in FSI.

b) DSS/RSS/EHVRs may be permitted to be constructed below the POS in such way that the effective area occupied by DSS/RSS/EHVRs shall not exceed the 20% of developed area of such POS. However, in exceptional cases the said limit may be allowed to be exceeded with special permission of the Commissioner. Specific permission of Municipal Corporation shall be obtained for constructing underground DSS/RSS/EHVRs and shall be subject to terms and conditions and applicable payment. Such allotted POS shall be developed and maintained by the concerned Electric Distribution Company at its own cost and will have to be kept open for the use of general public except minimum area required for ingress and egress.

c) DSS/RSS/EHVRs can be provided on the land of electric supply company or the requirement of land as specified above, and such land will have to be acquired/obtained as per the policy of Govt. by concerned electric supply company.

The sub-station/ Receiving Station shall be provided in the Amenity open space as required in the Regulation 14(A), 14(B).

d) It shall comply with all the safety precautions insisted upon by the concerned Electricity Distribution Company and the requirements of Chief Fire Officer.

29. Additional facilities in the Development in Large Holding/layout

(A) In layouts or sub-divisions/amalgamation of area in excess of 2 ha in residential and commercial zones, plots may be provided for shopping centers/departmental stores. Such centers/stores may have an aggregate BUA up to 5 per cent of the Zonal (basic) FSI of the plot. The conditions governing the layout of such a centre/store shall be as under:

(i) The centre/store may be at one place or may be distributed within the layout to make it accessible from the different parts of layout;

(ii) These centers/stores shall not abut any roads more than ~~31~~ 52 m wide

(iii) A shopping centre may be provided exclusively within the building towers with no access or frontage on any public road

(iv) Within a layout the centers/stores may be provided on the ground and upper floors or on the ground floor and the upper floors may be used for residential purposes and conveniences like banks or places for medical or dental practitioners.

Uses shall be as defined in clause (30) of Regulation No.2, provided further that restaurant/eating house shall not be permissible in a residential building. Additional uses may include:

Stores or shops for the conduct of retail business. There will, however, be no storage or sale of combustible material except with the Commissioner's permission.

(a.) Personal services establishments only.

(b.) Frozen food stores.

(c.) Cleaning and pressing establishments for clothes, each occupying floor area not more than 200 sq. m and not employing solvents with a flash point lower than 590C, machines with dry load capacity exceeding 30 kg and employing not more than 9 persons, with a total power requirements of not more than 4 KW

(d.) Shops for goldsmiths, ornaments, lock-smiths, watch and clock shops and their repairs, bicycle shops and their rental and repairs, opticians shops and optical glass grinding and repairs shops, musical instruments shops and their repairs, picture framing, radio, television and household appliance shops and their repairs, umbrella shops and their repairs and upholstery work, each employing not more than 9 persons.

- (e.) Coffee selling shops and grinding establishments, each with electric motive power not exceeding 0.75 KW (0.025 KW individual motor each);
- (f.) Groceries shop, coffee & tea shops, personal care shops, pharmacy.
- (g.) Bakeries with no floor above, not occupying for production an area in excess of 75 sq.m and not employing more than 9 persons, if the power requirement does not exceed 4 KW, where only electrical ovens are used and additional heating load upto 12 KW permitted
- (h.) Confectioneries and establishments for the preparation and sale of eatables not occupying for production, an area in excess of 75 sq. m per establishment and not employing more than 9 persons or motive power exceeding 1.12 KW, as well as sugarcane and fruit crushers, each not employing more than 6 persons with motive power not exceeding 1.12 KW, in an area not more than 25 sq. m.
- (i.) Vegetable, fruit, flower shops
- (j.) Photographic studios with laboratories, photocopying, video and videotaping establishments, etc. and their laboratories, each with an area not exceeding 50 sq. m, and not employing more than 9 persons and not using power more than 3.75 KW
- (k.) Data processing unit with use of computers
- (l.) Travel agencies

(B) If a public amenity like a kindergarten school, milk Centre, electric sub-station, bus shelter, is provided within the project, the area of such facility not exceeding 5 percent of the total plot area shall be allowed free of FSI

Note:-

Commissioner may add/alter the above users.

PART V - FLOOR SPACE INDEX

30. Floor Space Indices & Floor space / Built-Up Area (BUA) computation, Tenement Density and Protected Development

(A) Floor Space Indices & Floor space /BUA computation

1. The total area of a plot shall be reckoned in FSI/BUA calculations applicable ~~only~~ to new development, Redevelopment and ongoing development to be undertaken hereafter as under:-

TABLE 12

Floor Space Indices in Residential, Commercial and Industrial Zones

Sr No	Areas	Zone	Zonal (Basic)	Additional FSI on payment of Premium or TDR	Admissible TDR <u>or</u> <u>Additional FSI on payment of Premium</u>	Permissible FSI (4+5+6)
1	2	3	4	5	6	7
I	Island City	Residential/ Commercial	~~1.33~~ <u>2.00</u>	~~0.34~~ <u>0.50</u>	~~0.33~~ <u>0.50</u>	~~2.0~~ <u>3.00</u>
II	Suburbs and Extended Suburbs					
	The area earmarked for BARC from M Ward ~~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.~~		0.75 ~~-~~	-	-	0.75
	i	Residential/ Commercial	0.5		-	0.50
	ii	Residential/ Commercial				
	Areas of the village of Akse, Marve and CRZ affected areas of Erangal in P/North Ward and Gorai and Manori in the R Ward excepting gaathan proper.	Residential/ Commercial				
	iii <u>The remaining area in Suburbs and</u>	Residential/ Commercial	~~1.0~~ <u>1.5</u>	~~0.50~~ <u>0.75</u>	~~0.5~~ <u>0.75</u>	~~2.0~~ <u>3.0</u>
	iii Extended Suburbs	Residential/ Commercial				
III	Island City	Industrial	1.0	-	-	1.0
IV	Suburbs and Extended Suburbs	Industrial	1.0	-	-	1.0

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, and including the land is surrendered / to be surrendered to MCGM/Appropriate Authority under Regulation no 14, 15, 16, 17 and 35 subject to the name of MCGM / Appropriate Authority is not muted in revenue records.
3. In case of Sr. No. 2 above;
 - a) Additional BUA equal to area of land so surrendered to MCGM/Appropriate Authority shall be allowed to be consumed over and above the permissible BUA(as per column no 7 of Table no 12 above) on the remainder/balance plot or may be availed in the form of TDR as per these Regulations.

- b) It shall be permissible to utilize BUA equal to area of land so surrendered to MCGM/Appropriate Authority even before availing the additional FSI on payment of premium/TDR.
- c) BUA in lieu of cost of construction of built up amenity to be handed over as per the provisions of Regulation number 17(1) note 1(d) shall be permissible over and above permissible BUA or owner may avail the TDR thereof if not consumed on the remainder land.
- d) If owner/developer is unable to consume even Zonal (basic) FSI due to planning constraints, he shall be entitled for TDR for the unconsumed BUA thereof including a & c above.

In such cases no additional FSI on payment of premium/TDR shall be allowed to be utilized on remainder/balance plot.

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.

- 4. The permissible FSI shall be on gross plot area including areas to be surrendered to MCGM/Appropriate Authority under Regulation no 14 (amenity plots), 15 (inclusive housing) and 35 (development of cotton textile mills).

Provided further that BUA in lieu of cost of construction of built up amenity required to be handed over to MCGM under Regulation Nos 15, if any, shall be permissible over and above permissible BUA(as per column no 7 of Table No 12 above) or owner may avail the TDR thereof, if not consumed on the balance plot.

- 5. BUA so arrived shall be allowed to be consumed on the balance plot after handing over of Reservation/Amenity/Plot/DP road/roads for which sanctioned Regular line is prescribed as per MMC Act to MCGM.
- 6. 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~~ 40% 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 for implementation of D P.

Provided further that utilization of 'additional FSI on payment of Premium' and TDR is optional and can be utilized in any combination subject to limit prescribed in column no 7 of Table No 12 above & shall be non-transferable. 'Additional FSI on payment of Premium' is to be granted on application and payment of premium & shall be used on the same plot only.

- ~~7. Development Surcharge at the rate of 100% of Development charge, for BUA over and above the Zonal (basic) FSI (including fungible BUA) in accordance with the Time Schedule for such payment as may be laid down by the Commissioner, MCGM shall be paid. This surcharge shall not be applicable to BUA to be handed over to MCGM/Appropriate authority & BUA which are excluded from FSI computation. This~~

~~Development Surcharge shall be in addition to development charges levied as per section 124 of MR&TP Act 1966. This surcharge shall not be applicable for proposals of Govt. /MCGM executed departmentally.~~

~~The payment of Development Surcharge as detailed above will not be payable in cases where development cess is proposed under Regulation no 33(3), 33(5), 33(7), 33(8), 33(9), 33(10), 33(11) 35, and for any redevelopment scheme [MCH1] and for development where the payment of off-site infrastructure charges/development cess is applicable and for these Regulations development cess/off-site infrastructure charges shall be payable as described in the concerned Regulations.~~

8. The owner shall give advance possession of the land to be handed over to MCGM/MHADA, wherever applicable, at the time of seeking occupation certificate for the last 25% of the total admissible FSI ~~permission for development of plot~~. It shall be the responsibility of the land owner to clear off all encumbrances and complete the formalities for applying towards transferring the land in the name of MCGM/MHADA in Land Revenue Record.
9. The aforesaid plot, free of encumbrances, shall be handed over to MCGM/MHADA within twelve months from the date of approval of building plans/approval of the layout. The FSI of such plot can be utilized on remainder plot only after handing over of such plot to MCGM or before availing of the Admissible Zonal (basic) FSI beyond 50/75% of gross plot area or granting Occupation Certificate to any of the buildings which is utilizing the last 25% of the Admissible FSI, whichever is earlier. The ownership of such plot shall be applied to be transferred in the name of MCGM/MHADA in Land Revenue Records before seeking occupation to any of the buildings which is utilizing the last 25% of the Admissible FSI in the layout.
10. The area of built up amenity shall be counted in FSI initially and after handing over of said built up amenity, the area of built up amenity shall be allowed free of FSI. Commencement Certificate in respect of BUA in lieu of the built up amenity to be handed over to MCGM under AR can be granted only after handing over of such built up amenity. ~~or before availing Zonal (basic) FSI beyond 75% of gross plot area or before seeking Occupation Certificate to any part of building/buildings beyond 50% of permissible BUA as per Zonal (basic) FSI maximum equivalent to BUA to be handed over to be restricted, other than the built up amenity.~~
11. Fungible compensatory area ~~FSI~~/BUA shall be permissible as per the provisions of Regulation no 31(3).
12. The Development of plots under combination of various regulations shall be permissible, but the maximum permissible FSI on gross plot shall not exceed the permissible FSI limit prescribed in any of the applicable regulations which is prescribing the higher FSI.
13. ~~TDR in lieu of balance BUA after loading of "additional FSI on payment of premium & Admissible TDR" as per table 12 above shall not be permissible.~~

Note:

- (1) Area of recreational open spaces as required under Regulation No 27 shall not be deducted for the computation of BUA/FSI.
- (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 ~~merged or~~ handed over to

MCGM/Appropriate Authority before 27th May 2016 & where FSI benefit of the same had already been taken in the earlier development proposal before 27th May 2016 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. In all other cases, the Gross plot shall be reckoned before deduction of such areas.

(3) The Occupation Certificate for buildings constructed out of last 25% of Admissible FSI for residential/commercial use shall be granted by the Commissioner only after recreational area is developed and structure for recreational activities are actually provided on site. Provided further that in case of layout having 2 or more buildings, development of proportionate recreational area may be permitted subject to completion of entire recreational area & structure thereon for recreational activities prior to seeking occupation of last buildings.

(4) In case of Government/Semi-Government Department and Organizations/Public Sector Authorities/Undertakings such as the Atomic Energy Department, the Civil Aviation Department, International Airport Authority of India, Defence authorities, Railway authorities and the Mumbai Port Trust, for computing the available FSI, the area of lands not designated/reserved but shown as such in the DP for the following purpose shall be excluded:

- (a) Playgrounds, stadia, golf courses;
- (b) Parade grounds, training grounds, firing ranges;
- (c) Green areas within their complexes;
- (d) Lands kept open for operational purposes;
- (e) Lands under major internal roads;
- (f) Railway tracks and yards;
- (g) Lands unauthorisedly reclaimed;
- (h) Lands of air-fields and air-strips.

(B) Tenement Density

1. Maximum tenement density shall be 450 per ha for FSI 1.00 and shall be appropriately increased/reduced proportionate to FSI 1.00.
2. Minimum tenement density shall be 200-25 per ha for FSI 1.00 and shall be appropriately increased/reduced proportionate to FSI 1.00, applicable only to plots of 1 ha and above and sub-divided plots each of 1 ha and above from larger layouts or sub-divisions.
3. Minimum tenement density for Rehabilitation and Resettlement/ affordable housing plots/shall be 325 per ha for FSI 1.00 and shall be appropriately increased/reduced proportionate to FSI 1.00.

(C) Protected Development

- (a) The FSI permitted as per Table No. 12 will be allowed to be exceeded for redevelopment of existing authorized building to the extent of existing authorized constructed development rights/BUA including area which was allowed free of FSI, incentive FSI, TDR, premium FSI and exempted areas.

— Provided further that in cases where benefit of additional FSI as per the then prevailing regulations was availed for the purpose of educational, medical, starred

category hotels, religious development and Information Technology establishments and if redevelopment is proposed by discontinuing such users, then such additional BUA will not be protected. The development shall have to be in consonance with the provisions of these Regulations. The premium paid in past for such user will not be adjusted.

- (b) In cases where development is not completed, it shall be permissible to avail the balance development rights as permissible under these Regulations by utilizing the TDR or additional FSI on payment of Premium by adjusting the payments made earlier for availing FSI if any, or payments made for grants of any concessions, condonations etc. but no refund shall be permissible.

However, such additional utilization of the development right in the plot/layout, shall be permissible on the gross plot area after deducting the consumed FSI as per the approved plan beyond the land component of the buildings for which occupation is granted/existing building as specified in Regulation No 9 as per the then prevailing Regulation under which the development was approved.

31. Exempted from FSI to be counted in FSI/Compensatory (Fungible) ~~Area~~Floor Space Index (FSI):

(1) Exemption from FSI

The following shall not be counted in FSI

- (i) Areas of structures permitted in ROS under clause (g) of sub-Regulation (1) of Regulation No 27.
- (ii) Areas covered by features permitted in open spaces as listed in Regulation No.42 except for Regulation 42(i) (b), 42(ii)(d),42(ii) (e) (ii)&(iii) and 42(ii) (f) (ii)&(iii).

(iii) Built-up area of the Club House to the extent of 2% of the admissible FSI on the plot .

(iv) Watchman cabins - in multiple buildings/wings, watchman cabin of the size 3.05 mtr. x 3.05 mtr. at every entry and exit point at each of the building/ wings and of the layout.

(v)(iii) Areas covered by staircase rooms, lift machine rooms above topmost storey, staircase/lift wells and passages in stilt, basement, podium and floors exclusively/partly used for parking and parking [MCH12] and other ancillary uses as permitted in this Regulation No.31(1)

(vi)(iv) Areas covered by staircases/lift wells / lifts including lobbies connecting lifts and staircases as specified, excluding those covered under DC Regulation No.31 (1) (iii) with special written permission of the Commissioner subject to payment of premium.

Such exclusion from FSI computation shall not be applicable in case of existing buildings.

Provided further that where the permissible FSI has not been exhausted in the case of existing buildings and cases decided by the Corporation prior to coming into force of these Regulations, the exclusion from FSI computation as in these Regulations will be available for construction of balance potential,

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 total existing BUA, the BUA of 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 staircase, lift-well etc., if any

(v) Area of the basement used exclusively for parking and other ancillary uses as permitted in Regulation No. 37(9) (iv) (b, c, ~~d, e~~ & j & k).

(vi) Area of covered parking spaces as provided in sub-Regulation (6) (a) of Regulation No.44

Provided, however, that additional parking to the extent of ~~25~~ 50% of the required parking may be permitted without payment of premium.

Provided further that in non-residential building, where entire parking is proposed by mechanical/ automatic means, additional parking to the extent of ~~10~~ 20% of the required parking shall be permitted free of FSI as vehicle holding area.

(vii) Area of one office room of 40 sq. mt. per 100 tenements or part thereof as provided in sub-Regulation (11) of Regulation 37 in case of residential development and area of one office room of 40 sq. mt. per 5000 sq.mt. commercial area or part thereof.

(viii) Lofts [vide sub-Regulation 4 of Regulation 37]

(ix) Porches [vide sub-Regulation (20) of Regulation 37]-

(x) ~~Canopy~~ Canopies [vide sub-Regulation (21) of Regulation 37].

(xi) Area of structures for an effluent treatment plant /Sewerage Treatment Plant water treatment plant as required to be provided, as per the requirements of the MPCB or other relevant authorities:

Provided, however, in the case of an existing industry, if no vacant land is available the Commissioner may permit structures with dimensions to be approved by him for such effluent treatment plant on ~~15 per cent~~ amenity open space.

(xii) A chajja, cornice, weather shade, sun-breaker, vertical fins; at lintel level only; projecting not more than 1.2 m. from the face of the building as provided in sub regulation no. 42 (ii) (e)(i).

Provided further Ornamental / elevational touching to the building upto a depth of 0.30 mtrs. i.e. dummy ornamental columns above stilt floor for residential building and vertical architectural features which cannot be added to any floor and Architectural features at the terrace level within permissible height.

Further Chajja, Cornice, Weather Shade, sun breaker or other ornamental projections etc. shall be permissible upto 0.3 0.60m. in Gaothan area for the plots admeasuring upto 250 sq. m

(xiii) A chajja, cornice, weather shade, sun-breaker over a balcony or gallery not exceeding 1.2 mtr. from the balcony or gallery face, as provided in sub regulation no. 42(ii)(f)(i)

Provided further Ornamental / elevational touching to the building upto a depth of 0.30 mtrs. i.e. dummy ornamental columns above stilt floor for residential building

and vertical architectural features which cannot be added to any floor and Architectural features at the terrace level within permissible height.

(xiv) Area covered by elevated/underground water reservoirs/tanks, electric sub-stations, Receiving Station, pump houses, facility for treatment of wet waste in situ as per consultants requirement and organic waste convertor

(xv) Area covered by new lift and passage thereto in an existing building with a height upto 16m. in the Island City [vide clause (ii) (f) of sub-Regulation (19) of Regulations 37]

(xvi) Area of a covered passage of clear width not more than 1.52m (5ft.) leading from a lift exit at terrace level to the existing staircase so as to enable descent to lower floor in a building to reach tenements not having direct access to a new lift in a building without an existing lift.

(xvii) Area of ~~one~~ fitness centre /Yogalaya per wing for a Co-Op. Housing Society or Apartment Owners Association as provided in sub-regulation 37(30).

(xvii) a) —Area of Creche of minimum 150 sq.mtr. BUA shall be provided for institutional, assembly, business, information technology or mercantile building where total number of employees is 1000 or more.

(xviii) The fire chutes as provided under DC Regulation No. 48(9)

The fire chutes, Fire escape balconies / passages / Fire Lift/ Fire Escape staircase as provided under these Regulations No. 48(9) without payment of any premium.

(xix) The refuge areas subject to DC Regulation No. 48(8)

(xx) Service Floor of height not exceeding ~~1.8~~ 2.2 m below beam or as stated in Regulation No. 37(34).

(xxi) Entrance lobbies in stilted portion, height not exceeding ~~7.2~~ 9.15 m. or height equivalent to ~~two~~ three floors or height of stilt whichever is higher.

Entrance lobbies, halls on ground floor height not exceeding 8.40 mtrs. and

(xxi) (a) Atrium lobby

(xxii) Open to sky swimming pool at the terrace above the top most storey or on the top most podium only

(xxiii) Area of the service ducts abutting Sanitary Block, kitchen not exceeding ~~1.2~~ 2.1 m. in width depth. In case of high rise buildings higher width/size as per requirement and design approved by Commissioner but not exceeding ~~2.20~~ 2.20 m.

(xxiv) Ornamental projection of any type cladding/ glass façade/glazing not exceeding ~~0.30m~~ 1.20 m from building line for non-residential building and 0.75 m from building line for residential building.

(xxv) Area covered by chimney, elevated tanks (provided its height below the tank from the floor does not exceed 1.5 m)

(xxvi) Area of sanitary block for use of domestic servants engaged in the premises, not exceeding ~~2.2~~ 2.60 sq. m at staircase mid-landing level and at stilt level area of sanitary level for use of drivers engaged by the car owners not exceeding 2.6 m at each of the , parking floor levels. In case of number of car parks exceeds 200 per

parking floor level, additional sanitary block for every 200 cars or part there of shall be allowed.

(xxvii) Letter boxes as specified in Regulation No 37(12)(a) & 37(12)(b)

(xxviii) Parking floors as specified in Regulation No 37(32)

(xxix) Area of DG set / DG Set Room, electric sub-station at stilt and podium level or in side and rear marginal open space, or in a separate independent ~~as~~ structure specified in Regulation No 37(33)

(xxx) Electrical Duct/ fire duct of clear width not more than 0.45 m and not abutting to any habitable room.

(xxxi) Area of meter room/rooms having area of 10 sq. m per 50 tenements at Basement /Ground/Stilt/Podium. In case of High Rise building the meter room may be allowed as per the specific requirements of Electric Supply Company.

Area of meter room/rooms having area of ~~10~~ 15 sq. m per 50 tenements at Basement /Ground/Stilt/Podium. In case of High Rise building the meter room may be allowed as per the specific requirements of Electric Supply Company.

(xxxii) Refuse Chute/Garbage Shaft as specified in Regulation No.37(14)

(xxxiii) Elevation feature or dome like structure above water tank/lift machine room/staircase room up to 2 m for building with height beyond 32 m & up to 70 m, 6 m for the building height beyond 70 m and up to 120 m and up to 9 m for building with height beyond 120 m with 60% voids in surface area/profile upto 10% of the height of the building shall ~~may~~ be allowed

~~-(xxxv) Area required for Rain Water Harvesting Arrangement, Non-conventional Energy System, (as per these Regulations).~~

(xxxx) Advertisements and sky signs, Covered areas required on topmost terrace for antenna / dish antenna / communication tower used for Telecom not exceeding 20.00 Sq.M in area.

(xxxvi) Area required for Cooling Towers / Chilling Plants (open to sky) only beyond the required marginal open spaces as required under these Regulations or on terrace floor.

(xxxvii) Area required for AHU plant in basements/stilts/podiums/terrace or at any floor level if it is not adjoining to any habitable area.

(xxxviii) Area not exceeding 500 sq.m. for Laundry, Boiler Room for Hotels, Hospitals & Hostels.

(xxxix) Room for Batery back-up for solar water heater.

(xxxx) Entry gate over Arch.

(xxxxi) Area of Fire Escape balcony in Industrial building as per remarks of CFO.

(xxxxii) Area of control room and shaft for Town gas / L.P. gas supply pipes as per Appendix – I of Regulation 47.

(xxxxiii) Driver's room of 25 sq. mtr. for every 100 car or part there of provided on parking floors.

Note:

- i. Areas covered by the projections exceeding those specified in clauses xii, xiii, xxiii, xxiv and xxxiii above shall be counted in FSI.
- ii. Open to sky swimming pool at any level other than (xxii) above, excluding at ground level as provided in Regulation No 42 (ii)(a), shall be counted in FSI.
- iii. Any passage which does not connect staircase and lifts, by whatever name not covered under DCR 31(1) shall be counted in FSI.

Commissioner may add the above list of exemptions.

(2) The following shall be counted in FSI.

(i) Covered parking spaces/Garage as provided under Regulation No. 44 (6)(d)

(ii) ~~Area of fire escape balcony as provided in Regulation No 48(6)~~

(iii) Area of Sanitary block for the use of domestic servants engaged in the premises, other than as provided as per regulation No. 31 (1) (xxvi) at staircase mid-landing level, stilt level, parking level.

(iv) Part/Pocket/Covered terraces, for whatever purpose, except open terrace above the top most storey and the part terrace at top most storey due to planning constraints but accessible from common staircase and/or, terraces created due to restriction imposed by the Railway Authority and above shopping/Non-residential area at one level only, in case of residential development on upper floors.

(v) Area below open to sky swimming pool, clearance exceeding 1.5 m. from floor level.

(vi) Air conditioning plant room/Air handling unit room, D.G.set room except as provided in accordance with clause 31 (1) (xxix), and 31(1) (xxxvii) basement.

(vii) Service floor of height exceeding 1.8 m 2.1 mt below beam upto the height of 120 m of the building and 4.2 m below beam for height of the building exceeding 120 m.

 (viii) Area of balconies as provided in sub regulation 22 of Regulation No 37.

(ix) Niches below window sill.

(x) Area of one public telephone booth and one telephone exchange (PBX) room per building.

(xi) The ornamental projection, including the voids, flower beds, etc. (other than Chajjas less than 750 mm. projecting from the face of the building) except at the terrace level.

(xii) Ornamental projection, flower bed etc. over (other than Chajjas 750 mm.projecting from the face of) a balcony or gallery

(xiii) Area of more than one room for installation of telephone concentrators as per requirements of Mahanagar Telephone Nigam limited.

(xiv) Letter box room as specified in Regulation No 37(12)(a).

(xv) Covered areas required on top terrace for antenna/ dish antenna/ communication tower used for Telecom (basic cellular or satellite telephone) or ITE purposes, V-Sat, Routes, Transponders or similar IT related structure or equipment, in excess of 20.00 sq.m.

(xvi) The parking floor in excess of required parking under these regulation [31(1)(vi)] or for which the premium has been paid.

(xvi) (a) The parking floor with Deck parking or car lifts and passages thereto on habitable floors.

~~(xvii) Driver's room/sanitary block on podium and or parking floor.~~

(xviii) Covered swimming pool.

~~————(xix) Area of DG set room at stilt and podium level~~

3. **Compensatory (Fungible) Area Floor Space Index (FSI):-**

Notwithstanding anything contained in the D.C.Regulations 30, 32 & 33, ~~the Commissioner may, by special permission, permit~~ fungible compensatory area FSI, not exceeding 35% for residential development and ~~20~~ 50% for Industrial/Commercial development, and 75% for mall/multiplex over and above admissible FSI/BUA, by charging a premium at the rate of ~~60~~ 25% ~~for Residential and 80 % for Industrial and Commercial development of~~ land rate in the ASR ~~(for FSI 1).~~

~~Provided further that in case of entirely commercial building, mall/multiplex, additional fungible BUA maximum to the extent of 10% of BUA, only for more width of corridors/passages than required under these Regulations may be allowed by charging a premium at the rate of 80% of ASR (for FSI 1).~~

Provided that in case of redevelopment under regulation 33(6), 33(7), 33(8), 33(9), ~~33(15), 33(20), 33 (22)~~ and 33(10) ~~including~~ excluding clause No.3.11 of the Regulation the fungible compensatory area ~~FSI~~ admissible on rehabilitation component shall be granted without charging premium.

Provided further that redevelopment under Regulation No. 33(5) and redevelopment proposal of existing buildings in suburbs and extended suburbs by availing TDR, the fungible compensatory area ~~FSI~~ admissible on FSI consumed in existing structure shall be granted without charging premium.

Provided further that such fungible compensatory area ~~FSI~~ 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. However, Fungible compensatory area eligible for rehabilitation component can be utilised in sale component by charging premium with the consent of the occupants.

Provided that, this Regulation shall be applicable only in respect of the buildings to be constructed or reconstructed.

Provided also that in case of development under Regulation No. 33(15), the fungible compensatory area ~~FSI~~ shall be admissible without charging premium.

“Provided that in case of development under Regulation No. 33(2) excluding buildings of private medical institutions under Regulation No. 33(2)(A), the fungible compensatory area ~~FSI~~ shall be admissible on 50 % rebate in premium to be charged as per this regulation and the development under Regulation No 33(3) shall be admissible without charging premium for fungible compensatory area ~~FSI~~.

Explanatory Note:-

(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,

(i) (a) Where IOD/IOA has been granted prior to 6th January 2012 but OCC/BCC is not granted then Regulation prevailing prior to 6th January 2012 shall apply, 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,

(iii) The Fungible Compensatory Area FSI is useable as regular FSI,

Note:

(a) The premium paid for fungible BUA prior to coming into force of this Regulation particularly in case of Commercial/Industrial development will not be adjusted; for additional fungible BUA, if any, premium as per this Regulation shall have to be paid.

(b) The premium amount collected shall be kept in a separate Account to be utilized for infrastructure development.

(iv) In case of additions/alterations to the existing building having OC granted prior to 25th February, 2015, excluding redevelopment, any addition by use of TDR or premium FSI under these regulations, the building shall comply under these rules. However, elevation features, ducts, chowks, balconies, lobbies, passages, basement, store room, plant rooms that were exempted from FSI earlier shall be exempt from computation of FSI, for the purposes of additions/alterations.

32 Transfer of Development Rights (TDR)

In certain circumstances the development potential of a plot of land may be separated from the land itself and may be made available to the owner of the land in the form of Transferable Development Rights (TDR). These Rights may be made available and be subject to the Regulations as detailed below.

TDRs as per provision of this regulation shall be applicable only in case where compensation and/or DRC has not been issued prior to 27th May 2016 to prospective development: -

1. TDR in lieu of handing over of areas affecting reservations including DP road:

The land reserved for public purposes in the DP can be compulsorily acquired, according to the provisions of Section 125, and clauses (a) and (c) of Sub-section (1) of Section 126 of the MR&TP Act.

Alternatively, owner of the land reserved for public purposes can be granted "Transferable Development Rights" (TDR) in lieu of the monetary compensation as provided under Sub Clause (b) of Sub-section (1) of Section 126 of the MR&TP Act. The grant of Development Right will be governed by the following:

Owner of the land reserved for any public purpose desirous of availing the TDR may apply to the Commissioner in prescribed form, expressing his willingness to surrender the land so reserved, free of cost and free of all encumbrances to MCGM or as described below. The cases in which TDR will be offered are further defined below.

Provided also that Additional / incentive Transferable Development Rights (TDR) to the extent of 25 %, 20 %, 15%, 10% and 5% of the surrendered land area shall also be allowed to the land owners who submit the proposal for grant of Transferable Development Rights (TDR) within 1, 2, 3, 4 and 5 years from this notification respectively.

Table No 12(A)

Instances in which TDR can be availed.

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 surrendered to MCGM/ Appropriate Authority.	<u>Three times</u> BUA as per the Zonal (basic) FSI of land so surrendered + BUA equal to plot area of land so surrendered	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 11 of L.A. Act or any compensation has not been paid
	b) Plot of land of IH as per Regulation No. 15/AOS as per Regulation No. 14/ Development of lands of cotton textile mill under the provision of Regulation No. 35 in lieu of land to be surrendered to MCGM/ MHADA/Appropriate Authority	<u>Three times</u> BUA as per the Zonal(basic) FSI of land so surrendered.	Only where land is not handed over and FSI benefit is not approved in the development proposal and not proposed to be utilized on remainder plot nor TDR is availed, then TDR of unutilized BUA.
	c) DP Roads/RL under MMC Act/land under River widening, Nalla widening surrendered to MCGM	<u>Three times</u> BUA as per the Zonal (basic) FSI of land so surrendered + BUA equal to plot area of land so surrendered	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
	d) Setback due to subsequent Road widening in case where Development of plot/layout is completed in all respect/where no development is proposed/is in progress at the time of handing over of such area to MCGM	<u>Three times</u> BUA as per the Zonal (basic) FSI of land so surrendered	
2	If owner / developer develops the reservation under	If no BUA is availed in the form of FSI or such	Due to planning constraints.

	provisions of AR and is unable to consume Even Zonal (basic) FSI, BUA equal to plot area of land so surrendered to MCGM/ Appropriate Authority and BUA in lieu of cost of construction of built up amenity to be handed over to MCGM /Appropriate Authority.	unutilized BUA on the balance plot. <u>+ three times BUA equal to plot area of land so surrendered + BUA in lieu of cost of construction of built up amenity to be handed over to MCGM /Appropriate Authority.</u>	
3	BUA in lieu of cost of construction of BUA to be handed over to MCGM/ Appropriate Authority as per the Regulation No. 15 &17	If no BUA is availed in the form of FSI or such unutilized BUA on the balance plot.	Due To planning constraints.
4	In case of redevelopment of Cessed buildings 33(7),Urban renewal schemes 33(9) and slum redevelopment scheme 33(10)/permanent transit tenements in the form of permanent structures 33(11),	As prescribed under the relevant provision of DCR	
5	BUA of Affordable Housing/Rental Housing constructed on unreserved private land and handing over of entire plot along with constructed tenements to MCGM free of cost as per the Regulation No. 33(20).	As prescribed under the under the Provision of corresponding regulation	
6	Heritage buildings	{ <u>Three times</u> BUA as per Zonal (basic) FSI+ area of plot on which Heritage Structure is existing} – BUA consumed by Heritage building	Where the Development of building is not permissible as per provision of Regulation No 52 and with the permission of Municipal Commissioner in consultation with& on Recommendation of MHCC The potential of the plot shall be perpetually reduced to the extent of Existing BUA of the Structure.

7	Encumbered plots which are required for implementation of public project on very urgent basis a. In case of land which are fully encumbered and where encumbrances had/have to be removed and rehabilitated elsewhere by the project implementing authority, b. which are partly encumbered and where encumbrance are/were removed and rehabilitated elsewhere by the Project Implementing authority,	(a) To the extent of 50% of BUA as per Zonal (basic) FSI of the plot area. (b)(i) For the portion of land which is/was vacant as per serial no 1(a) of this table (ii) For the portion of land which is / was encumbered to the extent of 50% of BUA as per Zonal (basic) FSI of the vacant plot area.	Project Implementing Authority shall separately certify the area of land which was vacant and the area of land under encumbrance along with details as per the joint measurement survey carried out in this respect with the City Survey Officer. The area of vacant land and land under encumbrance shall be clearly distinguished and demarcated, otherwise the land under part encumbrance shall be treated as fully encumbered land. The owner has to follow the procedure laid down by the MCGM for availing the DRC.
8	Unreserved accessible plot Not falling in NDZ/NA	Four times BUA as per the Zonal (basic) FSI of land so surrendered + BUA equal to plot area of land so surrendered	If owner willingly offers the land and the Municipal Commissioner, MCGM requires the land for public purpose such as POS/ROS /SWM facility/ Municipal Chowky/ PSC blocks.
9	Reserved Land of D. P. Road/Reservations in NDZ area accessible from existing Road	BUA as per the zonal (basic) FSI equal to 0.8 times of land so surrendered + Twice BUA equal to plot area of land so surrendered	
10	Unreserved Mangroves and mudflats accessible from road	BUA = 0.6 times of land area so surrendered	If owner willingly offers the land and the Municipal Commissioner, MCGM requires the land for public purpose.

<u>11</u>	<u>In case of Development of Unreserved Plot, the Owner/Developer is unable to consume Zonal (Basic) FSI + TDR FSI + Premium FSI due to any statutory restrictions like CRZ/MOD/Archeology/SGNP/Buffer Zone/Civil Aviation etc.</u>	<u>Twice the BUA of the unutilized FSI (Basic+TDR+Premium)</u>	
<u>12</u>	<u>In case of redevelopment under regulation No. 33 (7), 33(9) & 33(10), the Developer does not construct sale component on site and hand over the land under sale component to MCGM for ROS/POS</u>	<u>Three times the Area of the Sale Component available to the Developer</u>	

Notes : (1) Where any land is handed over after 27th May 2016 and TDR/Monetary compensation is granted in any form or FSI benefit is not availed of in the development proposal, these regulations including Table 12(A) shall apply.

(2) TDR shall be granted in all cases where possession has been delivered by the Owner and he has not received any compensation.

2. Utilization of TDR

Development Right Certificates (DRCs) can be used in entirety or in parts at any location, except mentioned in Sr. No 3. (A)(8) below, in any land use zone within the limits of FSI prescribed in Table No. 12 above. The TDR at the receiving plots shall be governed by the following

$$TDR_r = TDR_o \times (RRLo / 0.70 * RRLr)$$

Where:

TDR_r = Transferable Development Rights on the receiving plot.

TDR_o = Transferable Development Rights on the originating plot

RRLo = Land rates of Annual Statement of Rates (ASR) of the originating plot

RRLr = Land rates of Annual Statement of Rates (ASR) of the receiving plot

Note: Land rates of ASR of both RRLo & RRLr shall be of the relevant year in which scrutiny fees for utilization of TDR is paid. In case there are more than one land rate applicable to different parts of the plot under development, a weighted average of all the applicable rates shall be taken for calculation.

Transferable Development Rights (TDR_r) and the corresponding Transferable Development Rights (TDR_o) shall be clearly indicated on the Development Rights Certificate that are used.

Note: 1.Utilisation of TDR generated as per Table No 12(A) or as provided under these Regulations shall be dealt at par.

2. Utilization of DRC/DRC's issued prior to coming into force of these Regulations shall be dealt with as per the then prevailing Regulations/policy only.

3. (A) Regulations for the grant of Transferable Development Rights (TDRs) to owners/ developers and conditions for grant of such Rights:

1. The owner (or lessee on submission of NOC from lessor) of a plot of land which is reserved for a public purpose in the DP and for additional amenities deemed to be reservations provided in accordance with these Regulations, excepting in the case of an existing or retention user or any required compulsory or ROS, shall be eligible for the award of TDR in the form of FSI to the extent as described in the table no 12(A) above and on the conditions set out below. Such award will entitle the owner of the land FSI in the form of DRC which he may use himself or transfer to any other person.
2. Subject to the Regulation 1 above, where a plot of land is reserved for any purpose specified in section 22 of MR & TP Act, 1966, the owner will be eligible for Development Rights (DR's) to the extent stipulated as described in the table no 12, after the said land is surrendered free of cost as stipulated in this Regulation and after completion of the development or construction as in Regulation if he undertakes the same
3. ~~DRs will be granted to an owner or a lessee only for reserved lands which are retainable/non retainable under the Urban Land (Ceiling and Regulations) Act, 1976, and in respect of all other reserved lands to which the provisions of the aforesaid Act do not apply, and on production of a certificate to this effect from the Competent Authority under that Act before a DR is granted. In the case of non retainable lands, the grant of DRs shall be to such extent and subject to such conditions as Govt. may specify.~~ DRs are available only in cases where development of a reservation has not been implemented prior to 27th May 2016 i.e. TDRs will be available only for prospective development of reservations done after 27th May 2016.
4. DRCs will be issued by the Commissioner or Additional Municipal Commissioner himself appointed for the purpose. They will state, in figures and in words, the FSI credit of BUA in square meters of the BUA to which the owner or lessee of the said reserved plot is entitled, the place and village/TP Scheme/Division, CS No/CTS No/FP No, year of issue of DRC and Ward in which the DRs are earned.
5. A DRC will be issued only on the satisfactory compliance with the conditions prescribed in this Regulation.
6. If a holder of a DRC intends to transfer it to any other person, he will submit the DRC to the Commissioner with an appropriate application along with registered agreement with new holder for an endorsement of the new holder's name, i.e. transferee on the said Certificate. Without such an endorsement by the Commissioner himself, the transfer shall not be valid and the Certificate will be available for use only by the earlier original holder.
7. A holder of a DRC who desires to use the FSI credit certified therein on a particular plot of land shall attach to his application for development permission valid DRCs to the extent required

8. A DRC shall not be valid for use on receivable plots in the areas listed below:

a. ~~Coastal areas and areas in~~ NDZ, TDAs, and areas where SPA appointed as notified under section 40 of MR&TP Act 1966 viz MMRDA, MIDC or MHADA.

b. On plots for housing schemes of slum dwellers/cessed buildings for which additional FSI is permissible under sub-regulation (7) (9),(10)of Regulation 33. However, in cases where non-slum plot/non-cessed plot where eligible structures as stipulated in the relevant provisions are not existing and is amalgamated with the slum plot/cessed plot with the approval of CEO SRA/Commissioner on receipt of NOC from MHADA authorities, for the purpose of better planning etc. then DRC will be receivable on the non-slum plot/non-cessed plot. In such cases utilization of DRC shall be governed as per procedure and provisions stipulated in this regulation.

c. In proposal where additional FSI is proposed to be utilized as per special FSI provisions of these Regulations unless otherwise specified therein.

d. Areas where the permissible FSI is less than 1.0.

e. ~~In Industrial Zone. However~~ On conversion of Industrial Zone to Residential/Commercial Zone as per provision of these regulations, then utilization of TDR as provided in this regulation shall be permissible.

f. Heritage buildings and precincts notified under Regulation No. 52. However in any Heritage Precinct with the prior approval of the MHCC and subject to compliance with the regulations of the particular precincts may be allowed.

9. DRCs may be used on one or more vacant plots of land or in case of already developed plot of land, on the balance/remainder plot of land after deduction of the land component of existing development, as per then prevailing regulations under which development was allowed as specified in Regulation No. 9. The development shall be in conformity with these Regulations.

10. DRs will be granted and DRCs issued only after the reserved land is surrendered to the Corporation, where it is Appropriate Authority, otherwise to the State Government as the case may be, free of cost and free of encumbrances, after the owner or lessee has levelled the land to the surrendering ground level and after he has constructed a 1.5 m high compound wall (or at a height stipulated by the Commissioner) with a gate at the cost of the owner, and to the satisfaction of the Commissioner, or the State Government (where the Corporation is not the Appropriate Authority). The cost of any transaction involved shall be borne by the owner or lessee.

11. With an application for development permission, where an owner seeks utilization of DRs, he shall submit the DRC to the Commissioner or any officer authorized by him, who shall endorse thereon the writing in figures and words, the quantum of the DRC proposed to be utilized before granting development permission as per these regulations and, the Commissioner shall endorse in the DRC in writing, in figures and words, the quantum of DR's actually utilized/and the balance remaining thereafter, if any.

12. A DRC shall be issued by the Commissioner or Additional Municipal Commissioner himself as a certificate printed on bond paper in an appropriate form prescribed by Commissioner. Such a certificate will be a transferable "negotiable instrument" after

due authentication by the Commissioner. The Commissioner shall maintain a register in a form considered appropriate by him of all transactions, etc. relating to grant of utilization of DRs.

13. The surrendered reserved land for which a DRC is to be issued shall vest in the Corporation or the State Government, if the Appropriate Authority is other than the Corporation, and such land shall be transferred in the Revenue Records in the name of the Corporation or the State Government, as the case may be, and shall vest absolutely in the Corporation or the State Government. The surrendered land, so transferred to the State Government in respect of which the Corporation is not the Appropriate Authority, may, on application, thereafter be allotted by the State Government in favour of the concerned authority which may be a State or Central Government Department, authority or organization, or another public authority or organization on appropriate terms as may be decided by the State Government.
14. The Commissioner/Appropriate Authority shall draw up in advance and make public from time to time a phased annual programme (allowing a 10 per cent variation to deal with emergency development) for utilisation of TDRs in the form of DRs, prioritizing DP reservations to be allowed to be surrendered and indicating the areas for their utilization on receiving plots. Notwithstanding this, in urgent cases the Commissioner/Appropriate Authority, may for reasons to be recorded in writing, grant DRs, as and when considered appropriate and necessary.
15. DRC shall state the Development Rights credit in square meters in figures and in words along with the details of place i.e. village, Ready Reckoner Zone Number, year of issue of DRC and Ward in which the Development Rights are earned.
16. The Municipal Commissioner may reject the application for transfer/utilization of DRC, if
 - a. any dues are payable by the owner of the land on which DRC is proposed to be utilized.
 - b. Under direction from the Competent Court to the State Government/MCGM
17. The Commissioner shall reserve the rights for granting permission to utilize/transfer the DRC and/or forfeiting DRC, if the property so handed over to MCGM/other appropriate authority is by fraudulent means and/or dues payable to the State Government/MCGM are not paid.

18. The DRC shall remain valid till DR available under the DRC are fully utilized.

19. The DRC shall be valid for use on receivable plots in the CRZ area if it is permitted under the notification issued by MoEF from time to time.

20. In case of property which is partly affected by CRZ, the DRC shall be valid for use on receivable plot in the non CRZ portion of the plot. The permissible TDR utilization shall be considering the gross plot area including CRZ portion of the plot.

(B) Additional Regulations for the grant of TDR to the Developers/Co-operative Housing Societies/NGOs in respect of slum rehabilitation scheme vide DCR 33(10) and DCR 33(11)

1. The developer/society/NGO on a plot of land for which the Slum Rehabilitation Project is sanctioned under these Regulations shall be eligible for the award of TDR for the FSI, if any, in excess of 3.0 or as may be specifically permitted by the CEO, Slum Rehabilitation Authority (SRA).

2. DRC for the TDR will be issued by the Commissioner, MCGM himself on recommendation by CEO (SRA). DRC shall state the DRs credit of BUA in square meters in figures and in words along with the details of place i.e. village/TP Scheme/Division, CS No/CTS No/FP No, year of issue of DRC and Ward in which the DRs are earned.

3. The BUA for the grant of DRC shall be equal to BUA of the sanctioned Slum Rehabilitation Project allowed to be taken in the form of TDR& as approved by CEO SRA.

4. When a buildable amenity on the reserved plot for which slum rehabilitation project is sanctioned, is handed over free of cost to the MCGM, the Commissioner may grant a further TDR due for the construction of the said amenity, as per Sr. No 3 of the table. A DRC will be issued only on the satisfactory compliance with the conditions prescribed in this Regulation.

5. A register, in a form considered appropriate by the Commissioner, shall be maintained of all transactions relating to grant or utilization of DRCs arising out of slum rehab projects.

(C) Additional regulations for the grant of TDR to owners/lessees of heritage buildings/heritage precincts and conditions for grant of such rights

1. As provided in Regulation No. 52 DRs of the owner/lessee of any Heritage building who suffers loss of DRs due to any restrictions imposed by the Commissioner or Government under Regulations No 52 shall be eligible for award of TDR in the form of FSI to the extent and on the conditions set out below at 2. Such award will entitle the owner of the Heritage Building to FSI in the form of a DRC which he may use himself or transfer to any other person.

2. For generating TDR, agreement with MCGM shall be executed stating that the heritage structure will be maintained by the Owner as decided by the Commissioner along with a clause of penalty for breach of conditions of agreement as may be decided by Commissioner and potential of the plot shall be perpetually reduced to the extent of existing BUA of the structure.

PART VI ADDITIONAL FLOOR SPACE INDEX

33. *Additional Floor Space Index (FSI) which may be allowed to certain categories:*

33 (1) *Additional FSI to Religious building:*

The Municipal Commissioner may permit 0.5 FSI in addition to the Zonal (basic) FSI in respect of buildings of Registered Public Trust subject to following terms and conditions:

The Municipal Commissioner may permit ~~0.5~~ 1.0 FSI in addition to the Zonal (basic) FSI in respect of buildings of Registered Public Trust subject to following terms and conditions:

- i. NOC shall be obtained from Police Authority and Collector before applying for permission.
- ii. Additional FSI shall be used for religious purpose alone. However, without taking into account the additional FSI, ancillary residential/commercial uses will be permissible up to 10% of Zonal (basic) FSI.

Additional FSI shall be used for religious purpose alone. However, ~~without taking into account the additional FSI~~, ancillary residential/commercial uses will be permissible up to 10% of Zonal (basic) FSI + additional FSI.

- iii. Additional FSI shall be permissible to existing authorized religious user subject to structural stability.
- iv. Additional FSI shall be permissible subject to payment of 25 % premium as per ASR of the year in which such FSI is granted and shall be equally shared between GoM & MCGM.

Additional FSI shall be permissible subject to payment of ~~25%~~ 2.5% premium as per ASR of the year in which such FSI is granted and shall be equally shared between GoM & MCGM.

- v. The minimum area of plot shall be 250 sq. m.

33 (2) *Buildings of Medical and Educational Institutions and Other Institutional Buildings covered under Regulation (2) (IV) (16) (g):-*

The Municipal Commissioner, by special permission, may permit up to FSI 5 for medical Institutions and FSI up to 4 for educational & other Institutional buildings including the Zonal (basic) FSI specified in Table No 12 in respect of buildings on independent plots of educational/medical institutions and institutional buildings of Govt./MCGM or public authorities or of registered public charitable trusts or ~~or private educational/medical institutions~~ of medical institutions run on cooperative basis established for charitable purposes and registered under the provisions of Income Tax Act or Maharashtra Cooperative Societies Act subject to terms and conditions he may specify;

Provided that in the case of additional FSI allowed to the above cited institutions, except institutional buildings of Govt. /MCGM, premium, if any, beyond Zonal (basic) FSI, as fixed by Govt. shall be equally shared between Govt. and MCGM.

Provided that in the case of additional FSI allowed to the above cited institutions, registered Public Charitable Trust except institutional buildings of Govt. /MCGM, premium at the rate of 2.5% as per ASR of the year, -if any-, beyond Zonal (basic) FSI, ~~as fixed by Govt.~~ shall be equally shared between Govt. and MCGM.

Out of the additional FSI beyond Zonal (basic) FSI, 50% may be availed by utilizing TDR (without payment of premium), provided that the utilization of such TDR will be allowed only after availing the remaining additional FSI.

Out of the additional FSI beyond Zonal (basic) FSI, 50% may be availed by utilizing TDR (without payment of premium), provided that the utilization of such TDR will be allowed ~~only after availing the remaining additional FSI.~~

In regard to other Institutional Buildings covered under Regulation (2) (IV) (16) (g), Govt. /Municipal Commissioner may from time to time specify terms and conditions.

Provided that, ancillary residential/commercial uses will be permissible up to 10% of (Zonal (basic) FSI + additional FSI).

(A) Terms and Conditions for Medical Institutions and Institutional Building

- (a) Additional BUA beyond Zonal (basic) FSI shall be utilized for bonafide medical purpose only.
- (b) 20% of the total beds and free treatment shall be given to EWS/persons below poverty line. In addition, 10% of the total number of patients in OPD shall be provided treatment at rates charged in Govt. hospitals. Such facility, proportionate to cited percentages, shall be in separate building/wing, or if not possible, on separate floor.

~~20~~ 10% of the total beds and free treatment shall be given to EWS/persons below poverty line. In addition, 10% of the total number of patients in OPD shall be provided treatment at rates charged in Govt. hospitals. Such facility, proportionate to cited percentages, shall be in separate building/wing, or if not possible, on separate floor.
- (c) The Director of Health Services, GoM shall be the competent authority for observance of (a) & (b) above, including determination of penalties for breach of conditions.
- (d) The Medical Institution shall maintain records of free/concessional medical treatment, furnish such records periodically and make them available to the Director of Health Services on demand.
- (e) The Medical Institution shall file an undertaking to abide by the cited terms and conditions.

(B) Terms and Conditions for Educational Institution or Institutional Buildings

- (a) Additional BUA beyond Zonal (basic) FSI shall be utilised for bonafide educational purpose only.
- (b) Such Institutions shall make available some rooms to Govt as and when required.
- (c) 10% of the total seat capacity shall be reserved for Govt nominees on recommendation by the Department of Education/Higher and Technical Education, GoM.
- (d) The Directors of School Education/Higher and Technical Education, GoM shall be the competent authority for observance of (a), (b) & (c) above, including determination of penalties for breach of conditions.
- (e) The Educational Institution shall maintain records of free/concessional education, furnish such records periodically and make them available to the Directors of School Education/Higher & Technical Education, GoM on demand.
- (f) The Educational Institution shall file an undertaking to abide by the cited terms and conditions.

(C) Terms and Conditions for Buildings of Private Medical & Educational Institutions

- (a) Such additional FSI (except the TDR component) will be permissible subject to the payment of premium as decided by Govt. from time to time, to be shared equally between GoM and MCGM.
- (b) Conditions stipulated in (A) & (B) above shall be adhered to.

33(3) Buildings of Government/MCGM/Statutory Bodies, Semi-Government and PSU Offices:

The Commissioner, by special permission, may permit FSI 5 including Zonal (basic) FSI specified in Table No 12 for office use & other allied purposes except residential use considering the specific requirement of Govt. /MCGM and their Statutory Bodies, Semi Govt. and PSUs. Provided further that in case of Public Sector Undertaking the premium for FSI beyond Zonal (basic) FSI shall be payable as decided by Govt. from time to time.

33(3) (A) Development/Redevelopment for construction of staff quarters of Govt. or its statutory bodies (including CISF) or MCGM or its statutory bodies, on lands belonging to such Public Authorities:

1. The Commissioner may permit FSI up to 4 including Zonal (basic) FSI specified in Table No 12 on the gross plot area solely for the project of construction of staff quarters (hereinafter referred to as "staff quarters project") for the employees of the Govt./MCGM, or their statutory bodies (hereinafter collectively referred to as "User Authority") on land belonging to such User Authority, by the Public Works Department of the GoM or MHADA or Maharashtra Police Housing Corporation or MCGM or its statutory bodies or any other Public Agency nominated by the Govt. for this purpose which would also include any Special Purpose Vehicle, wherein the Govt. or a fully owned Company of the Govt. holds at least 51% equity share (hereinafter collectively referred to as "Implementing Public Authority").

2. The total permissible FSI under this Regulation shall be utilized for construction of staff quarters for the User Authority subject to the following:

- (i) The area of staff quarters/free sale component for various categories of employees shall be as per the norms prescribed by the concerned User Authority.
- (ii) (a) Commissioner may also permit up to 1/3rd of the total permissible FSI under this Regulation for construction of free sale area (hereinafter referred to as "free sale component") to be disposed of by the Implementing Public Authority to recover the cost of project implementation as provided herein.

The free sale component shall preferably be constructed in a separate block. Sub-division of plots shall be permissible on the basis of equitable distribution of FSI, in case construction of free sale component is permitted by Commissioner.

- (b) The flats constructed under the free sale component shall be first offered to Govt/MCGM or their statutory bodies. If no willingness is forthcoming or their demand falls short of total stock, the same may be off loaded in the open market.

3. An infrastructure charge at 7% of the Land Rate for the BUA as per ASR (for FSI 1) of the year of approval beyond Zonal (basic) FSI (including fungible FSI) shall be paid to MCGM. These infrastructural charges shall be in addition to development charges levied as per section 124 of MR&TP Act 1966

4. (i) No premium shall be charged for fungible FSI admissible as per DCR 31(3) for construction of staff quarters.

(ii) No premium shall be payable for stair case, lift and lift lobby for the construction of staff quarters.

(iii) Open space deficiency shall be charged at the rate of 2.5% of the land rate of ASR (for FSI 1).

(iv) Provisions of IH shall not be applicable for development under this Regulation.

5. For any staff quarters project under this Regulation, a Development Agreement shall be executed between the User Authority and Implementing Public Authority authorizing the Implementing Authority to dispose of the flats constructed under the free sale component of the project wherever applicable.

33(3) (B) *Development/Redevelopment for construction of staff quarters of Govt. or its statutory bodies (including CISH) or Municipal Corporation of Greater Mumbai or its statutory bodies on private lands.*

1. The Commissioner may permit construction of staff quarters for the employees of Govt. /MCGM/their statutory bodies (hereinafter referred to as "User Authority") on private plots of lands, having minimum area of 2000sq.m and abutting a road having minimum width of 12 m and grant incentive FSI, as provided herein below, in lieu of BUA of staff quarters created and handed over free of cost to the User Authority, subject to the following provisions:

- (i) The area of staff quarters for various categories of employees shall be as per the norms prescribed by the concerned User Authority and in no case shall the area of Staff Quarters exceed the maximum limit of carpet area as prescribed therein.
- (ii) Incentive FSI shall be admissible against the FSI required for construction of Staff Quarters as per following table: -

Table A

Location of project		Incentive (As% of required BUA of staff Quarters)
Island city		40%
Suburbs	&Extended	80%
Suburbs		

Suggestion

Location of project		Incentive - BUA (As% of required BUA of staff Quarters)
Island city		40%-50%
Suburbs	&Extended	80%-100%
Suburbs		

- (iii) FSI including Zonal (basic)/permissible FSI shall be used on the same plot and as stated in the Table below.

Plot Area	Maximum permissible FSI
2000 sq. m or more but less than 4000 sq. m	3.00
4000 sq. m or more	4.00

Suggestion

Plot Area	Maximum Permissible FSI
2000	4.0
400	4.0

- (iv) (a) No premium shall be charged for features permitted as per DCR 31 (1) and 31(3), for the construction of staff quarters to be handed over to MCGM/Appropriate Authority.
- (b) Open space deficiency shall be charged at 2.5% of the land rate of ASR (for FSI 1).
- (c) The provision of IH shall not be applicable for development under this Regulation.
- An infrastructure charge at 7% of the Land Rate for the BUA as per ASR (for FSI 1) of the year of approval beyond Zonal (basic) FSI (including fungible FSI) shall be paid to MCGM. These infrastructural charges shall be in addition to development charges levied as per section 124 of MR&TP Act 1966.
 - Development/redevelopment of a vacant plot belonging to a private landholder for constructing staff quarters for a user Authority shall be permitted by the Municipal Commissioner with prior approval of the location and requirement of such Staff Quarters by the Committee formed for this purpose by GoM.

iii. In case of flats proposed for conservancy staff quarters under this Regulation, a percentage of flats as decided by GoM shall be available on ownership basis under ShramSaphalya scheme.

33(4) Building of Residential Hotels on independent plot:

Subject to payment of premium as decided by Govt. from time to time or else as per the provision of Regulation No 33(19), equally to be shared between Govt. & MCGM, and subject to other terms and conditions, the maximum permissible FSI [including Zonal (basic) FSI] shall be as below for all residential hotels on independent plots and satisfies other related provisions of these Regulations and under one establishment.

Suggestion

Subject to payment of premium at the rate of 25% of the ASR of that year ~~as decided by Govt. from time to time or else as per the provision of Regulation No 33(19)~~, equally to be shared between Govt. & MCGM, and subject to other terms and conditions, the maximum permissible FSI [including Zonal (basic) FSI] shall be as below for all residential hotels on independent plots and satisfies other related provisions of these Regulations and under one establishment.

Sr No	Plot area excluding area covered under Reservation/Designation in the DP except affected by proposed DP roads/Sanctioned RL under MMC Act	Maximum Permissible FSI
1	Up to 2000sq. m	3
2	Above and up to 3000 sq. m	4
3	Above 3000 Sq. m	5

Conditions:

(1) 5% of total rooms shall be reserved for total 30 days in a year for Govt./MCGM free of cost (only room charges) & it may be monitored by the MTDC and Protocol Department.

(2) An infrastructure charge at 7% of the Land Rate for the BUA as per ASR (for FSI 1) of the year of approval beyond Zonal (basic) FSI (including fungible FSI) shall be paid to MCGM. These infrastructural charges shall be in addition to development charges levied as per section 124 of MR&TP Act 1966

Suggestion

~~(2) — An infrastructure charge at 7% of the Land Rate for the BUA as per ASR (for FSI 1) of the year of approval beyond Zonal (basic) FSI (including fungible FSI) shall be paid to MCGM. These infrastructural charges shall be in addition to development charges levied as per section 124 of MR&TP Act 1966~~

Suggestion

Provided that, commercial uses will be permissible up to 20% of total BUA, in addition to uses such as banquet, conference, meeting rooms, restaurants, kitchens, store, service areas, BOH etc.

Note: Out of the additional FSI beyond Zonal (basic) FSI, 50% may be availed by utilizing TDR (without payment of premium), provided that the utilization of such TDR will be allowed only after availing of the remaining additional FSI.

Suggestion

Note: Out of the additional FSI beyond Zonal (basic) FSI, 50% may be availed by utilizing TDR (without payment of premium), ~~provided that the utilization of such TDR will be allowed only after availing of the remaining additional FSI.~~

33(5) Development/Redevelopment of Housing Schemes of Maharashtra Housing & Area Development Authority (MHADA)

1. FSI for a new scheme of Low Cost Housing, implemented by MHADA departmentally on vacant lands for EWS, LIG and MIG categories (as stipulated by Govt. from time to time) shall be 4.0 on the gross plot area (excluding Fungible FSI). 70 % BUA of such schemes shall be for EWS, LIG and MIG. FSI 4 will not be applicable to HIG.

2. The above cited condition would also apply to redevelopment of existing housing schemes of MHADA.

2.1 Where redevelopment of buildings in existing housing schemes of MHADA is undertaken by the housing co-operative societies or the occupiers of such buildings or by the lessees of MHADA, the Rehabilitation Area Entitlement, Incentive FSI and sharing of balance FSI shall be as follows: -

A) Rehabilitation Area Entitlement:

(a) Carpet area of existing tenement plus 35% thereof, subject to a minimum carpet area of 35 sq. m, an additional carpet area, in accordance with the Table-A below:

Suggestion

“(a) as per below (a) carpet area of existing tenement allotted by MHADA as per category i.e. EWS/LIG/MIG. Plus 35% there of + admissible fungible compensatory FSI existing less balcony if any minimum carpet area 35 sq. mt. suggestion to modify table A.”

Table-A

Area of the Plot under Redevelopment	Additional Carpet Area on the Existing Carpet Area of Tenement
Above 4000 sq. m to 2	15%
Above 2 ha to 5 ha	25%
Above 5 ha to 10 ha	35%
Above 10 ha	45%

Suggestion

Area of the plot under redevelopment	Add carpet area on existing carpet are of tenement
Above 4000 sq. m to 2 ha	25%
Above 2 ha to 5 ha	35%
Above 5 ha to 10 ha	45%
Above 10 ha	55%

Note:

Maximum carpet area of tenement 55.00 sq. mt. including fungible compensatory FSI for EWS/L.I.G. and 100.00 sq. mt. for MIG shall be permissible including fungible compensatory FSI.

Explanation: Plot under redevelopment means land demarcated by MHADA for redevelopment.

Provided that the maximum rehabilitation area shall in no case exceed the maximum limit of carpet area prescribed for MIG category by Govt. as applicable on the date of approval of the redevelopment project.

Under redevelopment of buildings in existing housing schemes of MHADA, rehabilitation area of any existing non-residential/amenity unit in Residential Housing Scheme shall be equal to carpet area of the existing unit plus 20% thereof.

B) **Incentive FSI:** Incentive FSI admissible against the FSI required for rehabilitation, as calculated in (A) above, shall be based on the ratio (hereinafter referred to as Basic Ratio) of Land Rate (LR) and Rate of Construction (RC)* and shall be as given in the Table B below:-

Provided that the above incentive will be subject to availability of FSI on the Plot under redevelopment and its distribution by MHADA.

Table B	
Basic Ratio (LR/RC)	Incentive (As % of Admissible Rehabilitation Area)
Above 6.00	40%
Above 4.00 and up to 6.00	50%
Above 2.00 and up to 4.00	60%
Up to 2.00	70%

Suggestion

Basic Ratio (LR/RC)	Add carpet area on existing carpet are of tenement
Above 6.00	55%
Above 4.00 and upto 6.00	65%
Above 2.00 and upto 4.00	75%
Up to 2.00	85%

Explanation

Land Rate (LR)*—Rate of Open Land for FSI 1 in Rs/sq. m of the plot under redevelopment &

* Rate of Construction (RC) --- Rate in Rs/ sq. m applicable to the area of RCC construction as per ASR

Provided further that the Land Rate (LR) and the Rate of Construction (RC) for calculation of the Basic Ratio shall be taken for the year in which the redevelopment project is approved by the Competent Authority. Provided further that in case there is more than one land rate applicable to different parts of the plot under redevelopment, a weighted average of all the applicable rates shall be taken for calculating the Average Land Rate for deriving the Basic Ratio.

C) Sharing of the Balance FSI:

The balance remaining FSI/BUA after providing for rehabilitation and the incentive components, calculated as per Table (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. The share of MHADA shall be handed over to MHADA free of cost.

Table C

Basic Ratio (LR/RC)	Sharing of Balance FSI	
	Cooperative Society Share	MHADA Share
Above 6.00	30%	70%
Above 4.00 and up to 6.00	35%	65%
Above 2.00 and up to 4.00	40%	60%
Upto 2.00	45%	55%

2.2 Where redevelopment of buildings in the existing housing schemes of MHADA is undertaken by MHADA or jointly by MHADA along with the housing societies or the occupiers of such building or by the lessees of MHADA, the Rehabilitation Area, incentive FSI and sharing of balance FSI shall be as follows:

A) Rehabilitation Area: The Rehabilitation Area shall be increased by 15% of the existing carpet area, over and above the Rehabilitation Area calculated in (A) of above, subject to the maximum of the size of MIG prescribed by the Government.

B) Incentive FSI: Incentive FSI shall be the same as in (B) of 2.1

C) Sharing of the balance FSI: Sharing of the balance FSI shall be the same as in (C) of 2.1

Note: Fungible FSI as applicable on the surplus area to be handed over to MHADA shall not be allowed to be utilized on sale component. No premium shall be charged on the fungible area in respect of area to be handed over to MHADA and surplus area to be handed over to MHADA shall be exclusive of the Fungible BUA if availed.

3) For the purpose of calculating FSI, the entire area of the layout including DP roads and internal roads but excluding the land under the reservation of public

amenities shall be considered. Sub-division of plots shall be permissible on the basis of the compulsory open spaces as in these Regulations.

Suggestion

For the purpose of calculating FSI, the entire area of the layout including DP roads and internal roads but ~~excluding and including~~ the land under the reservation of public amenities shall be considered. Sub-division of plots shall be permissible on the basis of the compulsory open spaces as in these Regulations.

4)a) An infrastructure charge at 7% of the Land Rate for the BUA as per ASR (for FSI 1) of the year of approval beyond Zonal (basic) FSI (including fungible FSI) shall be paid to MCGM. 75% of the Infrastructure Charge levied and collected by MHADA shall be transferred to MCGM for developing necessary offsite infrastructure. These infrastructural charges shall be in addition to development charges levied as per section 124 of MR&TP Act 1966.

Suggestion

As per Regulation 30 (a) 7 (b) Development Surcharge in addition to the Development charges has been deleted but Infrastructure charges @ 7% of the land rate has been levied which is contradictory by considering General development in the City in MHADA Colony. Such infrastructure charges though for the additional FSI shall not be imposed since most of the amenities are in use in the MHADA layout where Infrastructures are already provided while developing MHADA layout.

b) No premium shall be charged under Regulation 31(1) & 31 (3) for construction of EWS/LIG/MIG tenements by MHADA on a vacant plot, in a redevelopment project for EWS/LIG/MIG tenements towards the share of MHADA and for rehabilitation component (existing BUA in old building) of a redevelopment project.

5) Notwithstanding anything contained in these Regulations, the other relaxation incorporated in Regulation No. 33(10) of these Regulations except clause 6.18 shall apply to the housing schemes under this Regulation for construction of tenements under EWS/LIG/MIG categories. However, the front open space shall not be less than 3.0 m.

6) a) In any Redevelopment Scheme where the Co operative Housing Society/Developer appointed by the Co-operative Housing Society has obtained NOC from MHADA/Mumbai Board, thereby sanctioning additional balance FSI with the consent of 70% of its members and where such NOC holder has made provision for alternative accommodation in the proposed building (including transit accommodation), then it shall be obligatory for all the occupiers/members to participate in the Redevelopment Scheme and vacate the existing tenements for the purpose of redevelopment. In case of failure to vacate the existing tenements, the provisions of section 95 A of MHAD Act mutatis mutandis shall apply for the purpose of getting the tenements vacated from the non-co-operative members.

b) For redevelopment of buildings in any existing housing scheme of MHADA under clause 2.2 hereinabove, by MHADA, the consent of the Cooperative Housing Society in the form of a valid Resolution as per the Co-operative Societies Act, 1960 will be sufficient. In respect of members not co-operating as per approval of the redevelopment project, action under section 95(A) of the MHAD Act, 1976 may be taken by MHADA.

7) A corpus fund, as may be decided by MHADA, shall be created by the Developer which shall remain with the Co-operative Housing Societies for the maintenance of new buildings under the Rehabilitation Component.

8) Redevelopment proposals where NOC has been issued by Mumbai Board or Offer Letter has already been issued prior to the date of coming into force of this Regulation (hereinafter referred to as the "appointed date") and which is valid as on the appointed date, shall continue to be governed by the Regulation applicable prior to this Regulation.

Suggestion

Redevelopment proposals where NOC has been issued by Mumbai Board or Offer Letter has already been issued prior to the date of coming into force of this Regulation (hereinafter referred to as the "appointed date") and which is valid as on the appointed date, can either

i. Continue to be governed by the Regulation applicable prior to this Regulation
Or

ii. Be allowed to undertake development as per this Regulation

In cases where redevelopment scheme is permitted upon payment of premium and is being undertaken as per this Regulation as per the option of the Project Proponent, then such built-up area which has been sanctioned upon payment of premium to MHADA will be offset from MHADA's Share of built-up area as may be applicable as per this Regulation.

9) Convenience Shopping shall be permitted along layout roads with ~~12~~ 9 m to 18m width.

REDEVELOPMENT OF EXISTING HOUSING SCHEMES OF MHADA

(1) APPLICATION

This Regulation shall apply to redevelopment of existing Housing schemes of MHADA.

(2) FSI

Notwithstanding anything contained in these regulations, the FSI for the development/ redevelopment of a MHADA colony shall be 4.0 on each notionally sub-divided plot.

Area and extent of notionally sub-divided plot for individual society shall be as decided by MHADA, but shall not include area under DP Roads and reservations.

MHADA shall be free to allow clubbing of any two layouts so that any unutilized BUA from one layout can be utilized in the other layout. Premium for the clubbing of two layouts shall be levied by MHADA as per it's policies and the same shall be shared in the ratio of 67:33 between M.C.G.M. and MHADA.

(3) Utilisation of BUA in case of redevelopment

The BUA entitlement for any notionally sub divided plot shall be divided into three parts Rehabilitation entitlement, MHADA share and free sale component.

(i) Rehabilitation Entitlement

The BUA required for rehabilitation of existing tenements into new tenements of larger size shall be termed as rehabilitation entitlement.

Provided that the maximum carpet area for residential units for rehabilitation in the new buildings shall in no case exceed 45 sqm for EWS/ LIG and 80 sqm for other tenements. The maximum carpet area for commercial units for rehabilitation in the new buildings shall in no case exceed 120% of the existing carpet area.

Provided further that, the minimum carpet area of residential tenement for rehabilitation shall be 30 sqm.

The Compensatory BUA permissible under DCR 35(4) shall be provided over and above the Rehabilitation entitlement and the carpet areas mentioned above without charging premium.

(ii) Free Sale Component

Free sale component = $\{1.25(RC/LR) + 0.4(Rehab\ BUA/Total\ BUA)\}Total\ BUA$

Where Total BUA = Total BUA that can be consumed in situ

LR = Land rate of residential Land as per the RR rate applicable on the date of grant of offer letter by MHADA

RC = Rate for construction as per RR rate applicable on the date of grant of offer letter by MHADA

Any free sale component that cannot be utilized in situ either due to cap on total BUA permissible or due to physical difficulties shall be allowed as slum TDR.

(iii) MHADA component

Balance BUA from the BUA entitlement for the plot after deducting the rehab entitlement and Free sale component shall be treated as MHADA component. The BUA equivalent to MHADA component shall be handed over to MHADA free of cost.

Promotor/ Developer has the option to pay a premium at 60% of R.R. Rate of Land for the MHADA component, in lieu of handing over the built up area.

(4) PARTICIPATION BY OCCUPANTS:

i) In any Redevelopment Scheme where the Co-operative Housing Society/ Developer appointed by the Co-operative Housing Society has obtained No Objection Certificate from the MHADA/Mumbai Board, thereby sanctioning additional balance FSI with the consent of at least 70.00% of its members and where such NOC holder has made provision for alternative accommodation in the proposed building (including transit accommodation), then it shall be obligatory for all the occupiers/members to participate in the Redevelopment Scheme and vacate the existing tenements for the purpose of redevelopment.

ii) In case of failure to vacate the existing tenements, the provisions of Section 95A of the Maharashtra Housing and Area Development Act, 1976, mutatis mutandis shall apply for the purpose of getting the tenements vacated from the non co-operative members.

(5) Concessions

(i) Notwithstanding what is stated hereinabove, no premium shall be payable for allowing Compensatory BUA as per DCR 35(4) and for allowing area of staircase, Lift and Lift Lobby free of FSI as per DCR 35(2)(iii) for rehab, MHADA share or composite building

(ii) Notwithstanding what is stated hereinabove, the front open space of 3.60 m for development under this regulation shall be considered sufficient

(iii) Notwithstanding what is stated hereinabove, all concessions listed in section 6 to Appendix IV shall be permissible for rehab, MHADA share or composite buildings.

(iv) Notwithstanding what is stated hereinabove, Layout RG equal to 20% of net area of the plot shall have to be provided. RG/ PG reservations in the layout can be counted towards the RG to be provided for the layout.

33(6) *Reconstruction of buildings destroyed by fire or which have collapsed or which have been demolished under lawful order.*

Reconstruction of buildings that existed on or after 10th June 1977 and have ceased to exist for reasons cited above, shall be allowed to be reconstructed with FSI not exceeding that of the original building. This FSI will be subject to the following conditions:-

1. Reconstruction of the new building on the plot should conform to provisions of DP and these Regulations.

2. Reconstruction will be subject to an agreement executed by at least 70 per cent of the landlord/occupants (if any) in the original building, within the meaning of the Mumbai Rents, Hotel and Lodging House Rates Control Act, 1947, and such agreement shall make a provision for accommodation and re-accommodate the said landlord/all occupants in the new building on agreed terms and a copy of such agreement shall be deposited with the Corporation before commencing reconstruction of the new building.

3. The Carpet area of residential/non-residential premises shall remain unaltered. The Carpet area of residential/non-residential premises ~~shall remain unaltered~~ can be altered to the extent of Fungible FSI without charging premium.

4. Reconstruction shall be disallowed on set-back areas or areas required for road-widening and such areas shall be handed over to the Corporation.

5. These provisions shall not apply to buildings wholly occupied by warehouses and godowns.

6. If the building is reconstructed with existing FSI/BUA prior to its collapse, then the requirements of front & marginal open spaces shall be as per the Regulation No.41(5) of these Regulations.

7. If the building is reconstructed by using Zonal (basic) FSI/permissible FSI, the following shall apply:

a) Requirements of open spaces shall be as per Regulation nos. 41(1) and 41(2)

b) Premium for area covered under Regulation No. 31(1) & 31(3) beyond the existing FSI/BUA shall be applicable.

8. Provision of Inclusive Housing as per Regulation No.15 shall have to be made in case of 7 above.

Suggestions

9) The below have also been suggested as per letter from Chief Engineer, Dev Plan to Hon. Principal Secretary, UD Dept. under no. ChE/DP/37176/GM dtd. 2nd Dec 2015

- i. Regulation 33(6) shall be treated at par with the Regulation 33(7) read along with Appendix III of DCR 1991, amended up to date. As far as relaxation in the building and other requirement is concern subject to permissible FSI to be retained as per 33(6) and applicable additional FSI as per 35(4) of the DCR 1991, amended up to date.
- ii. The premium, Open Space Deficiency shall be charged at par with the provision of 33(7) and other relaxations such as stair case lifts parking etc. shall be relaxed.
- iii. The suggestion given above will be made applicable for the buildings which are developed / under development but for which O.C.C. is not yet granted.
- iv. The premiums/charges already paid will not be refunded but can be adjusted against future premiums/charges payable for the building.

33(7) Reconstruction or redevelopment of cessed buildings in the Island City by Co-operative Housing Societies or of old buildings belonging to the Corporation:

(1)A. For reconstruction/redevelopment to be undertaken by Cooperative Housing Societies of existing tenants or by Co-op. Housing Societies of landlords and/or occupiers of a cessed building existing prior to 30/9/1969 in Island City, which attracts the provisions of MHAD Act, 1976 and for reconstruction/redevelopment of the buildings of Corporation existing prior to 30.09.1969, FSI shall be 3.00 on the gross plot area or FSI required for rehabilitation of existing tenants plus incentive FSI as specified in sr. no 5(a) below whichever is more.

B. Provided further that reconstruction/redevelopment undertaken by proposed Co-operative Housing Society of occupiers of buildings, which were earlier "A" category cessed buildings but thereafter due to purchase/acquisition of the same by Co-operative Housing Society of Occupiers, such buildings are exempted from payment of cess and which have been declared unsafe by BHAD Board/MCGM, the FSI required for rehabilitation of existing occupier plus incentive FSI as specified in Sr. no 5(c) below will be available.

Suggestions

B. Provided further that reconstruction/redevelopment undertaken by proposed Co-operative Housing Society of occupiers of buildings, which were earlier "A" category cessed buildings but thereafter due to purchase/acquisition of the same by Co-operative Housing Society of Occupiers, such buildings are exempted from payment of cess ~~and which have been declared unsafe by BHAD Board/MCGM,~~ the FSI required for rehabilitation of existing occupier plus incentive FSI as specified in Sr. no 5(c) below will be available.

(2)1. (a) The new building may be permitted to be constructed in pursuance of an irrevocable written consent by not less than 70% of the occupiers of the old building.

(b) All the occupants of the old building shall be re-accommodated in the redeveloped building.

2. Each occupant shall be rehabilitated and given the carpet area occupied by him for residential purpose in the old building subject to the minimum fixed carpet area of 27.88 sq. m (300 sq. ft.) and/or maximum carpet area up to 70 sq. m (753 sq. ft.) as provided in the MHAD Act, 1976. In case of non-residential occupier, the area to be given in the reconstructed building will be equivalent to the area occupied in the old building. Provided that if carpet area for residential purpose exceeds 70 sq. m (753 sq. ft.) the cost of construction for the area over and above 70 sq. m shall be paid by tenant/occupant to the developer. The cost of construction shall be as per ASR of that year. However, the carpet area exceeding 70 sq. m (753 sq. ft.) shall be considered for rehab FSI but shall not be considered for incentive FSI. 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.).

Suggestions

Each occupant shall be rehabilitated and given the carpet area occupied by him for residential purpose in the old building subject to the minimum fixed carpet area of 27.88 sq. m (300 sq. ft.) ~~and/or maximum carpet area up to 70 sq. m (753 sq. ft.)~~ as provided in the MHAD Act, 1976. In case of non-residential occupier, the area to be given in the reconstructed building will be equivalent to the area occupied in the old building. ~~Provided that if carpet area for residential purpose exceeds 70 sq. m (753 sq. ft.) the cost of construction for the area over and above 70 sq. m shall be paid by tenant/occupant to the developer. The cost of construction shall be as per ASR of that year. However, the carpet area exceeding 70 sq. m (753 sq. ft.) shall be considered for rehab FSI but shall not be considered for incentive FSI.~~ 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.) & 4.64 sq. m non-residential area (50 sq. ft.) with incentive on 32.51 sq.m (350 sq. ft.)

3. The list of occupants and area occupied by each of them in the old cessed building shall be certified by the Mumbai Repairs and Reconstruction Board and the irrevocable written consent as specified in 1 (a) above shall be certified by the Board.

4. Tenements in the reconstructed building shall be allotted by the landlord/occupants' co-operative housing society to the occupiers as per the list certified by the Mumbai Repairs and Reconstruction Board. The prescribed percentage of the surplus BUA as provided in the Table in the Third Schedule of the MHAD Act, 1976, shall be made available to the Mumbai Repairs and Reconstruction Board for accommodating the occupants in transit camps or cessed buildings which cannot be reconstructed, on payment of an amount as may be prescribed under MHAD Act, 1976.

Further in case of reconstruction/redevelopment of the buildings of Corporation existing prior to 30.09.1969 as per this Regulation, the BUA beyond area required for re-accommodation of existing occupants and incentive thereon of such rehab area if any shall have to be shared between MCGM and Society of occupants in the ratio of 1(MCGM): 0.5(Society of occupants),

Fungible FSI as applicable on the surplus area to be handed over to MHADA/MCGM shall not be allowed to be utilized on sale component. No premium shall be charged on the fungible area in respect of area to be handed over to MHADA/MCGM and surplus area to be handed over to MHADA/MCGM shall be exclusive of the Fungible BUA if availed.

Provided that the area equivalent to the market value (as per ASR of that year) of area admissible as per the prescribed percentage of BUA to MHADA can be made available within the same municipal ward of MCGM.

5. The FSI for rehabilitation of existing tenants/occupiers in a reconstructed building and incentive FSI that will be available shall be as under:

- (a) In the case of redevelopment of cessed building existing prior to 30/9/1969 undertaken by landlord and/or Co- operative Housing Societies of landlord and/or occupiers, the total FSI shall be 3.00 of the gross plot area or the FSI required for rehabilitation of existing occupiers plus 50% incentive FSI whichever is more.
- (b) In case of composite redevelopment undertaken by the different landlords and/or Co-op. Housing Societies of landlords and/or occupiers jointly of 2 or more plots but not more than 5 plots with cessed buildings existing prior to 30/9/1969, the FSI permissible will be 3.00 or FSI required for rehabilitation to exiting occupiers plus 60% incentive FSI, whichever is more and the occupier shall be eligible for 5% additional rehab Carpet Area as per serial no 2(2) above subject to maximum limit.

Provided further, that if the number of plots jointly undertaken for redevelopment is six or more with cessed buildings existing prior to 30/9/1969, the incentive FSI available will be 3.00 or FSI required of rehabilitation for occupiers plus 70% incentive FSI whichever is more and the occupier shall be eligible for 10% additional rehab Carpet Area as per serial no 2(2) above subject to maximum limit.

Suggestions

~~(b) In case of composite redevelopment undertaken by the different landlords and/or Co-op. Housing Societies of landlords and/or occupiers jointly of 2 or more plots but not more than 5 plots with cessed buildings existing prior to 30/9/1969, the FSI permissible will be 3.00 or FSI required for rehabilitation to exiting occupiers plus 60% incentive FSI, whichever is more and the occupier shall be eligible for 5% additional rehab Carpet Area as per serial no 2(2) above subject to maximum limit.~~

~~Provided further, that if the number of plots jointly undertaken for redevelopment is six or more with cessed buildings existing prior to 30/9/1969, the incentive FSI available will be 3.00 or FSI required of rehabilitation for occupiers plus 70% incentive FSI whichever is more and the occupier shall be eligible for 10% additional rehab Carpet Area as per serial no 2(2) above subject to maximum limit.~~

(COMMENT: Only schemes with incentive FSI will get the benefit for amalgamation. In case of FSI 3.00, since the tenant share will increase without increase in developer share, developer will not be interested to amalgamate property due to reduction in his share; which in individual case will be higher as he does not have to give tenant additional 5/10%; so the above regulation will fail to promote large scale development.)

The FSI shall be as per table below:

S. No.	No of plots	Basic FSI + additional Entitlement	Incentive FSI over existing rehab area A to F above
1	Single plot	3.00	50%
2	2 to 5 plots	3.00 +5%	63%
3	More than 5 plots	3.00 +10%	77%
4	For more than 5 plots with Area more than one hectare	4.00	80%

Note:

1. Above FSI shall be applicable for redevelopment of plots with cessed buildings existing prior to 30/9/1969
2. Noncessed structure can be developed with FSI as per Regulation 30 or Regulation 33(22) at the option of the owner / developer / society.
3. Mezzanine floors constructed prior to 15/08/1997 and regularized subsequently shall be eligible for rehabilitation and incentive FSI.

Suggestion

“(b) In case of composite redevelopment undertaken by the different landlords and/or occupiers jointly of 2 or mote plots but not more than 5 plots with cessed building existing prior to 30/9/1969, the F.S.I. permissible will be 3.00 or F.S.I. required for rehabilitation to existing occupiers plus 60% incentive F.S.I. whichever is more and the occupier shall be eligible for 10% additional rehab Carpet Area as per serial no 2(2) above subject to max. limit.

Provided further, that if the number of plots jointly undertaken for redevelopment is six or more with cessed building existing prior to 30/9/1969, the incentive F.S.I. available will be 3.00 or F.S.I. required of rehabilitation for occupiers plus 70% incentive F.S.I. whichever is mote and the occupier shall be eligible for 15% additional rehab Carpet Area as per sr. no. 2(2) above subject to max. limit.”

Provided further that the above provision 5(b) shall also be applicable to municipal plots under redevelopment under this Regulation having different residential societies on different plots.

- (c) In case redevelopment undertaken by Co-operative Housing Society of occupiers of building, which was earlier “A” category cessed building but thereafter due to purchase/acquisition by Co-operative Housing Society of Occupiers, it was exempted from payment of cess and which has been declared unsafe by BHAD Board/MCGM, the total FSI shall be ~~2.5~~ 3.0 **(Suggestion)** of the gross plot area or the FSI required for rehabilitation of existing occupiers plus 50% incentive FSI whichever is more.

6. The entire FSI available under clause 5 shall be allowed to be utilised on plot/plots under redevelopment scheme. However, if the owner/society so desire, they can avail the incentive FSI on the same plot or can avail the benefit of TDRs to be used in accordance with the Regulations no 32.

Suggestion

The entire FSI available under clause 5 shall be allowed to be utilised on plot/plots under redevelopment scheme. However, if the owner/society/~~developer~~ so desire, they can avail the incentive FSI on the same plot or can avail the benefit of TDRs to be used in ~~in~~ accordance with the Regulations no 32.

Suggestion

However, if the owner/society so desire can avail the incentive FSI in the same plot or can avail the benefit of Transferable Development Rights to be used in suburbs or extended suburbs in accordance with the Regulations as given in appendix VII.

However, if the owner/society so desire, they can avail the incentive FSI on the same plot or can avail the benefit of TDRs to be used in accordance with the Regulations no. 32.

7. Construction or reconstruction of old cessed building falling under reservation/zones contemplated in the DP shall be permitted as follows

- (a) Redevelopment/reconstruction in any zone shall be allowed to be taken in site without going through the process of change of zone. For the Industrial user the existing segregating distance shall be maintained from the existing industrial unit.
- (b) Any plot/layout having area under non-buildable/open space reservations admeasuring only up to 500 sq. m ~~shall~~ **may** **(Suggestions)** be cleared by shifting the existing tenants from that site. Where the area of reservation, either independently located or in cluster, is more than 500 sq. m such sites may be allowed to be redeveloped in accordance with this Regulation subject to the condition that the area of the land so used shall not be more than 67% of the reservation, leaving 33% rendered clear thereafter for reservation & shall be handed over to MCGM.

Suggestions

The stipulation of 33 per cent of area under non-buildable reservation may be reduced by the Commissioner to the extent necessary where there are height and such other restrictions.

- (c) In any plot having reserved/designated open space of more than of 500 sq. m and which is vacant beyond the land component of existing cessed structure as per Zonal (basic) FSI shall have to be developed as per provisions of Regulation no 30.

Suggestions

~~In any plot having reserved/designated open space of more than of 500 sq. m and which is vacant beyond the land component of existing cessed structure as per Zonal (basic) FSI shall have to be developed as per provisions of Regulation no 30.~~

- (d) Existing cessed structures on lands reserved for Municipal School (RE 1.1) or Primary and Secondary School (RE1.2) or Higher Education (RE2.1) may be redeveloped subject to the following:-

(i) In case of land reserved for Municipal School (RE 1.1) or Primary and Secondary School (RE1.2) in the DP, a building for accommodating such number of students as may be decided by the Municipal Commissioner, not in any case for less than 500 students, shall be constructed by the owner or developer at his cost according to the size, design, specification and conditions prescribed by the Municipal Commissioner. The BUA occupied by the constructed building shall be excluded for the purpose of FSI computation, and where it is intended for a Municipal School (RE 1.1) or Primary and Secondary School (RE1.2) the building or part thereof intended for the school use shall be handed over free of cost and charge to the Corporation. Thereafter, the land may be allowed to be redeveloped with the full permissible FSI of the plot according to this Regulation.

(ii) In the case of lands affected by reservation for Higher Education (RE2.1) in the DP, a building of accommodating such number of students as may be decided by the Municipal Commissioner, not in any case for less than 800 students, shall be constructed by the owner or developer according to the size, design, specification and conditions prescribed by the Municipal Commissioner, the built-up area occupied by the constructed building shall be excluded for the purpose of FSI computation. The constructed building shall be handed over to the Corporation free of cost and charge and the Municipal Commissioner may hand over the same or part thereof intended for the School use to a recognized and registered educational institution for operation and maintenance on terms decided by him. Thereafter the land may be allowed to be redeveloped with full permissible FSI of the plot according to this Regulation

(iii) In case area under reservation of Municipal School (RE 1.1), or Primary and Secondary School (RE1.2) or Higher Education (RE2.1) is spread on adjoining plot

and the plot under development, then in such cases Commissioner with special permission may insist upon construction of Municipal School (RE 1.1) or Primary and Secondary School (RE1.2) or Higher Education (RE2.1) in proportion to the area under reservation affecting the plot under development.

(iv) Requirements of Play Ground as per regulation no 38(I) (2) of these regulations may not be insisted upon for (i), (ii) and (iii) above.

(e) In case of the plot reserved for Parking Lot, 100% BUA as per Zonal (basic) FSI of such reserved area shall be handed over to the MCGM.

(f) For other buildable reservations except (d) & (e) above, BUA equal to 25 per cent of the area under reservation in that plot, shall be made available free of cost for the MCGM or for any other Appropriate Authority.

Suggestions

For other buildable reservations except (d) & (e) above, BUA equal to 15 percent of the entire plot or 25 per cent of the area under reservation in that plot, whichever is less, shall be made available free of cost for the MCGM or for any other Appropriate Authority.

The developer/owner shall be entitled for BUA in lieu of cost of construction against handing over of built up amenity as per Note (d) of Regulation 17(1).

(g) Notwithstanding anything contained in these Regulations, site of existing cessed structures on lands reserved/designated for Rehabilitation & Resettlement (RR2.1) shall be treated as sites for development of cessed structures and shall be allowed for redevelopment according to this Regulation.

(h) Contravening structures in TP Scheme and structures on the road shall also be included in the redevelopment scheme. FSI for the same will be as under DCR 33(12) or as provided in these Regulations whichever is more.

Suggestions

Additional BUA equal to area of land surrendered to MCGM/Appropriate Authority shall be allowed to be consumed over and above the permissible BUA (as per Regulation 5 above) on the remainder/balance plot or may be availed in the form of TDR as per these Regulations.

8. Relaxation in building and other requirements for rehabilitation: Notwithstanding anything contained in these Regulations, the relaxations incorporated in Regulation No. 33 (10) of these Regulations except clause 6.18 shall apply.

9. 20% of the incentive FSI can be used for non-residential purposes otherwise permissible in the DCR.

10(a). In case of redevelopment scheme in progress and such schemes where LOI has been issued, the Owner/Developer/Co-op. Housing Society with the prior approval of Govt. may convert the proposal in accordance with modified regulations, only regarding size of tenements and loading of FSI, insitu. However, such conversion is optional and shall not be binding.

Suggestions

~~In case of redevelopment scheme in progress and such schemes where LOI has been issued, the Owner/Developer/Co-op. Housing Society with the prior approval of Govt. may convert the proposal in accordance with modified regulations, only regarding size of tenements and loading of FSI, insitu. However, such conversion is optional and shall not be binding.~~

In case of redevelopment scheme in progress and such schemes where LOI has been issued, the Owner/Developer/Co-op. Housing Society may convert the proposal with the approval of Chief Officer, Maharashtra Housing and Area Development Authority, in accordance with modified regulations, only regarding size of tenements

and loading of FSI, in situ. However, such conversion is optional and not be binding and further subject to ascertaining and due verification of redevelopment scheme in progress by Chief Officer, Maharashtra Housing and Area Development Authority.

(COMMENT: Above modification is as per proposed provision as per Notice No. TPB 4313/CR-84/2013/UD-11 dated 19th May, 2015.)

(b) In case of redevelopment of buildings undertaken by MHADA, where construction is in progress, whether the area of new tenement should be 20.90 sq. m or otherwise the question shall be decided by MHADA in each case.

However, if area of tenements is not increased to 20.90 sq. m then development will have to be carried out as per approved plan and FSI.

Suggestion

“(c) In case redevelopment undertaken by Co-operative Housing Society of occupiers of building, which was earlier “A” category cessed building but thereafter due to purchase/acquisition by co-operative Housing Society of Occupiers, it was exempted from payment of cess and which has been declared unsafe by BHAD Board/MCGM, the total F.S.I. shall be 3.00 of the gross plot area or the F.S.I. required for rehabilitation of existing occupiers plus 50% incentive F.S.I. whichever is more.”

11. FSI under these Regulations should be allowed by the Commissioner only after Mumbai Repairs and Reconstruction Board is satisfied that the said redevelopment proposal fulfills all conditions to be eligible for the benefits under these regulations.

12. In case of the redevelopment of cessed buildings, the concessions regarding exclusion of areas from computation of FSI for general buildings stipulated in Regulation No. 31(1) shall apply.

13. Since the permissible FSI in clause 5 above is dependent upon the number of occupiers and the actual area occupied by them, no new tenancy created after 13.6.1996 01.01.2000 (Suggestion) shall be considered. Further unauthorized constructions made in the cessed buildings shall not be considered while computation of existing FSI. However the occupier may be allowed to declare whether the tenement is residential or non-residential.

14. For smooth implementation of the redevelopment scheme undertaken by owners and/or Co-operative Housing Society of the occupiers, temporary transit camps may be permitted on the same land or land situated elsewhere belonging to the same owner/developer with the concessions permissible under SRS project under Regulations 33(10) of these Regulations. Such transit camps should be demolished within one month from the date of occupation certificate granted by the Corporation for the reconstructed buildings for the existing tenants/occupants.

15. Additional development cess equivalent to 100-25% (Suggestion) of Development charges on BUA(including the fungible FSI/BUA), or Rs 5,000 per Sq. m whichever is more for BUA over and above the zonal (basic) FSI existing BUA (Suggestion) shall be paid by the owner/developer/society, for the rehabilitation and free sale components. This amount shall be paid to the Corporation in accordance with the time schedule for such payment as may be laid down by the Commissioner, MCGM provided the payment of installments shall not go beyond the completion of construction. This amount shall be used for Scheme to be prepared for the improvement of off-site infrastructure in the area around the development. These infrastructural charges shall be in addition to development charges levied as per section 124 of MR&TP Act 1966.

16. As per the provision of clause 2 above, each residential/non-residential occupant shall be rehabilitated only for carpet area mentioned in the said clause No.2 above and such areas shall be clearly shown on the building plan submitted to the Corporation/MHADA.

17. A corpus fund shall be created as prescribed by MHADA.

18. Restriction on transfer of tenements shall be governed by provision of Rent Control Act till Co. Op. Society is formed and after that the same shall be governed by the provision of Maharashtra Co-op. Society's Act.

19. Non Deduction of non-cessed Structure area in the scheme of 33(7) for FSI purpose: In case of mix of the structure i.e. cessed & non cessed structure and if the area of non cessed structure existing prior to 30/9/69, area of land component under non-cessed structure works out up to a limit of 25% of plot area, then FSI Shall be considered on total plot area. If this area exceeds 25% of the total area, then area above 25% shall be deducted from plot area. FSI for deducted area shall be as per regulation 30 and the FSI for the remaining plot area shall be as per 33(7). Provision of clause no 2 above shall not be made applicable to non-cessed occupier.

Suggestion

Note: 1. If any non cess structure is proposed to be retained, the land component of such structure will be entitled for FSI as per DCR 30 only.

2. If non cess structures are proposed to be demolished; The occupants of such non cess structures and other non cess structures beyond 25% land component shall be rehabilitated with existing Carpet area and incentive FSI thereon shall be permissible. The fungible compensatory FSI shall also be permissible on such rehab area without charging premium

3. In incentive FSI cases also, above FSI for non cess structure will be permissible over and above scheme FSI.

Suggestion

20) that owner/ landlord shall be compensated 10% of carpet area in the form of tenements but not more than what is prescribed as per MHADA Act. In lieu of plot are equivalent to zonal basic F.S.I.

21) Notwithstanding anything contained in these regulation. Landlord of tenanted building shall be given incentive F.S.I. equivalent to 15% of existing B.U.A. or 15% of equivalent basic zonal F.S.I. whichever is less in form of tenements free of cost.

33(8) Construction for Rehabilitation & Resettlement:

For the construction of the building by the Corporation/ Appropriate Authority in the category of Rehabilitation & Resettlement for the purpose of the housing those who are displaced by the projects undertaken by the Corporation/ Appropriate Authority for implementation of proposals of the DP/MUTP/MUIP, the FSI shall be 4.00. Such additional FSI will not be available when owner undertakes development as per Regulation No. 17.

33(9) Reconstruction or redevelopment of Cluster(s) of Buildings under Urban Renewal Scheme(s):d

For reconstruction or redevelopment of Cluster(s) of buildings or construction or development of any plot under Urban Renewal Scheme(s) in the Island City of Mumbai or suburbs or extended suburbs, undertaken by (a) the MHADA or the MCGM either departmentally or through any suitable agency or (b) MHADA/MCGM, jointly with land owners and/or Co-op. Housing Societies of tenants/occupiers of buildings and/or Co-op. Housing Society of hutment dwellers therein, or (c) land owners and/or Co-op. Housing Society of tenants/occupiers of

buildings and/or Co-op Housing Society of hutment dwellers, independently or through a Promoter /Developer, the FSI shall be 4.00 or the FSI required for rehabilitation of existing tenants/occupiers plus incentive FSI whichever is more as per the provisions of this Regulation as follows .

1.1 Urban Renewal Scheme" (URS) means any scheme for redevelopment of a cluster of buildings and structures or development of any plot having over a minimum area of 4000 sq. m in the Island City of Mumbai or suburbs or extended suburbs, bounded by existing distinguishing physical boundaries such as roads, nallas and railway lines etc. and accessible by an existing or proposed D.P. road which is at least 12 m wide whether existing or proposed in the D.P. or URP or a road for which Sanctioned Regular line of street has been prescribed by the MCGM under MMC Act, 1888. Such cluster of buildings or plot(s) (hereinafter referred to as "Urban Renewal Cluster or (URC)" shall be a cluster or a group of clusters identified for urban renewal:

1) Under the Urban Renewal Plan (URP) for the concerned area, to be prepared by the Commissioner, who may revise the same as and when required; or

2) By the Promoter of the URS,

Provided that no cluster or clusters shall be identified for redevelopment or implementation of URS by the Municipal Commissioner without carrying out an Impact Assessment Study regarding the impact on the city and sector level infrastructure and amenities as well as traffic and environment of the implementation of URS on such cluster or clusters.

Explanation:

1. The land under URS, irrespective of the tenure of the plots comprised therein, shall be treated as one plot for the purpose of FSI and computation of marginal distances. No Amalgamation or Subdivision shall be insisted for the purpose of approval to the URS.

Amalgamation/ Subdivision of plots: On approval of URS, any land proposed / considered under URS on various C.S. Nos. or CTS Nos. and/or F.P.Nos. shall be treated as natural amalgamation for the purpose of URS. for which no separate approval for amalgamation of lands would be necessary.

Boundaries and Area of Proposed URS shall be decided as per the approved layout and be confirmed by City Survey Officer after actual measurement of URC on site and the same shall be adopted for planning purpose and for calculation of floor space index. However wherever necessary, the area may be further subdivided to earmark separate plots / Sectors for the planning purpose, handing over of Reservations, amenities, realigned roads, etc. to MCGM / Appropriate Authority. The Plot area and the built-up area in terms of Sq. M of the said subdivided plots / Sectors shall be separately mentioned in the Conveyance Deed or lease deed. In case of land of different tenures single PRC shall not be insisted. However, necessary entries about urban renewal scheme shall be made in respective PRC.

In specific cases where URS is not bounded by roads, nallas and railway lines, the boundary of the Cluster may be decided by the Municipal Commissioner.

1.2 The URC may consist of a mix or any plots with or without structures of different characteristics such as

- (i) Cessed buildings in Island City, which attract the provisions of MHAD Act, 1976.
- (ii) (a) Buildings at least 30 years of age and acquired by MHADA under MHAD Act, 1976.
- (b) Authorized buildings at least 30 years of age
- (iii) Plot(s) having area exceeding 4000 sq.mtr.

Explanation: Age of a building shall be as on the 1st of January of the year in which redevelopment or development proposal for URC S is submitted to the Commissioner and shall be calculated from the date of occupation certificate or where such occupation certificate is not available, from the first date of assessment as per the property tax record in respect of such building, available with the Municipal Corporation.

(iii) (a) Buildings belonging to the Central Govt, the State Govt, Semi-Govt Organizations and the MCGM, as well as institutional buildings, office buildings, tenanted municipal buildings and buildings constructed by MHADA, that are at least 30 years of age.

(b) Any land belonging to the State Govt, any semi-Govt Organisation, MCGM and MHADA (either vacant or built upon) which falls within the area of the proposed URS including that which has been given on lease or granted on the tenure of Occupant Class II.

Provided that in case of buildings or lands belonging to the Central Govt, the State Govt, Semi-Govt Organizations, MCGM or MHADA, prior consent of the concerned Department shall be obtained for including such buildings or lands in any proposal of URS.

(c) Any land belonging to private owner (either vacant or built upon) which falls within the area of the proposed URS.

(iv) Other buildings which by reasons of dis-repair or because of structural/sanitary defects, are unfit for human habitation or by reasons of their bad configuration or the narrowness of streets are dangerous or injurious to the health or safety of the inhabitants of the area, as certified by the Officer or the Agency designated for this purpose by MHADA/MCGM or Mumbai Repair & Reconstruction Board.

(v) Slum areas declared as slums under section 4 of Slum Act or slums on Public lands existing prior to 1.1.2000 or such other reference date notified by the Govt, provided such slum areas do not constitute more than 50% of the area of URC.

Explanation: If some areas are previously developed/or are in the process of development under different provisions of the DCR, such areas can be included in the URC only for planning purposes. However, admissible FSI for the entire land under URS shall be calculated as per this regulation and FSI consumed in such previously developed/or are in the process of development under different provisions of the DCR such areas shall be excluded from the admissible for calculation of FSI under this Regulation. and the admissible FSI shall be calculated as per the relevant provisions of the DCR 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 URC. However, if the existing structures in such area are retained as it is with the appurtenant land in respective plot boundaries such consent shall not be necessary.

2. Eligibility of Occupants for Rehabilitation under Urban Renewal Scheme (URS)

(A) For Buildings:

i. No new tenancy created after ~~13/6/96~~ 1/01/2000 shall be considered. Further, unauthorized construction made in buildings for creating new tenancy in the existing tenancies shall not be considered while doing computation of existing FSI. A certified inspection extract of the Municipal Corporation for the year ~~1995-96~~ 2000-2001 or Court Order proving the existence of tenements prior to ~~13/6/96~~ 01/01/2000 shall be considered adequate evidence to establish the number of tenements. However, the Govt. may issue comprehensive guidelines for determination of eligibility of occupiers and tenants therein.

ii. The list of occupants and the area occupied by each of them in municipal buildings and their irrevocable written consents shall be certified by the MCGM. The list of occupants in other buildings excluding slums and the area occupied by each of them and their irrevocable written consents as specified in clause 4(a) shall be certified by the MBRRB.

iii. Mezzanine floors constructed prior to ~~13/06/1996~~ 01/01/2000 and regularized subsequently shall be eligible for rehabilitation and incentive FSI.

iv) Once the promoter obtains the consent of minimum 70% of the tenants / occupants of total cluster/ sub-cluster scheme, and URS is sanctioned , then the balance tenants/occupants shall deemed to have granted their consent to the URS. Provision for the rehabilitation shall be made for all the tenants/ occupants in the scheme. Consent of the tenants/ occupant shall not be necessary if URS is proposed on Private Land if the scheme is proposed by the land owner or his Power of Attorney holder.

V) In respect of those tenants/occupants residing on site and who do not join the Project willingly or vacate the premises in their occupation, the following steps shall be taken:

i) The transit tenement that would be allotted to them would also be indicated along with those who have joined the Project or rent in lieu of transit tenement as agreed with the association of tenants is paid to such tenant/occupant.

ii) If they do not join the scheme within 15 days after the developer providing transit accommodation or rent in lieu of transit accommodation, then action shall be taken to evict such tenant/occupant under this clause and their structures will be removed, and it shall be ensured that no obstruction is caused to the scheme of the majority of persons who have joined the scheme willingly.

iii) The eviction process under this clause shall be undertaken by Designated Officer (DO) of the concerned ward. The detailed guidelines for the aforesaid purpose shall be issued by Municipal Commissioner.

(B) For Slum Areas:

i. All the protected Occupiers as defined in Chapter IE of Slum Act and orders issued thereunder and certified by competent authority thereof.

ii. A structure shall mean all the dwelling areas of all persons who are enumerated as living in one numbered house in the electoral roll of the latest date, up to 1st January 2000 or such other reference date Notified by the Govt. and regardless of the number of persons, or location of rooms or access.

3.Land pooling for the URS:

The Promoter of URS shall try to pool lands belonging to various categories of land holders including Public lands by obtaining their consent for including their lands in the proposed URS, by resorting to any of the following methods of land pooling:

- 1) Purchase of lands, including buildings, if any, standing thereupon,

Provided that if the Promoter wishes to include any building or land belonging to the State Govt. or MCGM or MHADA or any Agency under the control of Central Government/State Govt/Semi Government/ PSU/ Government Undertaking. (hereinafter collectively referred as "Public Authority"), then he shall make a written request in this regard through the Municipal Commissioner to an Empowered Committee (EC) headed by the Chief Secretary. This EC shall be as formulated by GoM.

The EC shall examine the request made by the Promoter in terms of the desirability of making the land belonging to a Public Authority available for URS and would decide the terms of transfer of such land to the Promoter for the purpose of implementing URS. In case the land sought by the Promoter belongs to an Authority created by or under a statute, the decision of the EC shall be subject to ratification/approval by such Authority.

Non vacant and /or encumbered and / individually non buildable land belonging to a Public authority shall be given for URS at 25% of Ready Reckoner Land Rate prevailing at the time of payment of such fee. Vacant developable Lands belonging to the Public authority shall be given for URS at 100% of Ready Reckoner Land Rate prevailing at the time of payment of such fee.

For any Government / Semi Government land under lease, on the payment of 10% of SDRR of the said year to the lessee, the land shall be converted as free hold land by terminating the lease.

Such conveyance / transfer shall be submitted before issue of occupation certificate

- 2) Exchange of such land with a suitable land of at least equivalent value as per ASR land rates.

Suggestion

Exchange of such land with a suitable land anywhere in MCGM limit of at least equivalent value as per ASR land rates. worked out as below

Non vacant and /or encumbered and/ individually non buildable land in the proposed URS proposed to be exchanged shall be valued at the rate of 25% of Ready Reckoner Land Rate prevailing. Vacant Lands in the proposed URS proposed to be exchanged shall be valued at the rate of 100% of Ready Reckoner Land Rate prevailing.

- 3) Procurement of DRs (Development Rights) over such land, by way of registered document by the Promoter, provided that the area over which the Promoter holds DRs shall be regarded as one plot for all the purposes of the DCR; or

- 4) Transfer of all lands included in the URS to a legal entity (e.g: Registered Society or Company, Co-operative Housing Society, Charitable Trust, etc.) to be created by the Promoter for implementing the URS where different landholders have stakes proportionate to their share in the total land under URS; or

5) Acquisition of lands, provided the Promoter has purchased or procured DRs over at least 70% land comprised in the URC and there are dangerous buildings, declared as such by the Competent Authority, on the balance lands contained in the URC. In such a situation the Promoter may approach the HPC for recommending the proposal to the Govt. for acquisition of such balance lands. Upon receipt of such request, the HPC may, after due examination, recommend to the Govt. as to which lands are required to be acquired for the purposes of URS. The Govt., thereafter, shall take necessary steps to acquire such balance lands under the provisions of the relevant law and transfer the same to the Promoter only for the purpose of implementing URS after executing an agreement with him in this regard, subject to the Promoter depositing with the Govt. necessary amount of money for the land acquisition. For the purpose of land acquisition, URS shall be regarded as public purpose.

4. a) Redevelopment or Reconstruction under URS may be permitted in pursuance of an irrevocable registered written consent by not less than 70 percent of the eligible tenants/occupiers of all the authorized buildings ~~on each plot~~ in the Entire Cluster involved in the URS or as provided in MHAD Act, 1976. Consent as aforesaid of such 70% tenants/occupiers for reconstruction or redevelopment shall not be required, if MHADA/MCGM undertakes redevelopment, on its own land, directly without any developer.

The Developer shall be required to submit along with the URS proposal, proof of ownership or procurement of DRs in respect of at least 70% of the land under the proposed URS (excluding Municipal Roads if maintained as existing in proposed URS) and it shall be mandatory for him to submit such proof of ownership or procurement of development rights in respect of the balance area within one year from the date of issue of the LOI.

b) All the eligible occupants/tenants of the building(s) undergoing redevelopment shall be rehabilitated in the redeveloped building(s).

5. *Conditions of Rehabilitation:*

- (i) Each occupant/tenant shall be rehabilitated and given on ownership basis, carpet area equivalent to the area occupied by such occupant/tenant in the old building. However, in case of residential/residential cum commercial occupants, such carpet area shall not be less than 27.88 sq. m. This shall be the "basic area".

In addition to (i) above, there shall be "additional area" for the rehabilitation of residential/residential cum commercial Occupants governed by the size of the URC in accordance with the Table-A below:

Table-A

Area of the Urban Renewal Cluster	Additional Area (over & above basic area)
Above ~~1~~ 0.75ha up to 2 ha	15%
Above 2 ha up to 5 ha	20%
Above 5 ha up to 10 ha	25%
Above 10 ha	30%

Over and above the additional entitlement prescribed above, 10% bonus Over and above (Copy)

Provided that if the carpet area of any occupant/tenement in the old building is 100 sq. m or more then he shall be eligible for additional area only on the basis of carpet area of 100 sq. m

Provided further that the above provision of "Additional Area" shall be applicable only in case of URS having maximum FSI of 4.00.

Suggestion

~~Provided further that the above provision of "Additional Area" shall be applicable only in case of URS having maximum FSI of 4.00.~~

Provided further that the rehabilitation entitlement of any occupant of a commercial establishment, who is allowed by the HPC to be rehabilitated in a residential tenement in lieu of his commercial establishment, shall also be governed by the aforesaid provisions applicable to the residential occupants in these Regulations. No occupant shall be given more carpet area than basic area + additional area + Admissible Fungible Area, except in certain cases of planning constraints, where the Municipal Commissioner may allow marginally more area. Such additional area allowed due to planning constraints shall be deducted from the sale component without affecting the surplus area.

a) Each eligible residential or residential cum commercial slum dweller shall be entitled to a tenement of carpet area of 25.00 sq. m (269 sq. ft.) and

(b) Existing or max 20.90 sq. m whichever is less in case of non-residential.

The entitlement of tenement shall be Existing carpet area or max 20.90 sq. m whichever is less in case of non-residential.

(ii) Every Landholder who pools or contributes his land to the Urban Renewal Scheme by granting development rights in respect of his land to the Promoter, shall be entitled to the following minimum built-up area under the Urban Renewal Scheme.

a) In case of Unencumbered land – Built-up area equal to the Basic Zonal FSI.

b) In case of encumbered or partially encumbered land - Built-up area equal to the Balance Zonal FSI plus minimum 25% of Built-up area equal to the Basic Zonal FSI. The built-up area entitlement of every landholder shall be counted towards the rehabilitation component.

6. Total Permissible FSI for URS:

a) The total permissible FSI for an URS 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 URS shall be 4.00 on gross plot area, ~~but excluding including~~ the reservations/designations, road set back, ~~but excluding~~ 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.

Provided that the aforesaid FSI shall be exclusive of the Fungible FSI admissible under the provision of DCR 31(3).

b) The incentive FSI admissible against the FSI required for rehabilitation shall be based on the ratio (hereinafter referred to as Basic Ratio) of Land Rate (LR), in Rs/sq. m., of the lands included in the URC; as per the ASR and Rate of Construction (RC)* in Rs/sq. m, applicable to the area as per the ASR and shall be given as per the Table-B below:

Table-B

Basic Ratio (LR/RC)*	Incentive (As % of Admissible Rehabilitation Area)			
	For 0.4ha up to 1 ha	More than 1 ha up to 5 ha	More than 5 ha up to 10 ha.	For more than 10 ha
Above 6.00	55%	60%	65%	70%
Above 4.00 and up to 6.00	65%	70%	75%	80%
Above 2.00 and up to 4.00	75%	80%	85%	90%
Up to 2.00	85%	90%	95%	100%

Explanation:-

(i) *RC is rate of construction in respect of RCC Construction and Land Rate (LR) is the rate of Open Land for FSI 1.

Provided further that in case there is more than one land rate applicable to different parts of the plot under the URS, a weighted average of all the applicable rates shall be taken for calculating the Average Land Rate and the Basic Ratio.

Provided further that for calculation of the Basic Ratio, the Land Rate (LR) and the Rate of Construction (RC) shall be taken for the year in which the Cluster Development Project is approved and LOI is issued by the Authority competent to approve it and the said ratio shall remain unchanged even if such Scheme undergoes any revision or modification subsequently during its course of completion.

Provided further that if any new area is allowed to be added to or deleted from the URS after such Scheme has been approved and if there is change in the slab prescribed above, the incentive FSI for the total area of the revised Scheme shall be determined as per the new slab. Provided further that any new area being added to a URS shall not be less than 75% of the minimum area required for URS.

Provided further that augmentation of area of URC shall not be allowed after further CC has been issued in respect of more than 75% of the total permissible BUA sanctioned under the original Scheme and there shall be no revision of individual areas as a result of such amalgamation of area. However, deletion of area from a sanctioned scheme will be permissible, provided the construction of rehabilitation component has not commenced and such deletion does not break the contiguity of the area under URS.

c) If the total of rehabilitation FSI + incentive FSI is less than 4.00, then the Balance FSI over and above total of "rehabilitation FSI + incentive FSI" as per (b) above up to the limit of 4.00 shall be shared in terms of BUA between MHADA and the Promoter/Developer in accordance with Table-C below :-

Table-C

Basic Ratio	Sharing of Balance FSI	
(LR / RC)*	Promoter/Developer Share	MHADA Share
Above 6.00	30%	70%
Above 4.00 and up to 6.00	35%	65%
Above 2.00 and upto 4.00	40%	60%
Upto 2.00	45%	55%

Provided that at the option of or with the approval of MHADA, the tenements coming to the share of MHADA can also be provided by the Promoter/Developer elsewhere within the ~~same Municipal Ward~~ Municipal limit as per the following formula:

Area of tenements coming to MHADA's share at location 'B' in URS = Area of tenements coming to MHADA's share at location 'A' in URS X land rate as per ASR value of location 'A' / land rate as per ASR value of location 'B'

Where location 'A' refers to the location where tenements coming to MHADA's share under the Scheme are required to be given.

Location 'B' is the new location where such tenements are allowed to be given.

Provided further that the tenements so received by MHADA under its share shall first be offered free of cost to the MCGM and MMRDA for use as PAP tenements or as transit accommodation. If the MCGM and MMRDA do not require such tenements for PAP's or as transit accommodation, then the tenements received under its share shall be used by MHADA for PAPs or Transit Accommodation or shall be sold as AH with prior permission of the Govt.

e)"tolerated structures" encroaching upon roads in nearby vicinity shall be allowed to be included in the URS and its BUA shall be included in rehabilitation area, provided such structures are permanently removed.

Explanation: The term "tolerated structure" means structure used for residential or non-residential purpose and existing prior to to ~~17th April 1964 or 1st April 1962~~ respectively 1.1.2000.

f) It shall be permissible to implement the sanctioned URS in phases provided the area of URC is more than 8000 sq. m (2 acres) and the development in each phase is strictly in conformity with the Master Plan/Layout Plan approved for the entire URS.

Subject to the master plan for the whole cluster being followed, phase wise implementation of URS may be allowed, with pro rata utilization of the total admissible FSI.

Provided further that, while giving permission for phased implementation of the URS, the time frame for implementation of each phase shall also be given.

The minimum area for each phase shall be 4000 sq. m.

Provided further that, while giving permission for phased implementation of URS, the incentive FSI as per Table-B shall be first released as per the area of the plot under a given phase and the balance incentive FSI shall be released while giving approval to the last phase.

7. From the total FSI available under Clause 6, entire FSI towards rehabilitation component and MHADA's share shall have to be utilized on plot/plots under the Scheme. In case a part of incentive FSI is not proposed to be utilized on the same plot, the benefit of TDR as per Regulation No 32 shall be given. However the quantum of TDR shall be governed by the following formula.

Incentive FSI at location 'B' in URS

= Incentive FSI at location 'A' in URS X ASR value of Land at location 'A' / ASR value of Land at location 'B'

Where, location 'A' refers to the location where incentive FSI in URS is generated.

Location 'B' is the new location where such incentive FSI is to be utilized.

In case a part of incentive FSI is not proposed to be utilized on the same plot, the benefit of transferable development rights to be used in suburbs or extended suburbs as per Appendix VII-A of D.C. Regulation No. 34 shall be given.

From the total FSI available under Clause 6, entire FSI towards rehabilitation component and MHADA's share shall have to be utilized on plot/plots under the Scheme. In case a part of incentive FSI is not proposed to be utilized on the same plot, the benefit of TDR as per Regulation No. 32 shall be given.

8. Development of DP Reservations:

Construction or reconstruction of slums/buildings falling under Reservations contemplated in the DP shall be permissible as under-

a. Redevelopment/reconstruction in any zone shall be allowed to be undertaken without going through the process of change of zone. However, for the industrial user, the existing segregating distance shall be maintained from the existing industrial unit.

Tenants / occupants of the existing Industrial sheds / galas, offices etc. to be considered eligible for rehabilitation under this regulation.

b. Any land under non-buildable/open space reservations, admeasuring up to 500 sq. m may be cleared by shifting the existing tenants from that site.

c. If the area under a non-buildable/ open space reservation is more than 500 sq. m, minimum 50% of the area under reservation shall be developed for the same purpose and handed over to MCGM, subject to a minimum of 500 sq. m and the remaining land shall be allowed for development.

d. All the reservations in the DP shall be rearranged, if necessary, with the same area and the same width of access road or as required under DCR, whichever is more.

e. For the reservation of parking lot on a land included in URC, BUA equivalent to Zonal (basic) FSI for the area under reservation in that plot shall be made available free of cost to the MCGM or to any other Appropriate Authority. Such BUA to be handed over shall be free of FSI.

f. For other buildable reservations on land, BUA equal to ~~60%~~ 40% of the Zonal (basic) FSI under such reservations or existing BUA of the amenity(designation) whichever is more, on that plot shall be made available free of FSI and free of cost to the MCGM or the Appropriate Authority. The reservations of compatible nature can be preferably constructed in one or more separate blocks, depending on the area and nature of such reservations and Municipal Commissioner may permit composite development of reservations in case of such reservations. However, if the HPC/Planning Authority requires BUA under any designation/reservation in excess of the Zonal (basic) FSI, then such excess area shall be considered as rehabilitation FSI, and incentive FSI as admissible under this Regulation shall be permissible.

Provided that in case of development of reservations of Rehabilitation & Resettlement under the URS, BUA equal to 30% of the Zonal (basic) FSI shall be handed over to the MCGM free of FSI and free of cost, in addition to the rehabilitation of the existing tenements or users if any.

Suggestion

Provided that in case of development of reservations of Rehabilitation & Resettlement under the URS, BUA equal to 30% of the Zonal (basic) FSI shall be handed over to the MCGM free of FSI and free of cost, ~~in addition to the rehabilitation of the existing tenements or users if any.~~

Such BUA to be handed over as reservation amenity shall be adjusted with the BUA for rehabilitation of tenements if any, existing on such reserved land.

The developer/owner shall be entitled for BUA in lieu of cost of construction against handing over of built up amenity as per Note (d) of Regulation No. 17 (1) and for additional BUA equal to area of the plot to be surrendered to MCGM free of cost and free of encumbrances for non buildable reservations, D.P.Road and area under road widening as per Note 1a) of Regulation No. 17 (1).

g. Where a proposed DP Road or Regular line of street passes through the URS area, the entire FSI admissible under this Regulation for the area of the road may be given in the same Scheme.

The location of and the area under DP road/ existing roads falling in the URS may be allowed to rearranged based on the comprehensive traffic study without affecting the continuity of the existing traffic movement and without reducing the total area of the existing road, proposed D.P.roads, sanctioned road lines may be realigned or relocated with the permission of HPC as per provisions of MMC Act.

h. No premium shall be charged for the fungible FSI admissible as per Regulation 31(3) for rehabilitation component of an URS as sanctioned by HPC and for the tenements to be handed over to MHADA and for the areas of reservation to be handed over to MCGM/ Appropriate Authority. This fungible FSI admissible to the rehabilitation tenements shall be utilized for rehabilitation component only. Its utilization for Sale Component under the URS shall not be permissible.

9. 30% of the incentive FSI can be used for non-residential purposes as otherwise permissible under the DCR.

10. A Surcharge on Development at the rate of 100% of Development Charge, subject to a minimum of Rs 5000 per sq. m. for BUA over and above the Zonal (basic) FSI (including fungible BUA), for the rehabilitation and free sale component, shall be leviable only on the incentive BUA in respect of any URS by the MCGM and in accordance with the time schedule and installments for such payment as may be laid down by the Commissioner. These infrastructural charges shall be in addition to development charges levied as per section 124 of MR&TP Act 1966.

This surcharge shall not be applicable to the BUA to be handed over to the MCGM or any Public Authority in lieu of reservation or to the amenity areas to be handed over to the MCGM as per the requirement indicated by the MCGM or the HPC as well as built up area required for the rehabilitation of existing tenants/occupants and built up area required for MHADA share of FSI to be handed over under Table -C. Such Development charges shall be leviable in installments proportionate to the permission granted.

11. Temporary transit camps may be permitted in the same URC or elsewhere in MCGM limits on land belonging to the Promoter/Developer up to 4.00 FSI with the concessions permissible under SRA Scheme under Regulation 33(10). Such transit camps shall have to be demolished after full occupation certificate is granted to the Rehabilitation Component by the Corporation for the reconstructed building. Till the transit camps are fully demolished, the Commissioner shall not release FSI for the free sale area under the URS In excess of 75% 90% of the total admissible Incentive FSI.

12. Non-conforming Activities: All activities which are existing shall be allowed to be re-accommodated regardless of the non-conforming nature of such activities excepting those that are hazardous and highly polluting and those where alternative accommodation has to be provided elsewhere by the Promoter/Developer/MCGM.

13. Relaxation in Building and other requirements:

In case of rehab tenements ~~of 27.88 sq. m Carpet area for rehabilitation~~ or tenements to be given to MHADA, towards its share and the BUA to be handed over to the Planning Authority/ Appropriate Authority, the following shall be applicable.

13.1 13.1 Calculation of FSI for all purposes shall be on gross area of the URS. ~~Provision of ROS, to be kept on the site as per prevailing D.C. Regulations.~~

13.2 Notwithstanding anything contained in Regulation No.31(1), areas of common passages not exceeding 2.00 m in width, provided for giving access to the tenements in rehabilitation component and the tenements to be handed over against reservation and MHADA component shall not be counted towards FSI.

13.1 13.3 Front and marginal open spaces, for a building having height up to 32.0 m. in the rehabilitation component or a composite building, shall be 3.0 ~~and 4.5 m respectively.~~

Provided that for a building having height more than 32.0 m and up to 70 m, side marginal open space of the width of 6 m at least on one side at ground level within the plot, accessible from the road side shall have to be maintained for the maneuverability of a fire engine, unless the building abuts two roads of 6 m or more on two sides, or another access of 6 m to the building is available, apart from the road abutting the building.

13.4 Notwithstanding the provisions in Regulation No 41 (Table No 18) where the location of the URC plot abuts a DP Road having width of ~~18.3 m~~ 12.00 m and above. The front marginal open space shall not be insisted upon beyond 3.0 m provided such road is not an Express Highway or a road wider than 52 m.

13.5 Where the location of the URC plot abuts a trained nallah, the marginal open space along the nallah shall be 4.5 m from the edge of the trained nallah,

13.6 The distance between any two rehabilitation buildings ~~up to 32 m height~~ shall not be less than 6.00 m

13.7 If the height of any building constructed under URS is more than 32.0 m, marginal open space shall be as per the Regulation No 41(5).

However the required Open spaces may be relaxed by the Commissioner to extent of open spaces required as per CFO requirements as provided in Regulation 47(1)(A)

13.1 13.8 A composite building under URS shall have at least 50 percent of BUA as rehabilitation component which shall include the rehabilitation for the tenants/occupants, tenements to be handed over as MHADA share, built up area to be handed over to MCGM for reservations/ designations.

13.9 Wherever more than minimum front and marginal spaces have been provided, such additional area provided may be considered wherever necessary, as part of the AOS under the URS comprising both rehabilitation and free sale components, without charging any premium, in relaxation of the stipulation in Regulation No. 27.

13.10 The means of access shall be normally governed by the provisions of Regulation No. 23 However, in the URS, wherever the design of the buildings up to 32.0 m height requires relaxation in the width of access, the same may be given. However, high rise buildings shall be permissible as per Regulation No 19.

13.11 Even if the ROS is reduced to make the project URS viable, at least 10 percent of URC plot area shall be provided as ROS. In addition, 10 percent of URC plot area shall be earmarked for ROS which can be adjusted against the DP reservation/land component of built up amenity, to be handed over to MCGM, if any, existing on such plot.

Even if the ROS is reduced to make the project URS viable, at least 10 percent of URC plot area shall be provided as ROS. In addition, ~~10~~ 5 percent of URC plot area shall be earmarked for ~~ROS~~ AOS which can be adjusted against the DP reservation/land component of built up amenity, to be handed over to MCGM, if any, existing on such plot. AOS as per Regulation 14 shall not be insisted.

13.12 Premium shall not be charged for exclusion of staircase and lift well etc. as covered under the provisions of Regulation 31(1) (iv)

13.13 In order to make the URS viable, the Municipal Commissioner shall be competent to sanction any relaxation in marginal open spaces except front marginal open space and parking requirements wherever necessary due to bonafide hardship, for reasons to be recorded in writing which shall not affect general health, fire and safety requirements. However the Govt. shall have the power to relax any of the provisions in these Regulations.

13.14 All relaxations outlined hereinabove shall be admissible only in respect of the rehabilitation component and the composite buildings under the URS. Premium shall not be charged for all or any of the relaxations given hereinabove or for any other relaxations mentioned in Regulation No 31(1). Provided that if any further relaxation in open spaces is granted by Municipal Commissioner then the same shall be subject to compliance of CFO requirement and recovery of premium at the rate 2.5% of ASR.

If any relaxation in open spaces except front open space in sale component is granted by Municipal Commissioner then the same shall be subject to compliance of CFO requirement and recovery of premium at the rate 2.5% of ASR.

14. The approving/sanctioning authority for the building plans under the URS shall be the Municipal Commissioner as per the MMC Act and MRTTP Act, 1966 even if the URS partly consists of declared slums/slums on Municipal/ Govt. lands existing prior to 1st January 2000 or such/other reference date notified by the Government.

15. Religious structures existing on the site of URS ~~prior to redevelopment, if~~ shall be allowed to be redeveloped in accordance with the guidelines issued by the Govt from time to time, ~~shall not, following such redevelopment, have area exceeding their area prior to redevelopment.~~

16. Restriction on transfer of tenements shall be governed by provisions of Maharashtra Rent Control Act, till such time that a Co-op. Housing Society is formed and thereafter the same shall be governed by the provision of Maharashtra Co-op. Societies Act. However, tenements constructed for slum rehabilitation shall not be transferable for a period of 10 years.

17. Corpus Fund: An amount of minimum Rs 50,000/- per tenement (to be enhanced by 10 % after Every three years from the date of sanction of these regulations) ~~or as directed by the HPC~~ shall be created by the Promoter/Developer as a Corpus fund, which will be utilised for maintenance of the rehabilitation buildings for a period of 10 years.

18. Any ongoing scheme under Regulation 33(7) which fulfills the criteria under this Regulation can be included in the proposal under Regulation 33 (9) for approval or converted into a URS under this Regulation 33(9). However all dilutions of reservations under Regulation 33(7) shall have to be restored as per this Regulation.

Any ongoing scheme under Regulation 33(7) or redevelopment of existing housing scheme of MHADA under Regulation 33(5) or redevelopment under any other regulation as may be permitted by HPC, which fulfills 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 URS under Regulation 33(9). However all reservations under Regulation 33(7) shall have to be restored as per this Regulation

Any redevelopment schemes being undertaken under DCR 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 are being proposed to be converted into a URS under DCR 33(9) at the option of the Project Proponent, then such built-up area which has been sanctioned upon payment of premium to MHADA under DCR 33(5) will be offset from the share of built-up area to be handed over to MCGM / MHADA/ MMRDA as may be applicable as per DCR 33(9).

The said area of minimum housing stock of 5% would be allowed over and above the permissible FSI of 4.

This additional area shall be included in the rehabilitation area and incentive for the same shall be available as per this regulation.

19. Heritage buildings of Grade-I and II as well as authorized and structurally sound retainable buildings may be included in the URC, but shall have to be kept as they are, along with land appurtenant, and this area shall be counted towards the slab of Incentive FSI, but shall not be considered for FSI under this Regulation. As regards such Heritage Structures, the Promoter/Developer shall have to contribute Heritage Cess at 5% of ASR on the basis of BUA of the Heritage structure. Existing provisions under the DCR shall apply to Heritage Buildings of Grade-III and buildings in heritage precincts. However, if the URS contains Grade I structure, the HPC shall consult the MHCC before granting approval.

20. If HPC approves areas for amenities such as Fire Stations/Hospitals/Police Stations/Schools, etc. other than reservations/designations under the DP, such amenities shall be handed over to the concerned Authority free of cost. The BUA of such amenity shall be considered towards rehabilitation FSI, and incentive FSI as admissible under this Regulation shall be permissible.

New Sub Regulation:

(a) Clubbing of two or more urban renewal schemes shall be permissible. In such clubbing, the rehab component, the incentive component and area to be handed over to MHADA, if any, of the schemes so clubbed shall be independently determined but the free sale components and area to be handed over to MHADA, if any, will be allowed to be located anywhere within the plots comprised in the schemes so clubbed. In the event the incentive FSI generated from any of the schemes ("Originating Plot") is proposed to be utilised on any portion of land comprised in any of the other schemes so clubbed ("Receiving Plot"), then the quantum of incentive FSI to be so utilised on the Receiving Plot will be determined on the basis of the ASR of the Originating Plot and the Receiving Plot.

(b) In order to reduce the density of urban renewal clusters, urban renewal schemes will be permitted to be clubbed with any other parcel of vacant land. Such parcel of land which is clubbed with the urban renewal scheme, should be deemed to form

part of the urban renewal scheme for all purposes including for determining the total area of land comprised in the urban renewal cluster and for the determining of the incentive FSI. The free sale components and area to be handed over to MHADA, if any, will be allowed to be located anywhere within the plots comprised in the schemes so clubbed. In the event the incentive/free sale FSI generated from any of the land parcels ("Originating Plot") is proposed to be utilised on any other land parcel in any of the other schemes so clubbed ("Receiving Plot"), then the quantum of incentive FSI to be so utilised on the Receiving Plot will be determined on the basis of the ASR of the Originating Plot and the Receiving Plot. Such clubbing will however be subject to special permission of Municipal commissioner.

21. HPC shall be constituted which shall be competent to approve the URS ~~with the previous sanction of the Govt~~ under this Regulation. On approval by HPC, the proposal shall be submitted to the Municipal Commissioner, MCGM for approval of plans.

The decision of HPC shall be appealable as if it is an appeal under section 47 of the MRTP Act, 1966.

Provided that no URS shall be sanctioned by the ~~Govt~~ HPC without giving due regard to the Impact Assessment study referred to in clause 1.1 above.

22. Regardless of its area, any Cluster Renewal Scheme (CRS) for which LOI has been issued under Regulation 33(9) of DCR 1991 prior to the date of coming into force of this Regulation can be allowed to be converted ~~into to~~ as per this Regulation at the request of the Promoter/Developer, with the approval of the State Govt.

Provided that:

a) For the purpose of calculation of Basic Ratio, as specified in Clause 6(b) above, the land rate (LC) and the Rate of construction (RC) shall be taken for the year in which such CRS was approved and LOI was issued by the competent authority.

b) The surcharge on development leviable on such CRS after its conversion under this regulation, shall be calculated in accordance with the date on which the development cess had been paid and shall be recovered before issuing CC after the conversion of the Scheme. Any excess amount paid towards Development Cess shall be adjusted against any other charges due, but shall not be refunded.

c) Conversion of such CRS, as had been sanctioned by the Govt. earlier, shall not require Govt. approval and it shall be within the competence of the HPC to permit conversion of such CRS.

Provided further that after the coming into force of this Regulation, land pooling and the development of buildable reservations and construction of Transit Camps in the CRS approved prior to the coming into force of this Regulation may be done as per the provisions of this Regulation, if the same has not been completed so far, even where such CRS has not been converted to be developed as per this Regulation.

New Clause as mentioned below as Clause 23 needs to be introduced. This was previously part of DCR 33(9) of March 2009

A High Power Committee (HPC) will be constituted which will approve the schemes with the previous sanction of the Govt. under DCR 33(9). On approval by this High Power Committee, the proposal will be submitted to MCGM for approval of Plans.

The HPC / Government will have the powers for any relaxations / modifications in the rules duly recommended by Municipal Commissioner / HPC.

33 (9) (A) Regulations for Dharavi Notified Area (DNA)

Urban Renewal Scheme under Dharavi Redevelopment Project (DRP):

Areas undertaken by SRA under DRP for renewal and redevelopment of buildings/chawls including cessed buildings situated on non-slum areas within DNA, shall be a part of the entire DRP Area which shall have an overall FSI of 4.00. The entitlement of FSI on that particular plot shall be 4.00 or the FSI required for rehabilitation of existing tenants/occupiers plus incentive FSI and would be in accordance with the guidelines laid down below.

1) Applicability of the provisions:

For achieving comprehensive planning and development of non-slum areas of DNA through sectoral layouts of DRP, the provisions in this Regulation shall apply to the renewal and redevelopment of buildings/chawls including cessed properties and such schemes on areas which are part of DRP Area undertaken by DRP (SRA) through a developer. The properties which are not part of DRP Area as defined above shall be developed in accordance with DCR 30.

2) Renewal & Redevelopment project formulated by SRA for buildings/chawls including cessed properties shall be with FSI of 1.72 or the FSI required for rehabilitation of existing eligible occupants, whichever is more. This shall exclusively be used for rehousing existing eligible occupants and for generating additional tenements/units. The BUA of such construction with 1.72 FSI or more shall be termed as RRC

3) (a) If areas redeveloped earlier under SRD/SRA schemes are included in the DRP Area for renewal and redevelopment under DRP, the TDR generated from the plot in the said SRD/SRA scheme would be deducted from overall calculation of FSI 4.00.

(b) For private unencumbered plot/s situated within DNA but presently excluded, the FSI shall be 4.00 on their inclusion in DRP. The developer however, shall have to pay premium as decided by DRP on BUA equivalent to 2.67 FSI of that plot upon which he could go up to BUA equivalent to 4.00 FSI in his free sale component.

4) The construction of RRC will be carried out by the developer so appointed under DRP at his cost as per the specifications, planning and requirements of DRP (SRA). Each eligible occupant shall be rehabilitated and given the carpet area occupied by him for residential purpose in the old building subject to the minimum fixed carpet area of 27.88 sq. m (300 sq. ft.) and maximum area equivalent to the area occupied in the old building. The carpet area up to 70 sq. m shall be part of RRC and shall be provided free of cost. However area above 70 sq. m will be at construction cost to be determined by OSD, DRP (SRA) and the said cost to be paid by the respective occupant to the developer. Such surplus residential renewal area shall not qualify for calculating incentive RSC.

In case of non-residential occupier the area to be given will be equivalent to the area occupied in the old building. The renewal tenements in the so completed buildings shall be handed over to the respective eligible occupiers of the old building as certified by the concerned Competent Authority free of encumbrances.

5) Eligibility for Renewal Rehab Tenements:

For URS the existing tenants/occupants residing as on 1st January, 2000 shall be considered eligible. . A certified inspection extract of the MCGM for the year 1999-

2000 or Courts Order proving the existence of tenements prior to 1.1.2000 shall be considered adequate evidence to establish number and size of tenements. No new tenancy/occupancy created after 1.1.2000 shall be considered. Further unauthorized construction made in buildings/chawls, and unauthorized extensions to the tenements shall not be considered for any computation.

6) (a) An area equal to 13.33 sq. m BUA as Renewal Sale Component(RSC) shall be made available against the RRC of 10 sq. m for disposal in the open market. RSC can be clubbed with Slum Sale Component and Amenity Sale Component generated under DCR 33(10) (A) within the same planning sector.

(b) If the FSI required for rehabilitation of existing eligible occupants plus RSC exceeds FSI 4.00 of a particular plot, such excess quantum shall get absorbed while calculating overall FSI of 4.00 on entire DRP Area.

7) Non Residential User as permissible in R and C zones as per Regulation No. 34 shall be allowed in Free Sale Components.

8) RRC shall be located at a suitable location within the respective planning sector layout and not necessarily be on the plot where they exist at present. In case of any site constraints, the same may be allowed to be located outside the particular sector layout, but within the DNA, with the special permission of OSD, DRP (SRA).

9) After the proposed RRC buildings are constructed in the sector layout, at approved location, in all respect including amenities such as water supply, sewerage lines, electricity etc, the present occupiers of the respective buildings, chawls, tenanted properties etc. of the concerned authorities shall be shifted to their respective newly built tenements as per the allotment to be finalized by the concerned authorities.

10) An individual agreement shall be made by the Land Owning Authority/SRA/the developer so appointed by DRP (SRA) with the eligible occupier of each tenement / unit in the joint names of pramukh occupier and spouse for every structure on the renewal plots.

11) Tenements having a differently abled person or female-headed households shall be given first preference in allotment of tenements. Thereafter lots shall be drawn for allotment of tenements from the remaining tenements to the other occupiers.

12) In respect of those eligible occupiers on site who do not join the project willingly the provisions laid down under clause no 1.14 of Regulation No.33 (10) (A) shall be applicable.

13) The Managing Committee of the proposed Co-operative housing society of occupants to be formed after allotment of reconstructed tenements shall have women to the extent of one-third of the total strength of actual members on the committee at any time.

14) The tenement obtained under this scheme cannot be sold/leased/ assigned or transferred in any manner for a period of ten years from the date of allotment/possession of the tenement. In case of breach of conditions, except transfer to legal heir, the tenement will be taken over by DRP (SRA).

15) Building permissions for the Urban Renewal development shall be as per the procedure laid down under clause no. 2.1 to 2.8 of Regulation No.33(10)A.

16) Temporary transit accommodation shall be provided within DNA. If it falls on the area of amenity open space excluding D P road/open space reservation in accordance with the procedure laid down under Regulation \$ 4 of 33(10)(A).

17) Relaxation in building and other requirements for the Urban Renewal development shall be as per the provisions laid down under clause no. 6.1 to 6.17 of Regulation No. 33(10)(A).

18) Urban Renewal Development and DP Reservations shall be as per the provisions laid down under clause no. 7.1 to 7.9 of Regulation No.33(10)A.

19) *The* concerned land owning authority shall give DRs of their land to DRP (SRA) in lieu of 70% of net premium that is payable by the developers, proportionate to the RRC generated on the said land. In case project is to be undertaken by Public Authority, the premium payable shall be as decided by the Government.

20) Ownership and Terms of lease - If land on which the RRC of DRP is to be constructed is part of Govt. /MCGM/MHADA/MMRDA/ Any Undertaking land, the same shall be leased to the Co-operative Housing Society of the occupants on 30 years lease with a rent as decided by GoM from time to time and shall be renewable for a further period of 30 years. The same conditions shall prevail for land under the free sale component and the land shall be leased directly to the Society/ Association of the purchasers in the free sale component and not through the society of renewal rehab occupants.

21) As soon as the approval is given to the Project, NOC for building permission of the land owning authority shall be given in respect of the property to be developed under this URS on lands belonging to any department, undertaking, agency of the State Government including MHADA, or any Local Self-Government such as the Municipal Corporation within 60 days after the intimation of such approval to the Project is communicated. In the event of its not been given within the period, it shall be deemed to have been given.

22) An amount of Rs.20,000 or such amount as may be decided by the Govt. from time to time per renewal tenement /unit shall be deposited by the developer with DRP (SRA) as a corpus fund for utilization by the co-operative housing society of the renewal rehab occupants for the purpose of maintenance, in accordance with the time-schedule for such payment as may be laid down by OSD, DRP (SRA). Building permission for the last 25 percent of the free sale component would be given only after the entire amount is deposited with DRP (SRA). A matching amount of Rs. 20,000 per renewal rehab tenement /unit shall also be deposited by DRP (SRA) and added to the said corpus fund.

23) An amount equal to 2% of land rate as per ASR for FSI 1 shall be paid by the Developer for the BUA over and above the Zonal (basic) FSI, for the rehabilitation and free sale components. This amount shall be paid to DRP(SRA) in accordance with the time schedule for such payment as may be laid down by OSD,DRP(SRA), provided the installments shall not exceed beyond the completion of construction. This entire amount will remain with DRP (SRA) and the same shall be used for Schemes to be prepared for the improvement of infrastructure within Dharavi Redevelopment Project Areas.

24) SRA, after consultation with the concerned authorities may add, alter or amend the conditions under these Regulations with the previous approval of the Govt.

Note:-

The provisions of the DCR for Greater Mumbai, and all other applicable sections of the MR & TP Act, 1966, shall apply *mutatis mutandis* to the development of land with the modification that the expressions "Municipal Corporation of Greater Mumbai" and "Municipal Commissioner" shall be substituted by the expressions "Slum Rehabilitation Authority" and "Officer on Special Duty, DRP (SRA)" respectively.

33 (10) Redevelopment for Rehabilitation of Slum Dwellers:

I Eligibility for redevelopment scheme:

(a) A person eligible for redevelopment scheme shall mean a protected occupier as defined in Chapter IB of Maharashtra Slums Areas (Improvement, Clearance and Redevelopment) Act, 1971 as amended time to time, hereinafter referred to as Slum Act and orders issued there under.

(b) Subject to the foregoing provisions, only the actual occupants of the hutment shall be held eligible, and the so called structure-owner other than the actual occupant if any, even if his name is shown in the electoral roll for the structure, shall have no right whatsoever to the reconstructed tenement against that structure.

II Definition of Slum, Pavement, and Structure of hut:

(i) Slums shall mean those censused, or declared and notified, in the past or hereafter under the Slum Act. Slum shall also mean area/pavement stretches hereafter notified or deemed to be and treated as Slum Rehabilitation Areas.

(ii) If any area fulfils the condition laid down in section 4 of the Slum Act, to qualify as slum area and has been censused or declared and notified shall be deemed to be and treated as Slum Rehabilitation Areas.

(iii) Slum Rehabilitation area shall also mean any area declared as such by the SRA though preferably fulfilling conditions laid down in section 4 of the Slum Act, to qualify as slum area and/or required for implementation of any slum rehabilitation project. Any area where a project under Slum Rehabilitation Scheme (SRS) has been approved by CEO, SRA shall be a deemed slum rehabilitation area.

(iv) Any area required or proposed for the purpose of construction of temporary or permanent transit camps and so approved by the SRA shall also be deemed to be and treated as Slum Rehabilitation Areas, and projects approved in such areas by the SRA shall be deemed to be Slum Rehabilitation Projects.

(v) A pavement shall mean any Municipal/Govt. /Semi-Govt. pavement, and shall include any viable stretch of the pavement as may be considered viable for the purpose of SRS.

(vi) A structure shall mean all the dwelling area of a protected occupier as defined in Chapter I-B of Slums Act, and orders issued thereunder.

(i) A composite building shall mean a building comprising both rehab and free-sale components and part thereof in the same building.

(ii) Censused shall mean those slums located on lands belonging to Govt., any undertaking of Govt., or MCGM and incorporated in the records of the land owning authority as having been censused in 1976, 1980, or 1985 or prior to 1st January, 1995, and 1st Jan 2000

III Joint ownership with spouse: The reconstructed tenement shall be of the ownership of the hutment dweller and spouse conjointly, and shall be so entered and be deemed to be so entered in the records of the co-operative housing society, including the share certificates or all other relevant documents.

IV Denotification as Slum Rehabilitation Area: SRA on being satisfied that it is necessary so to do, or when directed by the State Govt, shall denotify the Slum Rehabilitation Area. On completion of the Slum Rehabilitation Scheme, the slum rehabilitation area shall stand de-notified automatically.

V Applicability: The following provisions will apply for redevelopment/construction of accommodation for hutment/pavement-dwellers through owners/developers/co-operative housing societies of hutment/pavement-dwellers/public authorities such as MHADA, MIDC, MMRDA etc. /Non-Governmental Organizations anywhere within the limits of MCGM. However, NGO should be registered under the Maharashtra Public Charitable Trusts Act, 1961 and the Societies Registration Act, 1960 at least for the last five years should also be got approved by SRA.

VI Right of the Hutment Dwellers:

1.1 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.

1.2 Even those protected dwelling structures having residential areas more than 25 sq. m will be eligible only for 25 sq. m of carpet area where Carpet area means area of tenements exclusive of all areas under walls including partition walls if any in the tenement.

1.3 All eligible hutment dwellers taking part in the SRS shall have to be rehabilitated in accordance with the provisions of this Regulation. It may be in situ and in the same plot as far as possible.

1.4 Pavement dwellers and hutment dwellers in the slum on land required for vital public purpose or such location which are otherwise unsuitable for human habitation shall not be rehabilitated in-situ but in other available location and in accordance with these Regulations. Competent Authority appointed by the State Government in Housing Department shall on the basis of verification of documents as may be prescribed shall decide on the eligibility of hutment dwellers.

1.5 The eligibility of a person including a transferee, under a scheme of Slum redevelopment shall be established in accordance with Chapter I B of Slum Act, and orders issued thereunder.

1.6 An individual agreement shall be entered into by the owner/developer/co-operative housing society/NGO with the eligible hutment-dwellers in the slum/pavement.

1.7 An individual agreement entered into between hutment-dweller and the owner/developer/co-operative society/ NGO shall be in the joint names of pramukh hutment dweller and spouse for every protected dwelling structure

1.8 Hutments dwellers in category having a differently abled person or female headed households shall be given first preference in allotment of tenements. Thereafter lots shall be drawn for allotment of tenements from the remaining tenements to the other eligible hutment-dwellers before grant of O.C.to rehab Building.

1.9 Transfer of Photo passes- Since, only the actual occupant at present will be eligible for redevelopment, there shall be no need to regularize the transfers of photo passes that have occurred so far. A photo pass will be given after the new tenement has been occupied.

1.10 Any person who owns a dwelling unit on Ownership basis in Brihanmumbai area then he shall not be held eligible under this scheme. Any person who can be held eligible under more than one Slum Rehabilitation scheme then he shall be held eligible in only one scheme.~~se name is enrolled in a non-slum area in Brihan Mumbai but has purchased a hutment and therefore got his name also included in~~

~~electoral roll for the slum area, i.e. he has his name in the electoral roll at two places, he shall not be held eligible for the scheme~~

1.11 Premium for ownership and terms of lease-. That part of Government/MCGM/MHADA land on which the rehabilitation component of the SRS will be constructed shall be leased to the Co-operative Housing Society of the slum-dwellers on 30 years. Annual lease rent of Rs. 1001 for 4000 per sq. m. of land or part thereof and lease shall be renewable for a further period of 30 years at a time simultaneously land under free sale component shall be leased at the annual lease rent of Rs. 1001 for 4000 sq. mt. of land or part thereof directly to the Society/Association of the purchasers of the tenement under free sale component with the provision for further renewal for a period of 30 years at a time. Pending the formation of the Society/Association of the purchasers in the free sale component the lease shall be executed in the favour of the developer. ~~with a provision for further renewal for a period of 30 years at a time. The lease rent for the free sale component shall be fixed by SRA.~~ In case of land acquired at the instance of the co-op housing society and acquisition cost is borne and paid by the society then the aforesaid premium shall not be payable in respect of such acquired land. If any premium or compensation is paid to respective land owning Authority then premium under this clause shall not be insisted by SRA.

In addition to above, the Developer/Co-op. Housing Society shall pay premium at the rate of 25% of ASR in respect of SRS proposed to be undertaken on lands owned by Government, Semi-Government undertakings and Local Bodies and premium shall go to land owing authority such as MHADA, MCGM, MMRDA as the case may be. The premium installment so recovered shall be remitted to concern land owing authority within 30 days from the date recovery.

In case of land acquired at the instance of the co-op housing society and acquisition cost is borne and paid by the society then the aforesaid premium shall not be payable in respect of such acquired land.

However land premium at the rate of 25% of ASR shall be fixed on the year of issue of Annexure II and to be recovered in instalment as prescribed by SRA.

In the case of Govt. land the premium shall be deposited in Nivara Nidhi.

The amount of premium shall be recovered in installment as may be prescribed by Govt. from time to time. Land owning authority such as MCGM, MMRDA, MHADA shall not recover land premium in any other form. Proposals for SRS on land owned by Central Govt shall not be accepted unless NOC for the scheme is obtained from Central Govt.

1.12 Automatic cancellation of Vacant Land Tenure and leases- If any land or part of any land on which slum is located is under vacant land tenure, the said tenure/lease created by MCGM or Municipal Commissioner shall stand automatically terminated as soon as letter of Intent is issued by SRA for a SRS, which is a public purpose, on such land is prepared and submitted for approval to the SRA. Any arrears of dues to be collected by MCGM shall not be linked to the issue of any certificate or NOC relating to the Slum Rehabilitation Scheme.

(ii) On sanction of slum rehabilitation scheme, rights of imla malik, Municipal Tenants or any other tenancy shall stand terminated in respect of the sanctioned Slum Rehabilitation Scheme.

1.13 Recovery of pending dues such as assessment, compensation, occupational charges, water charges, non-agricultural tax/dues etc. pending with public authorities such as State Govt, MHADA, and/or MCGM shall be dealt with separately and shall be recovered from the slum-dwellers, who are in default and not be linked to grant of approval or building permission to the slum rehabilitation projects. The recovery from the slum-dwellers who are in defaults shall be made along with assessment tax of the Permanent Alternate Accommodation allotted to such slum-dwellers.

1.14 A Slum Rehabilitation Project shall be considered preferably when submitted through a proposed or registered co-operative housing society of hutment dwellers on site. The said society shall include all the eligible hutment on site while submitting the S.R. Scheme and give an undertaking to that effect to SRA.

1.15 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 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 or by the Private Owners of slum plot if the scheme is being implemented by the Owners or persons deriving development rights from owners..

1.16 In respect of those eligible hutment-dwellers on site who do not join the Project willingly the following steps shall be taken:

(i) Provision for all of them shall be made in the rehabilitation component of the scheme.

(ii) The details of the tenement that would be given to them by way of allotment by drawing lots for them on the same basis as for those who have joined the Project, will be communicated to them in writing by the Managing Committee of the Cooperative Housing Society if it is registered, or the developer. In case of dispute, decision of the CEO/SRA shall be final and binding on all the parties concerned.

(iii) The transit tenement that would be allotted to them or rent payable would also be indicated along with those who have joined the Project.

(iv) If they do not join the scheme within 15 days after the approval has been given to the Slum Rehabilitation Project on that site, then action under the relevant provision including sections 33, 33(A) and 38 of the Slum Act, as amended from time to time, shall be taken and their hutments will be removed, and it shall be ensured that no obstruction is caused to the scheme of the majority of persons who have joined the scheme willingly.

(v) After this action under the foregoing clause is initiated, they will not be eligible for transit tenement along with the others, and they will not be eligible for the reconstructed tenement by lots, but they will still be entitled only to what is available after others have chosen which may be on the same or some other site.

(vi) If they do not join till the building permission to the Project is given, they will completely lose the right to any built-up tenement, and their tenement shall be taken over by the SRA, and used for the purpose of accommodating pavement-dwellers and other slum dwellers who cannot be accommodated in-situ etc.

(vii) Pitch of about 3 m x 3.5 m will be given elsewhere if and when available, and construction therein will have to be done on their own.

1.17 The Managing Committee of the proposed as well as registered Co-operative housing society of hutment dwellers shall have women to the extent of one-third of the total strength of actual members on the committee at any time.

1.18 Restriction on Transfer of Tenements; the tenement obtained under this scheme cannot be sold/leased/assigned or transferred (except to legal heir) in any manner for a period of ten years from the date of allotment/possession of the tenement. In case of breach of conditions, except transfer to legal heir, the tenement will be taken over by SRA.

VII. Building Permission for Slum Rehabilitation Project:

2.1 The proposal for each Slum Rehabilitation Project shall be submitted to the SRA with all the necessary documents, no-objection certificates, and the plans as may be decided by the SRA from time to time.

2.2 Approval to the Project shall be given by the SRA within a period of 60 days from the date of submission of all relevant documents. In the event of failure by SRA to do so, the said approval shall be deemed to have been given, provided the Project is in accordance with the provisions of these Regulations.

2.3 The SRA while giving the approval may lay down terms and conditions as may be necessary.

2.4 The SRA shall adopt the procedure laid down in the MR & TP Act, 1966 for giving building permission to any Slum Rehabilitation Project under this Scheme.

2.5 On compliance with the terms and conditions, the building permission shall be given, in accordance with the provisions under section 45 of the MR & TP Act, 1966 to the Project under the SRS, first to the Rehabilitation component and thereafter to the free-sale component subject to the provisions in clause below.

2.6 Correlation between Rehabilitation and free-sale components: Building permission, for 10 percent of BUA of both the rehab and free-sale components may be given simultaneously and thereafter proportionately or as may be decided by the CEO,SRA.

2.7 Where the Project is being implemented directly by an NGO approved by SRA, CEO (SRA) may sanction 20 percent of the free-sale component without waiting for any expenditure on the rehabilitation component. The approval for remaining part of free-sale component will be given only after at least 30 percent of rehabilitation component is completed on site.

2.8 As soon as the approval is given to the Project, the NOC for building permission of the landowning authority shall be given in respect of that slum located on lands belonging to any department, undertaking, agency of the State Govt including MHADA, or any local self-Government such as the MCGM within 60 days after the intimation of such approval to the Project is communicated. In the event of its not being given within the period, it shall be deemed to have been given.

2.9 Occupation certificate shall not be held up only for want of lease documents to be executed, in all slum rehabilitation projects taken up on lands belonging to any department, undertaking, agency of the State Govt., including MHADA, and any local self-Government such as the MCGM.

VIII. Rehabilitation and Free-Sale Component:

3.1 FSI for rehabilitation of eligible slum/pavement-dwellers includes the FSI for the rehab component, and for the free-sale component. The ratio between the two components shall be as laid down herein below.

3.2 BUA for rehabilitation component shall mean total construction area of rehabilitation component, excluding what is set down in 31 (1) of D. C. Regulations, but including areas under passages, two wheeler parking (mechanised or otherwise) in basement/stilt/podium/parking tower, aaganwadi, health centre / outpost, community hall / gymnasium / fitness centre, skill development centre, women entrepreneurship centre, yuvakendra/ library, society office, religious structures as permitted under Government Home Department Resolution dt. 05/05/2011 and 18/11/2015, other social infrastructure like School, Dispensary, Gymnasium run by Public Authority or Charitable Trust, 5 percent incentive commercial areas for the Co-operative society, and the further 5 percent incentive commercial area for the NGO, Govt./Public Authority/Govt. Company wherever eligible.

3.3 In Island City, if rehab component is 10 sq. m of built-up area, then an additional 7.5 sq. m built-up area will be permitted so that this additional 7.5 sq. m can be utilised for disposal in the open market and the rehab component subsidized.

3.4 In suburbs and extended suburbs, if rehab component is 10 sq. m of built-up area, then an additional 10 sq. m of built-up area will be permitted so that this additional 10 sq. m can be utilised for disposal in the open market and the rehab component subsidized.

3.5 In difficult areas as may be notified by the SRA hereafter, if the rehab component is 10 sq. m of built-up area, then an additional 13.33 sq. m of built-up area will be permitted and this area of additional 13.33 sq. m can be utilised for disposal in the open market and the rehab component subsidized.

3.6 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 & quality of life, the following additional BUA incentive will be admissible under free sale component of Slum Rehabilitation Schemes as shown in table below:

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%

3.7 FSI to be sanctioned on a Slum Rehabilitation scheme site may exceed 4.0

3.8 Maximum FSI Permissible for Consumption on the Plot: FSI that can be utilised in-situ on any slum site shall be 4 or sum total of rehabilitation FSI plus incentive FSI whichever is more with Minimum Tenement Density of 650 per Net Hectare. Due to local planning constraints and viability of the Slum Rehabilitation Project the density norms of 650 per net hectare may be reduced up to 25% by Chief Executive Office. Thereupon the difference between sanctioned BUA for the scheme and the BUA FSI that can be utilized in-situ, will be made available in the form TDR in accordance with the provisions of Regulation no 32. The computation of FSI shall be done for both rehab and free-sale components in the normal manner, that is giving the benefit of what is set down in Regulation No. 31(1). While the areas referred in sub-regulations No 6.8 and 8.2 of this Regulation shall not be included for computation of FSI the said areas shall be included for computation of the rehab component of 10 sq. m in sub-Regulations 3.3 to 3.5 hereinabove. . In all such cases where FSI sanctioned cannot be utilised in situ even after relaxation of 650 per net hectare norms by Chief Executive Office the difference between sanctioned FSI that can be constructed in-situ and 4.00 if

any, will be made available in the form of TDR in accordance with the provisions of Regulation No. 32

Provided that the aforesaid FSI shall be exclusive of the Fungible FSI admissible under the provision of DCR 31(3).

3.9 Notwithstanding the provisions in 3.8 above, ~~on account of constraints such as height restrictions, uneconomical site conditions, etc; if the full permissible FSI cannot be used on the same site, TDR may be allowed as may be necessary even by reducing the Minimum Tenements Density requirement of 650 per hectare upto 25 % by CEO SRA without consuming permissible FSI on the same site.~~ The Slum Dweller society/NGO/Developer undertaking the scheme may opt to claim TDR in lieu of Sale Component available for the scheme. However, TDR may be allowed only when the frame work for one complete building in rehab component is constructed or when 10% of the rehab component has been constructed on site and the said TDR will not exceed 50 percent of the construction of rehab component at any point of time till the total rehab component has been completed. On completion of the total rehab component balance TDR will be allowed.

~~3.10 The rehabilitation component shall mean all residential tenements as well as non-residential built up premises given free of cost in accordance with the provisions of the SRS outlined in this Regulation excluding what is set down in Regulation No.31(1) and including aaganwadi, health centre / outpost, community hall /gymnasium / fitness centre, skill development centre, women entrepreneurship centre, yuvakendra / library existing eligible religious structure, school, dispensary, gymnasium run by Public Authority or charitable trust etc. as per provision of 8.1 & 8.2 but excluding built up area given for buildable DP reservations.~~ (As repeated in clause 3.2 above)

3.11 If rehabilitation project of a slum located on land belonging to public authority and needed for a vital public purpose and where eligible slum dwellers which cannot be accommodated in the in-situ SRS of land under non-buildable reservations, is taken up on an unencumbered plot in addition to the rehabilitation and free-sale components as laid down hereinabove, TDR equal to the area of the land spared for this purpose shall also be sanctioned for the owner of the said unencumbered plot. Provided that the State Govt. or Public authority or a Govt. Company as defined in Sec. 617 of the Companies Act 1956 and owned and controlled by the State Govt. (herein after referred as the Agency) may undertake Slum Rehabilitation Project on its own land and be eligible for the benefits under this Regulation subject to following conditions:

- 1) The Rehabilitation Project is approved by the SRA.
- 2) The tenements so constructed in execution of the Project are offered to slum dwellers located on land belonging to Govt. or Public Authority and needed for vital public purpose and within 270 days from the date of issue of LOI the Agency shall identify the slum dwellers.
- 3) If the Agency fails to identify the slum dwellers needed to be shifted for a vital public purpose, as above, then the tenements so constructed shall be offered;
 - a) to the slum dwellers located on land belonging to Government or Public Authority within a distance of 2 km. from the land on which the Project is undertaken, or
 - b) to the slum dwellers located anywhere in Greater Mumbai on lands belonging to Govt. or Public Authority, or
 - c) to the slum dwellers located on private lands if the land owner pays the entire cost of tenements as determined by the Agency.

Provided further that in all the three categories of slum dwellers referred to at (a), (b) & (c) TDR of land component shall not be given and the construction TDR shall be released only after identification of eligible slum dwellers.

4) Further provided that in all above cases the relocation of slum dwellers in any case will be undertaken not with reference to individuals but reference to assembly of slum dwellers for the purpose of releasing the plot of land wholly from slums and not only the patches of land.

Provided that notwithstanding anything mentioned above, project affected persons under Mumbai Urban Transport Project (MUTP) being resettled as per the provisions contained in Government Resolution, Housing and Special Assistance Department, by order no. 700/CR 31/slum-2 dated 12/12/2000 and certified by the Project Director, MUTP will also be eligible for redevelopment scheme under this Regulation, as amended from time to time.

3.12 Minimum Density on the Plot Including Non-Residential Units: The minimum density of rehabilitation so as to generate adequate number of additional rehabilitation tenements and affordable housing tenements in situ under any Slum Rehabilitation Project will be 650 tenements per net hectare as, that is, after deducting all reservations actually implemented on site including the land appurtenant thereto, but not deducting the recreational/amenity open space on the remaining area. If the number of tenements to be provided to all eligible hutment dwellers is less than the minimum so constructed as per minimum density of 650 per net hector, the balance shall be handed over free of cost to the SRA. The Authority shall use them for the purpose of transit or Project-affected persons or pavement-dwellers or slum dwellers from other slums or distribution would be done as per policy decided by the GOM.

Provided that any ongoing Slum Rehabilitation Scheme where the eligibility of Slum Dwellers is revised and certified in accordance with guidelines contained in Government Resolutions zopudho-100/C.R.125/14/ zopasu-1, dt 16/05/2015, the scheme parameters shall be revised in accordance with above norms on certification of structural stability from competent Government/ Semi- Government Reputed Technical institutions such as IIT, VJTI etc.

Provided further that in case of slum redevelopment where there are no eligible commercial slum dwellers and where it is possible to provide commercial tenements on ground floor, then in such cases, at the option of the slum dweller society/NGO/Developer undertaking the scheme, may provide commercial PAP tenements of size of carpet area 20.90 sq. m (225 sq. ft.) ~~in consultation with MCGM shall be provided~~ and same shall be handed over free of cost to SRA.

Provided if SRS is undertaken by a Federation, Co- Op. Housing society consisting of members who are serving or retired State Govt. Employees/Employees of the State Govt. Undertakings/Employees of local bodies of State Government for providing housing to its members, such tenements which are generated over and above the tenements to be provided to the existing eligible hutment dwellers, shall be handed over back to the said Federation/Co.-operative Housing Society for providing housing to its above mentioned members and subject to further additional terms and conditions as would be imposed by the CEO, SRA to ensure adequate membership of class III and class IV employees.

3.13 All non-residential built-up areas shall be included in the computation of minimum density but on the scale of 25 sq. m of carpet area being one tenement. In slums where the existing tenement density is already more than 650 per net ha, the calculation of FSI for all purposes shall be on gross area, that is, without deducting any percentage for recreational open space. This shall not affect the requirement of keeping aside the said recreational open space on site, subject to the provisions in these Regulations.

3.14 Amalgamation/Subdivision of Plots and Balancing of FSI Thereon: Any land declared as slum rehabilitation area or on which slum rehabilitation project has been sanctioned, if it is spread on part or parts of C.S. Nos. or CTS Nos. or S. Nos or F. P. Nos shall be treated as natural amalgamation/subdivision/s of that C.S. or CTS or S. No. or F.P. No. for which no separate approval for amalgamation/subdivision of land would be necessary.

3.15 Boundaries and the Slum Rehabilitation Area shall be declared by the competent authority after actual measurement of plot area on site and the same shall be adopted for planning purpose for calculation of density and floor space index.

3.16 The CEO, SRA may if required, adjust the boundary of the plot declared as slum rehabilitation area so as to suit the building design and provide proper access to these Scheme. Provided further that the encumbered area under D P Road/Sanctioned Regular line road abutting the SRS shall be included in the scheme to be developed.

3.17 After approval is given to the Slum Rehabilitation scheme, the area may be further subdivided if necessary to earmark separate plots for the rehab component and the free sale component. The Plot area and the built-up area in terms of square meters on the said plot shall be separately mentioned in the lease agreements and Record of Rights.

3.18 The CTSO/SLR, of the district on payment of such fees as may be decided by the Govt. ensure that the City Survey sheet and property cards are corrected accordingly and fresh property cards are opened for each of the plots giving details regarding the area of the plots and the total area of the floors of the built-up property and TDR given that is, the FSI used on that plot.

3.19 Declaration of Additional Areas as Difficult Category: The CEO, SRA may consider declaring additional areas as difficult and publish it in the Maharashtra Government Gazette, provided any one of the following criterion/criteria are-is fulfilled:

(i) Overcrowding, High density, and Unhygienic conditions, or

(ii) To vacate land required for implementation of reservations for essential public purposes/for implementation of vital public projects, or

(iii) Required for rehabilitation to avoid loss of human life

(iv) Where the height of the building is not allowed beyond 70 mtr.

(v) Where after providing Rehabilitation component and reservations the land area available for free sale component is less than 50% of the total plot area under the scheme.

(vi) Where SDRR Rate of 2016-17 applicable to the plot is less than Rs.65,000 per sq. mt.

Provided that for difficult areas to be declared ~~on account of overcrowding, high density and unhygienic conditions~~, the area required shall not be less than 20 hectares 10,000 sq. mtrs. in one contiguous land area ~~fulfilling the conditions mentioned in (i) above.~~

2. Temporary Transit Camps:

4.1 The multistoried temporary transit camp shall be provided on the site itself or outside the SRA project site ~~on portion of plot which is not designated/reserved for public purpose or not affected by road widening and is preferably close to the site.~~

4.2 The eligible slum dwellers shall be shifted to temporary transit camp or on rent as may be mutually decided between the proposed society and developer.

4.3 The area of temporary transit tenements shall be excluded from the computation of FSI, but the safety of the structure shall be ensured by a license structural consultants. The minimum area of individual transit tenement shall be 14.5 sq. m.

4.4 Such building permission shall be given within 15 days from the date of application and after approval to the project by Slum Rehabilitation Authority, failing which it shall be deemed to be given.

4.5 On any nearby vacant site without any reservation in the DP construction of temporary transit tenements made of light material with the consent of the land-owners, shall be allowed upto an FSI of 4.0 and this shall be applicable in Island City as well as in suburbs and extended suburbs. Temporary shall mean made of detachable material such as tubular/prefabricated light structures.

4.6 In all such cases where the temporary transit camp is erected, the condition shall be that the structures shall be demolished by the Developer/Society/NGO within 30 days of granting Occupation Certificate to the rehab buildings and the site should be brought back to the original state. Till the transit camps are fully demolished, development rights for the free sale area shall not be permitted to be used beyond 75% of the total admissible free sale area permissible under this Regulation.

5. Commercial / Office / Shop / Economic Activity Free of Cost:

5.1 The eligible existing area under commercial/office/economic activity shall be computed on actual measurement/inspection, and/or on the basis of official documents such as License under the Shops and Establishment Act, Electricity bills, Photo pass etc.

5.2 In the rehabilitation component, the BUA for commercial/office/shop/economic activity that existed prior to 1st January, ~~1995~~ 2000 subject to the provisions in the sub-regulation below, shall be given. Where a person has both residential and commercial premises without common wall between residential and commercial premises, for commercial/office/shop/economic activity in the slum/ pavement, he shall be considered eligible for a residential/Commercial unit including BUA for commercial/office/shop/economic activity, both free of cost and carpet area of such unit shall not exceed 25 sq. m. as a single unit

5.3 BUA for commercial/office/shop/economic activity upto 20.90 sq. m. (225 sq. ft.) carpet area or actual area whichever is less, shall be provided to the eligible person free of cost as part of the rehabilitation project. Any area in excess of 20.90 sq. m to the extent of existing area may, if required, be sold on preferential basis at the rate for commercial area in the free-sale component.

5.4 Such area may be allowed on any side of the plot abutting 3.0 m wide pathway and deriving access from 3.0 m wide pathway/open space. Back-to-back shopping on ground floor shall also be allowed for the purpose of rehabilitation. After exhausting these provisions it may be allowed on the ~~first~~ Upper floor(s) to the extent necessary.

5.5 Non-Conforming Activities: All activities which were previously existing shall be allowed to be relocated regardless of the non-conforming nature of the activities, except those which are hazardous and highly polluting, and except in cases where the alternative accommodation has already been allotted elsewhere by the MCGM.

5.6 Convenience Shopping in Free-Sale Component: Convenience shopping in the free-sale component vide DCR 2 (IV) 30 shall be permitted along the layout roads. The CEO, SRA may add to alter or amend the said list for convenience shopping.

5.7 Incentive Commercial Areas For Society and NGO

(a) The scheme, when undertaken by a Co-operative Housing Society of slum dwellers, may provide an additional ~~5~~ 10 per cent built-up area on the rehabilitation area free of cost for commercial purpose. This area will be at the disposal of the Co-operative Housing Society of the hutment-dwellers. The corpus amount shall not be spent, but the income from the property/corpus alone shall be used by the Society for maintenance of the building and premises, and such other purposes as may be laid down by the SRA.

(b) Where the scheme is undertaken by a Non-Government Organization Govt. or Public Authority or Govt. Company another additional 5 per cent BUA on the rehabilitation area may be given free of cost for commercial purpose. This area shall be at the disposal of the Non-Governmental Organization Govt. or Public Authority or Govt. Company in consultation with the cooperative housing society.

6. Relaxation in Building and Other Requirements:

Provision

6.1 Separate kitchen shall not be necessary. Cooking space (alcove) shall be allowed without any minimum size restrictions. Where a kitchen is provided, the minimum area shall be 5 sq. m provided the width shall be at least 1.5 m.

6.2 There shall be no size restriction for bath or water closet unit. Moreover for bathroom, water closet or kitchen, there shall be no stipulation of one wall abutting open space, etc. as long as artificial light & ventilation through any means are provided.

6.3 In water closet flushing system shall be provided with minimum seat size of 0.46 m (18 inches).

6.4 A septic tank filter bed shall be permitted with a capacity of 150 liters per capita, where the municipal services are likely to be available within 4-5 years

6.5 In the rehabilitation component, lift shall not be insisted upon, up to ground plus five floors.

6.6 Notwithstanding anything contained in this regulation areas of common passages not exceeding 2.0 m in width provided in rehabilitation component to give access shall not be counted towards FSI even while computing FSI on site. And provision of DCR31(1) note (iii) shall not be applicable

6.7 Where the location of the plot abuts a nallah, the marginal open space along the nallah shall not be insisted upon beyond 3 m from the edge of the trained nallah.

6.8 The distance between any two rehab/composite buildings ~~up to~~ above height of 32 m shall not be less than 6 m

6.9A composite building shall contain at least 50 percent of the built up area as rehabilitation components provided it shall be reduced to 40 percent for the projects in difficult areas.

6.10 Wherever more than the minimum front and marginal spaces have been provided, such additional area provided may be considered as part of the amenity open space in the project comprising both rehabilitation and free sale components, and without charging any premium, in a relaxation of the stipulations in DCR No. 27,

6.11 Even if the amenity space is reduced to make the project viable a minimum of at least 8% of amenity open space shall be maintained at ground level.

6.12 Between the dimensions prescribed for the pathway and marginal distances, the larger of the two shall prevail. The pathway shall act as access wherever necessary. The building shall be permitted to touch pathways.

6.13 The means of access shall be normally governed by the provisions of Regulation No. 23. However, in the project, wherever the design of the buildings in the same land requires relaxation, it may be given. Access through existing pathways including the roads maintained under section 63K of the MMC Act, 1888 but not less than 3.6 m in width, shall be considered adequate for any slum rehabilitation project, containing buildings having height up to 32 m including stilts.

6.14 Premium shall not be charged for exclusion of staircase and lift-well etc. as covered under the provisions of DCR 31(1).

6.15 All relaxations outlined hereinabove shall be given to the rehabilitation component, and also to the composite buildings in the project. Premium shall not be charged for all or any of the relaxations given herein above. Provided that if including any further relaxation in open spaces is granted by Chief Executive Officer then the same shall be subject to compliance of CFO requirement and recovery of premium at the rate 2.5% of ASR.

6.16 Relaxations for the free sale component - Relaxation contained in sub-regulation No. 6.9 above on payment of premium at the rate of 2.5% of Ready Reckoner Rate, as well as other necessary relaxation shall be given to the free sale components.

6.17 In order to make the SRS viable, the CEO of SRA shall be competent to make any relaxation wherever necessary for reasons to be recorded in writing.

6.18 Notwithstanding anything contained in the regulations No. 44 or any other regulations with respect to provision of parking spaces, for rehabilitation tenements under regulation 33 (10) the parking spaces shall be provided only for two wheeler at the rate 1 Parking per 2 tenements shall be provided.

7. Slums and Development Plan Reservations:

7.1 Slums situated in lands falling under various reservations/zones in the DP shall be developed in accordance with the following provisions

7.2 Slums in any zone shall be allowed to be redeveloped in-situ without going through the process of change of zone. In the free-sale component in any zone, in addition to residential uses, all the uses permitted for the original zone shall be

permitted. For industrial uses, the segregating distance shall be maintained from the existing industrial unit.

7.3 (i) Any plot/layout having area under non-buildable/open space reservations admeasuring up to 500 sq. m shall be cleared by shifting the slum-dwellers from that site.

(ii) Where the area of site having non buildable/open space reservation, is more than 500 sq. m such sites may be allowed to be developed for slum redevelopment subject to condition that the ground area of the land so used shall not be more than ~~67~~ 75% of the reservation and leaving ~~33~~ 25% rendered clear thereafter for the reservation.

7.4 Existing slum structures on lands reserved for Municipal School (RE 1.1)/ Primary and secondary school (RE1.2) or a Higher Education (RE2.1) may be developed subject to the following:

(i) In case of land reserved for Municipal School (RE 1.1), Primary and secondary school (RE1.2) in the DP, a building for accommodating such number of students as may be decided by the Municipal Commissioner, nor in any case for less than 500 students, shall be constructed by the owner or developer at his cost according to the size, design, specification and conditions prescribed by the Municipal Commissioner. The built-up area occupied by the constructed building shall be excluded for the purpose of FSI computation, and where it is intended for a Municipal School (RE 1.1), the building or part thereof intended for the school use shall be handed over free of cost and charge to the Corporation. Thereafter, the land may be allowed to be redeveloped with the full permissible FSI of the plot according to this Regulation

(ii) In the case of lands affected by the designation or reservation of a Higher Education (RE2.1) in the DP, a building for accommodating such number of students as may be decided by the Municipal Commissioner, not in any case for less than 800 students, shall be constructed by the owner or developer at his cost according to the size , design, specification and conditions prescribed by the Municipal Commissioner, the built-up area occupied by the constructed building shall be excluded for the purpose of FSI computation. The constructed building shall be handed over to the Corporation free of cost and charge and the Municipal Commissioner may hand over the same or part thereof intended for the School use to a recognized and registered educational institution for operation and maintenance on terms decided by him. Thereafter the land may be allowed to be redeveloped with full permissible FSI of the plot according to this Regulation.

(iii) In case area under reservation of Municipal School (RE 1.1)/ Primary and secondary school (RE1.2) or a Higher Education (RE2.1) is spread on adjoining plot and the plot under development, then in such cases Commissioner with special permission may insist upon construction of Municipal School (RE 1.1) or a Higher Education (RE2.1) in proportion to the area under reservation affecting the plot under development. Requirements of Play Ground as per Regulation No 38 (I) (2) of these regulations may not be insisted for (i) above.

7.5 For other buildable reservations excluding Municipal School (RE 1.1) or a Higher Education (RE2.1) on lands under slum built-up area equal to 25 percent of the area under that reservation in that plot, shall be demanded free of cost by the Slum Rehabilitation Authority for the Municipal Corporation or for any other appropriate Authority.

7.6 In case of the plot reserved for the Parking Lot 100% built up area as per zonal basic permissible FSI of such reserved area shall be handed over to the MCGM.

The developer/owner shall be entitled for the Built up Area (BUA) in lieu of cost of construction against handing over of built up amenity as per Note (d) of Regulation 17(1).

7.7 Existing slum structures on lands reserved for Rehabilitation & Resettlement (RR 2.1) shall be treated as sites for development of slum structures and shall be allowed for redevelopment according to this Regulation.

7.8 Where DP road passes through slum rehabilitation area, the entire 100 per cent FSI of the road may be given in the same site, on the remainder of the plot.

7.9 Wherever slum and municipal/MHADA property are found together or adjoining, it would be eligible for redevelopment using provisions of both DCR 33(7) and of DCR 33(10) Development of slum and contiguous non-slum area under any other provisions of regulations may be allowed together in order to promote flexibility of design as well as to raise more resources, provided that the FSI of non-slum quantum of area shall be restricted to that permissible in the surrounding zone, inclusive of admissible TDR on non-slum area. Such a project shall be deemed to be a Slum Rehabilitation Project and plans for non-slum area including the plans for admissible TDR shall be approved by CEO, SRA. The power under D.C. Regulation 13(6) for shifting and/or interchanging the purpose of designations/reservations shall be exercised by the CEO, SRA. However in case of shifting of the alignment of Road /D P Road, same shall be done in consultation with MCGM.

Whenever a non-slum land other than NDZ, where zona (basic) FSI offered is less than one in residential zone, is contiguous to a slum plot getting developed under 33(10) & is needed for better planning, SRA may sanctioned the amalgamation of the said plot with the scheme provided that 30% of the area of non-slum plot is handed over free of cost & encumbrances to the corporation for purposes of POS or amenity open space. On such amalgamation 70% of the area getting appended to the slum scheme shall be treated at par with non- slum residential plot that are attached to scheme. However, utilization of 'TDR' or 'Additional FSI on payment of premium' on such non-slum plot shall not be permissible.

7.10 Slum Rehabilitation Permissible on Town Planning Scheme Plots: Slum Rehabilitation Project can be taken up on Town Planning Scheme plots also, after they are declared as slums/slum rehabilitation areas.

7.11 Contravening structures in the adjoining final plots, if declared as a slum rehabilitation area by the competent authority, may be included in the Slum Rehabilitation Scheme in the relevant Final Plot of the Town Planning Scheme.

7.12 In case of a slum rehabilitation project adjoining railway tracks, a boundary wall of minimum 2.4 m in height shall be constructed.

Note: In case where LOI was issued by CEO (SRA) prior to sanction of DP 2034 in respect of plot affected by reservations as per SRDP 1991, then those reservations shall remain in force as per DCR 1991 even after the sanction of DP 2034 and shall be developed as per DCR 1991.

8. Aaganwadi, Health Centre / Outpost, Community Hall /Gymnasium / Fitness Centre, Skill Development Centre, Women Entrepreneurship Centre, Yuva Kendra / Library Society Office, and Religious Structures:

8.1 There shall be health Centre/ outpost, Aaganwadi, skill development centre, women entrepreneurship centre, yuvakendra / library of size 25 sq. m for every multiple of part of 250 hutment dwellers, but located so as to serve all the floors and buildings equitably. In case of misuse, it shall be taken over by the SRA which will be competent to allot the same to some other organization /institution for public use.

Balwadi shall also provide for on a similar scale. An office for the Co-operative housing society shall be also constructed in accordance with D.C. Regulations No. 37(11). However, if the number of rehab tenements exceeds 100 then for every 100 rehab tenements one such additional society office shall be constructed. There shall be a community hall for rehab bldg. of the Project as a part of the rehabilitation component. The area of such hall shall be 2% of rehab built up area of all the building or 200 sq. m whichever is less. Notwithstanding what is stated herein above, for the scheme with less than 250 rehab tenements, one society office, one balwadi, one Welfare Centre shall be provided for every 100 rehab tenements or part thereof.

Religious structures existing prior to redevelopment, if allowed in accordance with the guidelines issued by Govt. from time to time as part of redevelopment shall not exceed the area that existed prior to redevelopment. Other social infrastructure like School, Dispensary and Gymnasium run by Public Authority or Charitable Trust that existed prior to the redevelopment shall be allowed without increase in existing area.

8.2 All the areas underlying Aaganwadi, health centre / outpost, community hall / gymnasium / fitness centre, skill development centre, women entrepreneurship centre, yuvakendra / library community hall/s, society office, balwadi/s, religious structure/s, social infrastructure like School, Dispensary, Gymnasium run by Public Authority or Charitable Trust, the commercial areas given by way of incentives to the co-operative society and the nongovernmental organisation shall be free of cost and shall form part of rehabilitation component and it is on this basis the free-sale component will be computed. These provisions shall apply to construction of transit camps under DC Regulations 33(11) also.

8.3 Aaganwadi, health centre / outpost, community hall / gymnasium / fitness centre, skill development centre, women entrepreneurship centre, yuvakendra / library society office, and religious structures, social infrastructure like School, Dispensary and Gymnasium run by Public Authority or Charitable Trust in the rehab component shall not be counted towards the FSI even while computing permissible FSI on site.

9. Payments to be made to SRA and Instalments:

9.1 An amount of Rs. 40,000/- or such an amount as may be decided by the Planning Authority from time to time per tenement including the welfare hall and balwadi in the rehab component as well as in the case of permanent transit camp tenements will have to be deposited by the owner/developer/society with the Slum Rehabilitation Authority, in accordance with the time-schedule for such payment as may be laid down by the CEO, SRA. However, by the time of completion of construction for occupation of tenements by the hutment dwellers, the total amount at the rate of Rs. 40,000/- per tenement completed should have been deposited in full. The building permission for the last 25 percent of the free-sale component would be given only after all the required amount is deposited in full with SRA.

~~9.2 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 fungible 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 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.~~

(entire new clause to be cancelled and OLD clause to be added as under:-
An amount of Rs. 840 per sq. mt. in island city or Rs. 560 per sq. mt. elsewhere shall be paid by the Owner / Developer / Society / NGO for the built-up area in situ over and above the normally permissible FSI, for the rehabilitation and freesale components. Similarly, it shall be paid for the built-up area in situ over and above the normally permissible FSI for construction of transit camps in accordance with the provisions under DCR 33(11). 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 instalments 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.

Provided that out of amount so recovered as Infrastructural charges, 90% amount will go to MCGM and 10% amount will remain with SRA.

10. *Clubbing:*

In case of two or more nos. of slum schemes or two or more slum rehabilitation schemes 33 (11) or slum rehabilitation scheme along with ancillary Slum Scheme taken up for development by same or collaborating owners/developers/Co-Operative Societies of the slum dwellers under any legal arrangement approved by CEO (SRA), both rehab and sale components of the said slums can be combined & located in any proportion in those plots provided in any plot, the FSI does not exceed permissible FSI subject to the condition that the said slums have the same ratio of Rehab component to Free Sale Component as laid down in the Clause 3.3 to 3.5 of this Regulation

~~Whenever such clubbing of SR schemes on plots/lands having different ASR rates is approved & sale component is shifted on land having higher ASR rate, then Developer shall have to pay the premium equal to 51% unearned income on extra sale component being available than which would have been otherwise available on such plot as standalone scheme. Such unearned income shall be equal to difference of rate of open land in sq. m as per ASR for BUA of land where such extra sale component to be allowed & from the land from which such sale component is shifted.~~

~~Such premium shall be paid to SRA in two stages viz 50% at the time of IOA of such extra sale component to be allowed & balance at the time of issuing CC for the same.~~

Such clubbing shall ~~not~~ be permissible for development under the provision of scheme under the clause 3.11 subject to payment of premium calculated as follows;

Whenever such clubbing of SR schemes under clause 3.11 are on plots/lands having different ASR rates is approved & sale component is shifted on land having higher ASR rate, then Developer shall have to pay the premium equal to 15 % of unearned income on extra sale component being available than which would have been otherwise available on such plot as standalone scheme. Such unearned income shall be equal to difference of rate of open land in sq. m as per ASR for BUA of land where such extra sale component to be allowed & from the land from which such sale component is shifted.

Such premium shall be paid to SRA in two stages viz-50% at the time of CC of such extra sale component to be allowed & balance at the time of issuing OC for the same.

~~Note: The premium amount so collected under rehabilitation scheme under this regulation shall be kept in the separate account to be utilized as shelter fund for the State of Maharashtra.~~

11. Conversion Of Old Project Into New Project:

11.1 Projects, where LOI has been granted, ~~shall may~~ be treated as per the DCR provisions existing on the date of LOI at the option of Slum-dweller society/NGO/Developer implementing the scheme. In case such a project comes up for revised LOI or change of developer or any other change, including recording and resubmission without change in slum boundary, DCR provisions existing on the day of LOI may prevailing DCR provisions shall apply at the option of the Slum-dweller society/NGO/Developer implementing the scheme. Provided further that for clubbing of schemes or amalgamation of schemes being sought and for schemes that have been sanctioned under different regulations (earlier as well as current one), FSI calculations shall apply as per the DCR regulations as on LOI dates of different schemes.

11.2 Projects where LOI has been granted prior to these Regulations coming into force then at the option of Slum-dweller society/NGO/Developer implementing the scheme shall be allowed to be converted to as per the provisions of these regulations.

11.2 Exceptions

1) Schemes approved prior to coming into force of these Regulation:

The slum rehab schemes where LOI has been issued by SRA prior to the date of coming into force of these Regulations and which is valid (where not opted for revision) may continue to be governed by the regulation applicable prior to these Regulations.

2) Wherever the S.R. Scheme sanctioned by CEO (SRA) is under progress on reservations as per note below clause No 7 of this Regulation, shall be valid & continue.

33 (10) (A) Slum Rehabilitation Scheme under Dharavi Notified Area (DNA) for Dharavi Redevelopment Project (DRP):

Areas undertaken by Slum Rehabilitation Authority under DRP for redevelopment of hutments situated on slum areas within DNA shall be part of entire DRP Area which shall have an overall **FSI of 4.00**. The entitlement of FSI on that particular plot would be in accordance with the guidelines given below

I. Eligibility for redevelopment scheme

(a) For redevelopment of slums including pavements, whose inhabitants names and structures appear in the electoral roll prepared with reference to 1st Jan, 2000 or a date prior thereto, but where the inhabitants stay at present in the structure, the provisions of this Regulation shall apply on the basis of a tenement in exchange for an independently numbered structure.

(b) Subject to the foregoing provision, only the actual occupants of the hutments shall be considered eligible, and the so called structure owner other than the actual occupant if any, even if his name is shown in the electoral roll for the structure, shall have no right whatsoever to the reconstructed tenement against that structure.

II Definition of Slum, Pavement, Structure of hut, planning sectors and related terms:

i) For this purpose, slums shall mean those censused, or declared and notified, in the past or hereafter under the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act. 1971 as amended time to time, hereinafter referred to as Slum

Act. Slums shall also mean areas/portions of pavement stretches, existing & proposed roads, Railway Lands, area under electric H.T. power lines, Nalla banks hereafter notified or deemed to be and treated as DRP Area.

ii) If any area fulfills the condition laid down in section 4 of the Slum Act to qualify as a slum area and has been censused or declared and notified shall be deemed to be and treated as DRP Area.

iii) DRP Area shall also mean any area declared as such by the SRA through preferably fulfilling conditions laid down in section 4 of the Slum Act to qualify as slum area and/or required for implementation of (DRP). Any area where a scheme under DRP within DNA has been approved by Officer on Special Duty (OSD), DRP (SRA) shall be a deemed DRP Area.

iv) Any area required or proposed for the purpose of construction of temporary or permanent transit camps and projects on any/adjacent land for the amalgamated land for developments so approved by the SRA shall also be deemed to be and treated as DRP Area, and projects approved in such area by the DRP cell of SRA shall be deemed to be DRP.

v) A pavement shall mean any Municipal/Govt./Semi-Govt. pavement and shall include any viable stretch of the pavement as may be considered viable for the purpose of DRP scheme.

vi) A structure shall mean by all dwelling areas of all persons who were enumerated as living in that one numbered house in the electoral roll of the latest date, up to 1st Jan 2000 and regardless of the number of persons, or location of rooms or access.

vii) A composite building shall mean a building comprising both rehab and free-sale components and part thereof along with built up amenity, if proposed, in the same building.

viii) Censused shall mean those slums located on lands belonging to Govt., any undertaking of Govt., or MCGM and incorporated in the records of land owning authority as having been censused in 1976, 1980, 1985, 1995 or prior to 1st Jan 2000.

ix) "Dharavi Notified Area (DNA)" shall mean the area of Dharavi for which GoM, by exercising the powers conferred by sub-section(1B) of section 40 of MR & TP Act, 1966, have appointed 'SRA' as SPA for Planning & Development and which is specifically defined in the Govt.'s notification no.TPB-4304/322/CR-56/04/UD-11 dt. 9/3/2005. and no.TPB-4308/3499/CR-83/09/UD-11 dtd. 25.6.2009.

x) "Planning sector" shall mean the plot of lands comprising C.S. Nos. /CTS Nos. partly or wholly derived from DNA and which will be bounded mainly by existing major roads, railway lines, village boundary and the proposed major roads so as to achieve well planned and controlled development of DRP along with various amenities and facilities to be provided for people at large within the boundaries of such plots/areas. Such divided plots/areas are termed as planning sectors. The extent of area and number of planning sectors shall be as per approval obtained from the Committee of Secretaries appointed to monitor DRP vide Government Resolution of Housing Department No. SRA/2003/CR-189/SI-1A dt. 4.2.2004 (hereinafter referred to as "Committee of Secretaries").

III Joint ownership with spouse: The reconstructed tenement shall be of the ownership of the hutment dweller and spouse co-jointly, and shall be so entered and be deemed to be so entered in the records of the co-operative housing society to be formed after getting allotment in the completed rehab building through Asst. Register of societies (SRA), including the share certificates or all other relevant documents.

IV Denotification as DRP Area: OSD, DRP (SRA) on being satisfied that it is necessary so to do, or when directed by the state GoM, shall denotify the DRP Area.

1. *Applicability of the provisions of this appendix:*

The following provisions will apply for redevelopment/construction of accommodation for hutment/pavement dwellers which are part of DRP undertaken by DRP (SRA) through the developer to be appointed by DRP(SRA) with the prior approval of the committee formed by the Housing Department Resolution no. Zopuyo 2003/CR-189/Zopsu-1 dt.4.2.2004 by following competitive bidding process for DRP or through Public Authority. This Regulation is not applicable to the properties which are not part of DRP.

The properties which are not part of DRP as defined above shall be developed in accordance with Regulation No 30 only. The other provisions of DCR allowing higher FSI which are permitted under Regulation No 33 shall not be applicable to such properties which are not part of DRP.

Right of the Hutment Dwellers:

1.1 Hutment-dwellers having existing carpet areas upto 27.88 sq. m (300 sq.ft.), in the slum or on the pavement, eligible in accordance with the provisions of DCR 33(10) (A) shall in exchange for their structure, be given free of cost a residential tenement having a carpet area totaling to 27.88 sq. m (300 sq.ft.) with a separate living room, kitchen, bedroom, bath and water closet, but excluding common areas. Carpet area shall mean exclusive of all areas under walls including partition walls if any in the tenement.

1.2 For those structures having residential areas more than 27.88 sq. m (300 sq. ft.) will be eligible for residential tenement having carpet area totaling to 37.16 sq. m (400 sq. ft.). Out of this total 37.16 sq. m area, 27.88 sq. m (300 sq. ft.) area will be free of cost and area above 27.88 sq. m (300 sq. ft.) admeasuring 9.29 sq. m (100 sq. ft.) will be at construction cost to be determined by OSD, DRP (SRA) and the said cost to be paid by the hutment dweller to the developer. Carpet area shall mean exclusive of all areas under walls including partition walls if any in the tenement. Only 37.16 sq. m (400 sq. ft.) carpet area shall be given and if proposal contains more area, it shall not be taken up for consideration.

1.3 All eligible hutment dwellers taking part in the DRP shall have to be rehabilitated according to the provisions in this Regulation. It may be in the same sector or other sectors within the jurisdiction of DRP.

1.4 Pavement dwellers and hutment dwellers in the slum on the land required for vital urgent public utility/purpose or on the hazardous location or affected by DP proposals shall not be rehabilitated in-situ but in other available plots within jurisdiction of DRP.

1.5 A certified extract of the relevant electoral roll shall be considered adequate evidence to establish the eligibility of a person provided he is found residing in the structure. This is to avoid the possibility of persons who have left the structure coming back to claim free tenement under the scheme even though they have in the normal course left the slum and gone away into a proper non-slum area or out of DRP Area. If the hutment dwellers are found resident in the structure, but the

names are on the electoral roll on or prior to 1st Jan 2000, at another slum/pavement site in Brihan Mumbai, they shall be considered eligible but only at the place of present residence. In case of doubt or dispute, the decision of the Competent Authority to be appointed by the Govt in Housing Department shall be final and binding on all the parties concerned.

1.6 An individual agreement shall be entered into by the developer so appointed under DRP by DRP (SRA) with the eligible hutment dwellers of each structure in the slum/pavement.

1.7 The individual agreement entered into between hutment dwellers and the land owning authority/SRA/developer shall be in the joint names of pramukh hutment dweller and spouse for every structure.

1.8 Hutments having a physically handicapped person or female-headed households shall be given first preference in allotment of tenements to the other hutment-dwellers. Thereafter lots shall be drawn for allotment of tenements from the remaining tenements to the other hutment-dwellers.

1.9 Transfer of Photo passes – Since only the actual occupant at present will be eligible for redevelopment, there shall be no need to regularize the transfers of photo passes that have occurred so far.

1.10 Any person whose name is enrolled in a non-slum area in Brihan Mumbai but has purchased a hutment in DRP area and therefore got his name also included in electoral roll for the slum area, i.e. he has his name in the electoral roll at two places, he shall not be eligible for the scheme.

1.11 Ownership and Terms of lease– The part of Govt/MCGM/MHADA/MMRDA/Any Undertaking land on which the rehabilitation component of DRP will be constructed shall be leased to the co-operative Housing Society of the slum dwellers on 30 years lease at the lease rent of Rs. 1001 for 4000 sq. m of land or part thereof and renewable for a further period of 30 years. The same conditions shall prevail for the land under the free sale component and the land shall be leased directly to the Society/Association of the purchasers in the free sale component and not through the society of hutment dwellers.

1.12 Automatic cancellation of Vacant Land Tenure – If any land or part of any land on which slum is located is under vacant land tenure the said tenure/lease created by MCGM or Municipal Commissioner shall stand automatically terminated as soon as DRP, which is a public purpose, on such land is prepared and submitted for approval to the DRP cell of SRA. Any arrears of dues to be collected by MCGM shall not be linked to the issue of any certificate or NOC relating to the DRP.

1.13 Recovery of pending dues such as assessment, compensation, occupational charges, non-agricultural tax/dues etc. pending with public authorities such as State Govt, MHADA, and/or MCGM shall be dealt with separately and not be linked to grant of approval or building permission to the DRP.

1.14 In respect of those eligible hutment dwellers on site who do not join the Project willingly the following steps shall be taken:

- i) Provision for all of them shall be made in the renewal/rehabilitation component of the scheme.
- ii) The transit tenement that would be allotted to them would also be indicated along with those who have joined the Project
- iii) If they do not join the scheme within 15 days after the developer informs OSD, DRP (SRA) of the unwillingness of the said dweller, then action under the relevant provisions of the Slum Act, shall be taken and their structures will be removed, and it shall be ensured that no obstruction is caused to the scheme of the majority of persons who have joined the scheme willingly.
- iv) After this action under the foregoing clause is initiated, they will not be eligible for transit tenement along with the others, and they will not be eligible for the reconstructed tenement by lots, but they will still be entitled only to what is available after others have chosen which may be on the same or some other site.
- v) If they do not join till the building permission to the Project is given, they will completely lose the right to any built-up tenement, and their tenement shall be taken over by the SRA and used for the purpose of accommodating pavement dwellers and other slum dwellers who cannot be accommodated in situ etc.
- vi) A pitch of about 3m x 3.5m will be given elsewhere if and when available, and construction therein will have to be done on their own.

1.15 The Managing Committee of the Co-operative Housing Society of hutment dwellers to be formed after allotment of reconstructed tenements shall have women to the extent of one-third of the total strength of actual members on the committee at any time.

1.16 Restriction on Transfer of Tenements: The tenement obtained under this scheme cannot be sold/leased/assigned or transferred in any manner for a period of ten years from the date of allotment/ possession of the tenement. In case of breach of conditions, except transfer to legal heir, the tenement will be taken over by Slum Rehabilitation Authority.

2. Building Permission under Dharavi Redevelopment Project:

2.1 The proposal for each planning sector of DRP shall be submitted to the DRP cell of SRA with all the necessary documents, no-objection certificates and the plans as may be decided by the SRA from time to time.

2.2 The approval to the Project shall be given by the DRP cell of SRA within a period of 60 days from the date of submission of all relevant documents. In the event of a failure by SRA to do so, the said approval shall be deemed to have been given, provided the Project is in accordance with the provisions of this Regulation.

2.3 For DRP the SRA while giving the approval may lay down terms and conditions as may be necessary.

2.4 DRP (SRA) shall adopt the procedure laid down in the MR&TP Act, 1966 for giving building permission to any development in DRP under this Scheme.

2.5 On compliance with the terms and conditions, the building permission shall be given in accordance with the provisions under Section 45 of the MR&TP Act, 1966 to the sectoral development under DRP, first to the Rehabilitation component and thereafter to the free sale component subject to the provisions in clause below.

2.6 Correlation between Rehabilitation and Free sale components: Building permission for 10 percent of BUA of both the rehab and free sale components may be given simultaneously and thereafter proportionately or as may be decided by the OSD, DRP, and SRA.

2.7 As soon as the approval (Letter of Intent) is given to the Project, the NOC for building permission of the landowning authority shall be given in respect of that lands belonging to any department, undertaking, agency of the State Govt including MHADA, or any local self - Govt such as the MCGM within 60 days after the intimation of such approval to the Project is communicated. In the event of its not been given within the period, it shall be deemed to have been given.

2.8 Occupation certificate shall not be held up only for want of lease documents to be executed in all sectoral developments under DRP taken up on lands belonging to any department, undertaking, agency of the State Govt, including MHADA and any local self-Govt such as the MCGM.

3. Rehabilitation and Free Sale Component

3.1 FSI for rehabilitation of eligible slum/pavement dwellers includes the FSI for the rehab component and for the free sale component. The ratio between the two components shall be as laid down herein below.

3.2 BUA for rehabilitation component shall mean total construction area of rehabilitation component, excluding what is set down in 31(1) of D.C. Regulations, including areas under passages, balwadis, welfare centers, society office, religious structures, 'other social infrastructure like school, dispensary, Gymnasium run by Public Authority or Charitable trust' and also including BUA of various buildable reservations/additional amenities to be proposed in buildable form in DNA

3.3 If the rehab component is 10 sq. m of BUA, then an additional 13.33 sq. m of BUA will be permitted and this area of additional 13.33 sq. m can be utilized for disposal in the open market and the rehab component subsidized.

3.4 (a) If the FSI required for rehabilitation of existing hutment dwellers plus free sale component exceeds FSI 4.00 of a particular plot, such excess quantum shall get absorbed while calculating overall FSI of 4.00 on entire DRP Area.

(b) The FSI in CRZ area within DNA, shall be governed by the MOEF notifications issued from time to time

3.5 The rehabilitation component shall mean all residential tenements as well as non-residential built up premises given free of cost in accordance with the provisions of the DRP outlined in this Regulation excluding what is set down in Regulation 31(1) including BUA given for buildable DP reservations and additional amenities & facilities to be provided as per regulation no. 7.1 below.

3.6 Minimum Density on the Plot including Non-Residential Units: The minimum density of rehabilitation component on plot shall be 650 tenements per net ha that is, after deducting all reservations actually implemented on site including the land appurtenant thereto, but not deducting the recreational/amenity open space on the remaining area. If the number of tenements to be provided to the hutment dwellers is less than the minimum, the balance shall be handed over free of cost to the SRA, the Authority shall use them for the purpose of transit or Project affected persons or pavement dwellers or slum dwellers from other slums.

3.7 All non-residential BUA shall be included in the computation of minimum density and on the scale of 27.88 sq. m. of carpet area being one tenement. The calculation of FSI for all purposes shall be on gross area, that is, without deducting any percentage for recreational/amenity open space. This shall not affect the requirement of keeping aside the said recreational/amenity open space physically on site, subject to the provisions in this Regulation in that regard.

3.8 Amalgamation/Subdivision of Plots and Balancing of FSI thereon: Any land declared as DRP Area or on which DRP has been sanctioned, if it is spread on part or parts of C.S. Nos. or CTS Nos. or S. Nos. or F.P. No shall be treated as natural amalgamation/subdivisions/ of that C.S or CTS or S. No. or F.P. No. for which no separate approval for amalgamation/subdivision of land would be necessary.

3.9 Boundaries and the measurement of plot areas of the DRP Area shall be declared by the competent authority after actual measurement of plot area on site and the same shall be adopted for planning purpose for calculation of density and floor space index.

3.10 The OSD, DRP(SRA) may if required, adjust the boundary of the plot declared as DRP Area so as to suit the building design and provide proper access to the Project/any other plot/s located within Sector/s.

3.11 After approval is given to the DRP, the area may be further subdivided if necessary to earmark separate plots for the rehab component, amenity plot and the free sale component. The Plot area and the BUA in terms of square meters on the said plot shall be separately mentioned in the lease agreements and Record of Rights.

3.12 The Settlement Commissioner, Maharashtra State on payment of such fees as may be decided by the Govt ensure that the City Survey sheet and property cards are corrected accordingly and fresh property cards are opened for each of the plots giving details regarding the area of the plots and the total area of the floors of the built-up property and TDR given that is, the FSI used on that plot.

4. Temporary Transit Camps:

4.1 The temporary transit camp/transit accommodation shall be provided within DNA or nearby lands with prior approval of DRP(SRA) and if need be on the area of statutory open space to be left in accordance with Regulation No. 27 on the plot.

4.2 On the slum site itself approved for rehabilitation, multi-storeyed temporary transit tenement may be allowed to be constructed.

4.3 The area of temporary transit tenements shall be excluded from the computation of FSI, but the safety of the structure shall be ensured.

4.4 Such building permission shall be given within 15 days from the date of application of the appointed developer of a sector, by OSD, DRP(SRA) failing which it shall be deemed to be given.

4.5 On any vacant site without any reservation in the DP Excluding construction of temporary transit tenements made of light material with the consent of the land-owners or concerned govt authority shall be allowed upto the FSI of 4.0 Temporary shall mean made of detachable material such as tubular/prefabricated light structural or any other materials approved by OSD, DRP (SRA) but such structures which are erected temporarily.

4.6 In all such cases where the temporary transit camp is erected, the condition shall be that the structures shall be demolished by the Developer within 30 days after such intimation given by SRA and as per phase programme of development as approved by DRP Cell and the site should be brought back to the original state.

5. Commercial /Office/Shop/Industrial Structures/Structures for Potters Business Activity Free of Cost:

5.1 The eligible existing area under commercial/office/shops/industrial establishments/structures for potters business activity shall be computed on actual measurement/inspection, and/or on the basis of official documents such as License under Shops and Establishment Act, Trade License, Factory License, Electricity bills and Photo pass etc.

5.2 In the rehabilitation component, the BUA for commercial/office/ shop/ Industrial establishments/potters structures/economic activity that existed prior to 1st January, 2000, subject to the provisions in the sub-regulation below, shall be given. Where a person has residential and commercial premises without common wall between residential and commercial premises, for commercial/office/shop/structures for potter's economic activity in the slum/pavement, he shall be considered as eligible for a residential unit and also for BUA for commercial/office/shop/Industrial establishments/structures for potter's/economic activity, both free of cost.

5.3(a) Commercial & Industrial Structures:

BUA for Commercial and Industrial establishment upto 20.90 sq. m (225 sq. ft.) carpet area or actual area whichever is less, shall be provided to the eligible person free of cost as part of the rehabilitation project. Any area in excess of 20.90 sq. m may, if required, be sold to the extent of area in the following manner:

Existing Carpet Area in the range of ... (in sq. ft)	Carpet Area to be provided (in sq.ft.)			
	At free of cost, as a part of Rehab component	With Cost But not as part of incentive sale area		
		With 10% Reduction	With 20% Reduction	With 30% Reduction
225 to 250	225	Nil	Nil	Nil
251 to 1000	225	251 to 1000	Nil	Nil

1001 to 1500	225	251 to 1000	1001 to 1500	Nil
1501 and Above	225	251 to 1000	1001 to 1500	1501 and above

However, only non-polluting and non-hazardous industry can be allowed to be re-accommodated under this scheme. The rehab area in excess of 20.90 sq. m. (225 sq. ft.) will be at construction cost to be determined by OSD, DRP (SRA) and the said cost to be paid by the hutment dweller to the developer.

(b) Structures of Potters' Business Activity:

BUA Structures of Potters' Business Activity up to 20.90 sq. m (225 sq. ft.) carpet area or actual area whichever is less, shall be provided to the eligible person free of cost as part of the rehabilitation project. Any area in excess of 20.90 sq. m may, if required, be sold to the extent of area in the following manner.

Existing Carpet Area in the range of ... (in sq. ft)	Carpet Area to be provided (in sq.ft.)			
	At free of cost, as a part of Rehab component	With Cost But not as part of incentive sale area		
		With 10% Reduction	With 20% Reduction	With 30% Reduction
225 to 250	225	Nil	Nil	Nil
251 to 1000	225	251 to 1000	Nil	Nil
1001 to 1500	225	251 to 1000	1001 to 1500	Nil
1501 and Above	225	251 to 1000	1001 to 1500	1501 and above

The rehab area in excess of 20.90 sq. m (225 sq. ft.) will be at construction cost to be determined by OSD, DRP/SRA and the said cost to be paid by the hutment dweller to the developer.

5.4 Such area may be allowed on any side of the plot abutting atleast 6.0 m wide pathway and deriving access from atleast 6.0 m wide pathway/open space. Back-to-back shopping on ground floor shall also be allowed for the purpose of rehabilitation. After exhausting these provisions, it may be allowed on the first floor to the extent necessary.

5.5 **Non-Conforming Activities:** All activities which previously existed shall be allowed to be relocated regardless of the non-conforming nature of the activities, except those which are hazardous and highly polluting and except in cases where the alternative accommodation has already been allotted elsewhere by the MCGM.

5.6 **Non Residential User in Free sale Component:**

Non Residential User as permissible in R and C zones as per DCR 34 shall be allowed in Free Sale Components.

6. RELAXATION IN BUILDING AND OTHER REQUIREMENTS:

6.1 A Residential rehab/renewal tenement shall essentially have a separate living room, kitchen, bedroom, water closet unit, bathroom along with enclosed balcony merged in carpet area of the tenement

6.2 There shall be no restriction on zone and balcony shall not reduce marginal open space to less than 2.0 m for calculating of area of 27.88 sq. m and 37.16 sq. m size of rehab tenements, the area of the balcony shall be included.

6.3 Notwithstanding anything contained in these Regulations, common passages to be provided in the Rehab Component to give accesses to Residential tenements and Commercial/Industrial units shall not be less than 2.0 m in width. If podium is proposed, the corridors formed under the podium upto 12.00 m in width to be used as passage for Rehab & Renewal Commercial/Industrial units & Amenities, shall not be counted towards FSI even while computing 4.00 FSI on site. The areas under such common passages not exceeding 2.00 m in width and upto 12.00 m width shall form part of Rehab Component and it is on this basis the free sale component will be calculated.

6.4 Corridors formed under the podium up to 12.00 m in width giving access to the sale commercial component shall also be considered free of FSI.

6.5 Front and marginal open spaces for building having height upto 32 m in the rehab component or composite building for the ground + 1 podium to be proposed to accommodate rehab commercial/industrial units as well as sale commercial areas in composite structures, the front and marginal open space shall be at least 3.0 m for these buildings.

6.6 Notwithstanding the provisions of Regulation No. 41 Table No 18 where the location of the plot abuts DP Road, having width of 18.3 m and above, the front marginal open space shall be at least 3.00 m provided it is not an express highway or road wider than 52 m

6.7 Where the location of the plot abuts a nallah, the marginal open space along the nallah shall not be insisted upon beyond 3 m from the edge of the trained nallah.

6.8 The distance between any two rehab/composite buildings shall not be less than 6 m for the height up to 32 m and for the building with height more than 32 m the open spaces shall be as per Regulation No 41(5).

6.9 A composite building shall contain at least 40 percent of the built up area as rehabilitation components.

6.10 Wherever more than the minimum front and marginal spaces have been provided, such additional area provided may be considered as part of the AOS in the project comprising both rehabilitation and free sale components, and without charging any premium in relaxation of the stipulations in DCR No.27, wherever necessary.

6.11 The pathway shall act as access wherever necessary. The building shall be permitted to touch pathways.

6.12 The means of access shall be normally governed by the provisions of Regulation No. 23. However, in the project, wherever the design of the buildings in the same land requires relaxation, it may be given. Access through existing pathways including the roads maintained under Section 63K of the MMC Act, 1888 but not less than 3.6 m in width, shall be considered adequate for any slum rehabilitation project, containing buildings having height up to 32 m including stilts.

6.13 Even if the AOS is reduced to make the planning of the rehab sub-plot viable, a minimum of 15 percent of amenity open space shall be maintained.

6.14 Premium shall not be charged for exclusion of staircase and lift-well etc. as covered under the provisions of DCR 31(1).

6.15 All relaxations outlined hereinabove shall be given to the rehabilitation component, and also to the composite buildings in the project. Premium shall not be charged for all or any of the relaxations given hereinabove, or for any other mentioned in DCR 31(1). Provided that further relaxation in open spaces if any is considered, then the same shall be subject to compliance of CFO requirement and recovery of premium at the rate 2.5% of Annual Schedule of Rate.

6.16 Relaxations for the free sale component – Relaxation contained in sub-regulation No.6.6, 6.7, 6.11, 6.12, 6.13 above, other necessary relaxation shall be given to the free sale components for deficient area on payment of premium at the 2.5% rate of ASR for open land (for FSI 1)

6.17 In order to make the Slum Rehabilitation Scheme viable, the OSD, DRP shall be competent to make any relaxation wherever necessary for reasons to be recorded in writing by charging 2.5% rate of ASR of open land (for FSI 1.)

SLUMS AND DEVELOPMENT PLAN RESERVATIONS:

7.1 Reservations in the DP shall be developed to the fullest extent. Additional amenities and facilities shall be provided as per the quantum shown in Annexure – ‘A’ to this Regulation. Relocation of reservations within sector if so required to overcome the sector planning constraint shall be permitted with the special permission of CEO/OSD(DRP) of SRA.

Area of amenities and facilities to be provided as per Annexure-A shall be inclusive of reservations in sanctioned DP. Types of reservations and area of reservations shall in no case be reduced

7.2 Slums/Structures under renewal situated in lands falling under residential(R), commercial(C), industrial (I) zones which are not affected by any other allocations/designations/reservations in the final DP& may be developed subject to the following:

(i) (a) Lands in residential (R) and commercial (C) zones occupied by existing slums/structures under renewal be allowed to be developed in accordance with the provisions contained in this Regulation.

(b) Lands in industrial zones (I)/Industrial estate may be allowed to be converted into residential users in accordance with Regulation No 14(B). Such lands occupied by existing slums/structures under renewal may further be allowed to be developed in accordance with the provisions contained in this Regulation.

(ii) Lands in industrial zone (I) occupied by existing slums/structures under renewal shall be allowed to be developed in accordance with the provisions contained in this sub-regulation 33(10) (A) and 33 (9) (A).

(iii) As a special case for DRP nonresidential activities to be developed as described under clause no.5.3 and 5.6 of this Regulation & clause no. 4 & 7 Regulation no 33 (9) (A) shall be allowed to be developed without going through the process of the change of zone.

7.3 Slums/structures under renewal situated on lands reserved/designated/allotted for existing or proposed non-buildable reservations such as playground, garden, park and any other open users in the Final DP occupied by existing slums/structures under renewal shall be shifted within the same planning sector in which such plots belongs/ vests and sites occupied by them shall be cleared for the implementation of DRP in which such quantum of designated/allotted for existing or proposed non-buildable reservation shall be fully subsumed in the additional amenities & facilities to be provided under DRP as in clause no. 7.1 above as per the specifications of DRP (SRA) or the concerned Govt. authority and shall be handed over free of cost and charge to the DRP (SRA) or the concerned Govt. authority. The land area under such reservation shall be allowed to be included in the project plot area to be considered for FSI purpose.

7.4.(a) Slums/structures under renewal situated on lands reserved/designated/allotted for existing or proposed buildable Public reservations in the Final DP such as Municipal/Private primary or secondary schools, Municipal dispensary, Municipal hospitals, Maternity home, Municipal chowky, Fire brigade, Sewage treatment plant, Pump house, Municipal retail market shall be shifted within the same planning sector in which such plots belong/ vest and sites occupied by them shall be cleared for the implementation of DRP in which such quantum of designated/allotted for existing or proposed buildable reservation shall be fully subsumed in the additional amenities & facilities to be provided under DRP as in clause no. 7.1 above as per the specifications of DRP/SRA or the concerned Govt. authority to whom this developed amenity is to be handed over. This developed buildable amenity shall be handed over free of cost & charge to the DRP/SRA or the concerned Govt. authority. The BUA of such amenity shall be excluded for the purpose of FSI. Thereafter the full permissible FSI of the plot according to this Regulation shall be allowed to be included in the project plot area to be considered for FSI purpose.

7.4 (b) For other buildable reservations on lands under slum which are not covered under clause no. 7.4(a) above, BUA equal to 25 percent of the area under that reservation in that plot shall be demanded free of cost by the SRA for MCGM or any other appropriate Authority. The BUA of such amenity shall be excluded for the purpose of FSI computation. Thereafter the development for DRA be allowed as per the full permissible FSI of the entire plot according to regulation 33(10)(A) read with this Regulation and subject to provisions in clause No. 7.1

7.5 Where DP road/Proposed road passes through DRP area, the entire 100 percent FSI of the road may be given in the same site, on the remainder of the plot.

7.6 Development of Slum Plots under DCR 33(10) (A) and Urban Renewal plots under DCR 33(9) (A) in a planning sector may be allowed to be developed together in order to promote flexibility of design as well as to raise more resources. The power under Regulation 13(6) for shifting and/or interchanging the purpose of designations/reservations shall be exercised by the OSD, DRP (SRA) in respect of DNA as a SPA in consultation of MCGM.

7.7 In case of DRP adjoining railway tracks, a boundary wall of minimum, 2.4 m in height shall be constructed.

7.8 Slums/structures under renewal on lands designated or reserved for purpose of Rehabilitation and Resettlement shall be treated as sites for slum redevelopment and redevelopment to be allowed according to this Regulation.

7.9 Existing slums occupying lands/structures under renewal in dangerous locations such as marshy lands, near water bodies, lands abutting railway tracks/in railway lands, NDZ and sites immediately required for the public and semi-public projects may be relocated at other suitable locations within the planning sectors and may be allowed to be developed in accordance with this Regulation.

8. WELFARE HALL, BALWADI, SOCIETY OFFICE AND RELIGIOUS STRUCTURE:

8.1 There shall be a welfare hall in each project as part of the rehabilitation component. It shall be at the rate of 25.00 sq. m for every multiple or part of 100 hutment dwellers' families, but located so as to serve all the floors and buildings equitably. Further, they may be clubbed together suitably for its better utility. In case of misuse, it shall be taken over by the DRP (SRA) which will be competent to allot the same to some other organization/institution for public use. Balwadi shall also be provided for on a similar scale. An office for the Co-operative Housing Society shall also be constructed in accordance with Regulation No. 37(11). However, if the number

of Rehab Tenements exceeds 100 then for every 100 Rehab Tenements such additional society office shall be constructed. Religious structures existing prior to redevelopment, if allowed in accordance with the guidelines issued by Govt from time to time as part of redevelopment shall not exceed the area that existed prior to redevelopment. Social infrastructure/s like School/s, Dispensary/s, Gymnasium/s certified by the Competent Authority as existing prior to the redevelopment shall be allowed without increase in existing area.

8.2 All the areas underlying social infrastructure/s like School/s, Dispensary/s, Gymnasium/s certified by the Competent Authority as existing prior to the redevelopment shall be free of cost & shall form part of rehabilitation component and it is on this basis the free sale component will be computed.

8.3 Welfare halls, society office, balwadis and religious structure/s, "Social infrastructure/s like school/s, Dispensary/s and Gymnasium/s certified by the Competent Authority as existing prior to the redevelopment in the Rehab Component shall not be counted towards the FSI even while computing 4.00 FSI on site.

However, social infrastructure like school, dispensary and gymnasium run by other than Public Authority or Charitable Trust shall be counted towards F.S.I.

9. **PAYMENTS TO BE MADE TO SRA AND INSTALMENTS:**

9.1 An amount of Rs 20,000/- or such an amount as may be decided by the Govt from time to time per tenement/unit will have to be deposited by the developer with DRP as a corpus fund for utilization by the co-operative housing society of the rehab residents for the purpose of maintenance, in accordance with the time-schedule for such payment as may be laid down by OSD, DRP (SRA). However, by the time of completion of construction for occupation of tenements by the hutment dwellers, the total amount at the rate of Rs 40000 per tenement completed should have been deposited in full. The building permission for the last 25 percent of the free sale component would be given only after the entire required amount is deposited in full with DRP (SRA). A matching amount of Rs 20000/- per rehab tenement/unit shall also be deposited by DRP and added to the said corpus fund.

9.2 An amount at the rate of 2% of ASR for BUA or as may be decided by Govt from time to time shall be paid by the Developer for the BUA over and above the normally permissible FSI, for the rehabilitation and free sale components. This amount shall be paid to the SRA in accordance with the time schedule for such payment as may be laid down by the OSD, DRP of SRA , provided the installments shall not exceed beyond the completion of construction. These infrastructural charges shall be in addition to development charges levied as per section 124 of MR&TP Act 1966.

Provided that out of amount so recovered as Infrastructural Charges, 90% amount shall be go to MCGM and 10% amount will go to DRP (SRA).

9.3 The part of land premium to be made available to the land owning authority as per rates to be decided by GoM shall be exclusively used for schemes to be prepared for the improvement of infrastructural developments in the benefit of DRP.

ANNEXTURE –"A"

10. *Additional amenities and facilities to be provided under DRP to be read with clause of Regulation no. 33 (10) (A):*

Sr. No.	Description of the Amenity	Legends	Units	Additional amenities & facilities to be provided under DRP

				Sector I	Sector II	Sector III	Sector IV	Sector V	Total I to V
	Buildable Amenities for which Sale Incentive is available								
1	Primary and Secondary School	RE1.2	sq. m	9066.97	16433.89	13600.46	12467.09	5100.17	56668.58
2	Higher Education	RE2.1	sq. m	6066.97	16433.89	12650.55	11517.18	10000.00 (with 2 colleges)	56668.58
3	Municipal Dispensary /Health Post & Municipal Maternity Homes	RH1.1 & RH1.3	sq. m	6272.00	11368.00	9408.00	8624.00	3528.00	39200.00
4	Welfare Centres + Gysm + Community Hall	--	sq. m	200.00	200.00	200.00	200.00	200.00	1000.00
5	Library	--	sq. m	200.00	200.00	200.00	200.00	200.00	1000.00
6	Fire Station	RPU1.1	sq. m	0.00	0.00	0.00	3990.00	0.0	3990.00
7	Post Office	--	sq. m	665.00	0.00	0.00	665.00	0.00	1330.00
8	Police Station	RPU3.1	sq. m	1995.00	1995.00	0.00	0.00	0.00	3990.00
9	Retail Market	RSA1.2	sq. m	2511.04	4551.26	3766.56	3452.68	1412.46	15694.00
10	Police Chowky	RPU3.2	sq. m	140.00	140.00	140.00	140.00	140.00	700.00
11	Potters Institute (common work space)	-	sq. m	0.00	2230.00	0.00	0.00	0.00	2230.00
	Total			27116.99	53552.04	39965.57	41255.95	20580.64	182471.17
	Total Land Area of Buildable Amenities not to be constructed by the developers.								
12	Best Bus Facility	RT1.4	Ha	0.00	0.00	0.06	0.00	0.00	0.06
13	Best receiving Station		Ha	0.00	1.30	0.00	0.00	0.00	1.30
14	Pumping station		Ha	0.00	0.00	0.37	0.00	0.00	0.37
15	NID & ITI	RE3.1	Ha	0.00	0.30	0.00	0.00	0.00	0.30

	(Other Education)								
	Total			0.00	1.60	0.43	0.00	0.00	2.03
Total Land Area of Un-Buildable Amenities									
16	Parking Lot	RT1.6	Ha	0.00	0.00	0.00	0.00	1.84	1.84
17	Public Open Spaces (can be mixed user / part of layout)		Ha	1.58	0.00	1.58	1.58	1.58	6.32
18	Layout RG that would be provided in sale and rehab areas to be multi used		Ha	0.77	1.39	1.15	1.06	0.43	4.81
19	Play Ground attached to schools (mixed use / part of layout)		Ha	0.40	0.73	0.60	0.55	0.23	2.50
20	Mahim Recreational Ground (Rajiv Gandhi Nagar)		Ha	0.00	0.00	0.00	0.00	3.20	3.2
21	Potters Institute (common open space)	-	Ha	0.00	0.22	0.00	0.00	0.00	0.22
22	Land to be given to TATA Power Electric Co.	`	Ha	0.00	0.40	0.00	0.00	0.00	0.40
	Total			2.75	2.74	3.33	3.19	7.28	19.29
All the additional amenities and facilities to be provided within DRA are deemed to be treated as DP Proposals.									
All proposed roads having width of 12 m & above are deemed to be treated as DP Proposals.									

	The SRA may add, alter or amend category and quantum of additional amenities and facilities to be provided within DNA with the approval of GoM.

Note:

The provisions of the DC Rules for Greater Mumbai, and all other applicable sections of the MA & TP Act, 1966, shall apply *mutatis mutandis* to the development of land with the modification that the expressions "MCGM" and "Municipal Commissioner" shall be substituted by the expressions "SRA" and "OSD, DRP (SRA)" respectively.

33(11) Provisions relating to Permanent Transit Camp tenements for Slum Rehabilitation Scheme/Rental housing:

Total FSI on gross plot area may be allowed to be exceeded upto 4 for construction of Transit Camp tenements for SRA/Rental Housing.

(A) The FSI & distribution of additional FSI for the construction of Transit Camp Tenements/Rental Housing shall be as shown below:

Location	Total permissible FSI	Zonal FSI	Additional FSI	FSI for Transit tenements for SRA/ Rental Housing	FSI for sale component
Island City	4.00	1.33	2.67	1.67	1.0
Suburbs & Extended Suburbs	4.00	1.00	3.00	1.5	1.5

(B) Such Schemes shall not be permissible on lands reserved/designated in the DP& in NDZ.

(C) Transit tenements for SRA out of additional FSI could be used for construction of Transit Camp of tenements having carpet area of 25 sq. m (269sq.ft.). Ground floor shall be used for commercial tenement shaving carpet area of 20.90 sq. m (225 sq. ft.) for project affected commercial tenements & same shall be handed over free of cost to SRA. Alternatively, residential tenements can be used for Govt Staff Quarters etc.

(D) Provision of Balwadi/Welfare Centre & Society office shall be as per regulation 33(10) to these transit camps.

(E) Additional FSI over & above Zonal (basic) FSI may be released in co-relation to the BUA of the tenements that are required to be handed over free of cost to SRA/ MCGM as the case may be. Alternatively, TDR in lieu of unconsumed sale component of additional FSI, as per this Regulation, may be permitted for Permanent Transit Camp (PTC) and Rental Housing for which SRA will be the Planning Authority.

(F) Only after the Transit Camps are handed over free of cost to the SRA, the Occupation Certificate, water connection, power connection etc. for the other portion shall be given by the Appropriate Authority.

(G) Clubbing: In case of two or more nos. of PTC/schemes taken up for development by same owner or collaborating owners/developers/Co-Operative Societies of slum dwellers under any legal arrangement approved by CEO (SRA), both rehab and sale components of the said slums can be combined and located in any proportion in those plots provided that the FSI as stipulated in Table above is not exceeded. However, clubbing shall be allowed only if it leads to an independent plot/Building/Wing as the case may be with SRA component being handed over to SRA.

Whenever such clubbing of PTC schemes on plots/lands having different ASR is approved & PTCs are shifted on land having lesser ASR, the Developer shall have to pay premium equal to 51% of unearned income on extra sale component being available than which would have been otherwise available on such plot as standalone scheme. Such unearned income shall be equal to difference of rate of open land in sq. mas per as per ASR (on the date of clubbing of the scheme) of BUA of land where such extra sale component to be allowed & from the land from which such sale component is shifted. Such premium shall be paid to SRA in two stages viz-50% at the time of IOA of such extra sale component to be allowed & balance at the time of issuing CC for the same. However, such clubbing shall not be permissible for development under the provision of SRA scheme under clause 3.11

Note: The premium amount so collected under rehabilitation scheme under this Regulation shall be kept in a separate account to be utilized as shelter fund for the State of Maharashtra.

Provided further that all the relaxation in regulation 33(10) shall also be granted to this regulation.

33(12). *Redevelopment of contravening structures included in the Final Plot of a Town Planning (TP) Scheme and Removal and re-accommodation of tolerated structures falling in the alignment of road:*

(A) *Redevelopment of contravening structures included in the Final Plot of a TP Scheme.*

For the redevelopment/reconstruction of contravening structures situated in TP Schemes, additional FSI over and above permissible FSI prescribed under these Regulations shall be admissible as under:

a. In the redevelopment scheme the number of tenants as recorded in the TP Scheme Book and residing in the contravening structures shall be accommodated by giving alternative accommodation in the redevelopment schemes having carpet area of 25sq. m (269 Sq. ft.) each, irrespective of their original holding provided the overall FSI consumption of the Final Plot shall not exceed 4.0.

b. The Commercial users may be permitted in the redevelopment scheme to accommodate the existing commercial tenants, provided the commercial area in the redevelopment scheme shall not exceed the original commercial area.

c. The tenants not listed in the records of TP Scheme but residing in contravening structure or such structures which have come up after TP Scheme is finalized, but are existing before 01.01.1995 and where structures and inhabitants names are appeared in the Legislative Assembly Voter's List of 1995 shall also be eligible for being included in the Redevelopment Scheme. Such tenants shall also be granted accommodation at the rate of 25sq. m of carpet area per tenant provided the total FSI of the plot does not exceed 4.0.

d. BUA equivalent to the area held by the tenant or 25 sq. m whichever is less shall be handed over free of cost to the respective tenant by the

Developer/Owner, while for the balance BUA, an amount as may be mutually agreed to between tenant and Owner/Developer shall be paid by the tenant. Condition to this effect shall be prescribed by the MCGM while approving redevelopment proposal.

e. For the purpose of this redevelopment scheme, the owner/ developer shall get further additional FSI to the extent of 50% of the area of the structures covered under Sr. No. (a),(b), (c) & (d) above provided further that the overall FSI of the Final Plot shall not exceed 4.0.

All the relaxations in regulation 33(10) shall also be granted to this regulation.

Notes: For the purpose of this Regulations the contravening structures shall mean:

- i. Structure situated outside the original plot but included fully or partly within the final plot allotted to a person in the TP Scheme.
- ii. Structures which are partly included in the final plot allotted to a person and partly included in the roads sites reserved for public purpose/ adjoining final plot.
- iii. Structures which are included in the TP Scheme area but situated outside the final plot allotted to a person and are affected by sites reserved for public purpose, provided the Planning Authority has no objection for rehabilitation of such structures.
- iv. However, structures included in the common area comprising of original plots and final plots shall not be treated as contravening structures.

(B) Removal and re-accommodation of tolerated /protected structures falling in the alignment of road:-

In a scheme where removal of tolerated structures falling in the alignment of existing road or widening of existing road for which road line has been prescribed or DP Road and re-accommodation of these tolerated structures in the same administrative ward has been proposed for the expeditious removal of bottlenecks, the FSI may be allowed to be exceeded above the permissible FSI as mentioned below subject to following condition:

- a) The tolerated residential structures shall be existing since prior to 17.04.1964 and non-residential structure shall be existing since prior to 01.04.1962 falling in the alignment of existing road or widening of existing road for which road line has been prescribed or DP Road.
- b) The structures shall be reflected in the true extract of Revenue Record prior to 1961-62 or in the assessment records prior to datum line as mentioned (a) above.
- c) The scheme plot and the tolerated structures as mentioned above falling in the alignment of the road shall be relocated in the same administrative ward.
- d) The provisions of this Regulation shall not be applicable to the structures where development of plot, where such tolerated structures are situated, is proposed to be undertaken or in progress.
- e) It shall be responsibility of the scheme owner/developer who wishes to seek benefit under this Regulation to execute tri party agreement with the owner of the plot where such tolerated structures are situated and with the occupiers of such structures in respect of removal of structures falling on road and the copy of the same shall be submitted to MCGM.

f) The owner/developer will have to submit the advance possession receipt to MCGM for handing over of such plot affected by road line/DP road having built up structures as detailed above to MCGM.

g) The owner of the plot shall be eligible for TDR as per Zonal (basic) FSI of the plot in lieu of handing over of the land affected by road. TDR for such land shall be issued only when ownership of land has been transferred in PR card in the name of MCGM.

h) The existence of the structure on site, carpet area of the structures and occupancy of the eligible occupants in case of non-cess structures shall be certified as detailed above by the Assistant Commissioner of respective ward and by MHADA in case of cessed structures.

i) In case of such area is occupied by cessed structures and affected by road widening/DP Road, NOC from MHADA shall be insisted.

j) The eligible residential/residential cum commercial tenant/occupants shall be entitled for the minimum carpet area of 27.88 sq. m or the area equivalent to existing carpet area and in case of non-residential tenant/occupants, area equal to existing carpet area shall be allotted.

k) The owner of scheme shall be eligible for the BUA required for rehabilitation of existing tenants/occupants plus incentive BUA to the extent of 50% of BUA required for rehabilitation. However, the FSI on plot/layout shall not be allowed to be exceeded up to 4.0.

l) If the part of the structures are falling in alignment of roads, then such occupants shall, be eligible for the benefit as above. However, TDR equivalent to Zonal (basic) FSI of the land so handed over will be eligible.

m) The owner shall be eligible for the commencement certificate for the incentive BUA only after rehabilitation of occupants of affected tolerated structure /removal of structures falling in the alignment of road line/DP Road.

n) The fungible BUA shall be permissible for rehab without charging premium and to the incentive BUA by charging premium.

o) The protected structures falling in the alignment of Road/DP road as notified by government from time to time and as certified by competent authority shall also be eligible for the rehabilitation as per this regulation subject to condition that rehabilitation area shall be 25 sq. m in case of residential/residential cum commercial occupants and in case of commercial occupants, existing area or 20.90 sq. m, whichever is less.

[All the relaxations in regulation 33\(10\) shall also be granted to this regulation.](#)

33(13) - Buildings of Information Technology Establishments:

With the Special permission the Commissioner may permit the floor space indices to be exceeded beyond Zonal (basic) FSI specified in this Regulation No.30 Table No. 12 up to 5.0 subject to following conditions, in respect of

a) All IT and ITES units in Public IT Parks

b) All registered IT and ITES Units located in Private IT Parks, approved by Director of Industries in the State.

Provided that maximum of 80% of the total FSI may be used for IT/ITES/IT supported Financial Services with the prior approval of the State Govt. and remaining 20% may be used for commercial services.

c) The IT supported financial services shall be restricted to the users specified by the Industries Department, in its Government Resolution IMC/2008/CR-46/IND-2 dated 13/8/08 and as may be amended from time to time by the High Power Committee and Industries Department.

d) The additional FSI shall be granted beyond upon the payment of premium. Such premium shall be recovered at the rate of 25% for IT/ITES users, 40% for the IT supported financial services and 100% for commercial users of the present market value of the land under reference as indicated in the Ready Reckoner.

Provided that 40% of the present market value of land under reference as indicated in the Ready Reckoner will be liable to be paid even if only a part of 80% of the total area is used for IT supported Financial Services.

e) 25% the total premium so charged shall be paid to the Govt. and remaining 75% shall be paid to the said Authority.

f) The premium so collected by the Planning Authorities shall be primarily used for development/up gradation of off-site infrastructure.

g) Additional FSI for IT supported Financial Services & 20% commercial users will be applicable in those zones where the DCR permit such use.

h) Users as permissible as per IT policy of Govt. amended from time to time shall be allowed.

33(14) Shifting of cattle sheds outside Greater Mumbai:

For Development of lands becoming vacant consequent upon shifting of cattle sheds existing thereon, to places outside Greater Mumbai, additional FSI to the extent of 33% over and above Zonal (basic) permissible FSI, shall be allowed on land occupied by cattle sheds and subject to the following conditions:

(i) Such additional FSI shall be available for authorized /tolerated (existing prior to 01/04/1962) cattle sheds existing in Suburbs & extended Suburbs only;

(ii) The development of such lands that have become vacant consequent upon shifting of cattle shall be regulated by the zoning Regulations of the zone in which such lands are situated.

(iii) The additional FSI shall be worked out case by case by a Committee comprising of following members as constituted by Govt in Urban Development Department.

1.	The Chief Engineer (D.P), Municipal Corporation of Greater Mumbai, Mumbai	Chairman
2.	Cattle Controller, ADF Department, Mumbai	Member
3.	The Deputy Director of Town Planning Greater Mumbai, Mumbai	Member
4.	The Superintendent of Land Records, Mumbai Suburban District, Mumbai	Member

The proposed development shall further be subject to such conditions as may be prescribed by the Committee and payment of such amount of premium as may be fixed by Govt. in Urban Development Department.

33(15) - Development of land earmarked for the MHADA/Mill Workers Housing under Regulation No 35.

For development of land for transit camp/mill workers housing undertaken by MHADA, FSI up to 4.0 including Zonal (basic) FSI shall be allowed on land earmarked for MHADA/Mill Workers Housing under Regulation No 35 subject to following conditions -

- (i) The development of land earmarked for mill workers shall be exclusively used for mill workers housing,
- (ii) The development of land earmarked for MHADA for public housing, atleast 100% FSI shall be exclusively used for mill workers housing and balance FSI for transit camp only.

Relaxation in buildings and other requirements:

- 1) The permissible FSI shall be calculated on gross plot area.
- 2) Recreational Open Spaces up to 8% shall be allowed.
- 3) Requirement of open spaces shall be as per the Regulation No 41
- 4) No premium shall be charged for the fungible FSI & BUA excluded as per the provision of regulation no 31(1) to be utilized for Mill workers housing/transit tenements & component to be handed over to MHADA.

33(16) Reconstruction/Redevelopment in Gaothan/ Koliwada/Adiwasipada area -

FSI for reconstruction/redevelopment of any property in gaothan/koliwada/adiwasipada i.e. on land with tenure 'A' shall be as follows:

For plots ~~fronting~~ abutting on roads below 9 m width, permissible FSI will be 1.5

b) for plot ~~fronting~~ abutting on road width of 9 m and above (existing or proposed), additional 0.5 FSI shall be allowed for commercial use ~~subject to condition that margin and parking space as required under these Regulations are provided.~~

Provided that for (a) & (b) above, consumed FSI of existing buildings, utilized authorizedly shall be permitted.

33(17) Buildings of Biotechnology Establishments: -

With the Special permission the Commissioner may permit the floor space indices to be exceeded beyond Zonal (basic) FSI specified in this Regulation No. 30 Table No. 12 up to 5.0 in respect of buildings in independent plots for exclusively developing Biotechnology units set up by Public Bodies like MHADA, SEEPZ, MIDC, SICOM, CIDCO or their joint venture companies having more than 11% stake of these bodies or their lessees. The Commissioner may specify terms and conditions.

Provided that in the above cited cases of grant of additional FSI for Biotechnology units, premium as may be determined by Govt shall be paid to MCGM out of which 50% shall be payable to the Govt.

33(18) Development of Multi Storey Public Parking Lots (PPL):

With the previous approval of the Govt for development of Multi-storeyed PPL on any plot abutting a road and/or a stretch of road, additional FSI (hereinafter referred to as "Incentive FSI") as specified below on built up parking area, created and handed over to the MCGM free of cost, shall be allowed, on the land belonging to a private owner, which is not reserved for any public purpose, subject to the conditions contained herein below:

I. The minimum area of plot shall be 1000 sq. m in Island City & 2000 sq. m in suburb and extended suburbs of Greater Mumbai. The minimum number of Motor Vehicle public parking spaces provided shall not be less than 50 subject to minimum parking space of 700 sq. m. The location of parking spaces can be in basement, ground floor or upper floors, with access through ramp/lift or combination of both subject to clearance from CFO with special emphasis on fire hazard.

II. A Committee under the Chairmanship of Municipal Commissioner, MCGM shall earmark/select the plots for public parking, on the basis of their suitability and seek Government's approval for it. The Committee shall comprise the following or their representatives (i) Metropolitan Commissioner, MMRDA. (ii) Joint Commissioner of Police (Traffic), (iii) Dy. Director of Town Planning, Greater Mumbai (iv) Chief Engineer (Road), MCGM (Member Secretary).

III. The incentive FSI given on this account will be over and above the Zonal (basic) FSI permissible under any other provisions of DCR. This incentive FSI shall be allowed to be used on the same plot in conformity with DCR/DP, within the overall cap/limit of total maximum permissible FSI as given at (vii) below.

IV. The proposed development shall be subject to any other conditions prescribed by the Municipal Commissioner.

V. Concerned land owner/~~development~~ developer /society/company shall not be allowed to operate the public parking.

VI. Area covered under parking shall not be counted towards FSI consumption.

VII. The incentive FSI permissible under this Regulation against BUA of the PPL, shall be 50% of the BUA of the PPL, such that the total permissible FSI including the incentive FSI under this Regulation does not exceed 4.0 in the Island City and ~~3.0~~ 4.0 in the Suburbs and extended Suburbs.

The incentive FSI permissible under this Regulation against BUA of the PPL, shall be 50% of the BUA of the PPL, such that the total permissible FSI including the incentive FSI under this Regulation does not exceed 4.0 on Gross Plot Area in the Island City and 3.0 on Gross Plot Area in the Suburbs and extended Suburbs.

VIII. Public Parking shall be limited to ~~G + 4 and~~ three basements + G + 4 upper floors.

IX. The maximum cap on BUA per parking shall be 50 sq. m for LMVs, 65 sq. m for LCVs and 120 sq. m for HMTVs/Buses. Incentive FSI shall be calculated as per BUA of the PPL, based on these norms or the actual BUA of the PPL, whichever is less.

X. 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 the incentive FSI admissible under this Regulation, as per A.S.R. - (Cost of construction of PPL + cost of any extra amenities/facilities provided + cost of construction of BUA corresponding to the incentive F.S.I. admissible under this Regulation)]

For the purpose of calculating premium as above, the cost of construction of PPL including amenities/facilities and the cost of construction of BUA corresponding to the Incentive FSI admissible under this Regulation shall be 75% and 125% respectively of the rate of RCC construction as per ASR.

The developer of the public parking lot (PPL) shall pay 'premium', worked out as per the following formula:-

Premium = Incentive FSI admissible under this regulation x ASR Rate of Land (for FSI 1) x 60% ~~60% of [Value of the additional built up area corresponding to the incentive FSI admissible under this Regulation, as per the A.S.R. prepared by the I.G.R. Maharashtra State - (Cost of construction of PPL + cost of any extra amenities / facilities provided + cost of construction of built up area corresponding to the incentive F.S.I. admissible under this Regulation)]~~

The developer of the public parking lot (PPL) can pay the above premium as mentioned below, subject to payment to interest as per policy of MCGM:

- a. 25% of Premium payable prior to issue of IOD.
- b. 75% of Premium payable before issue of Commencement Certificate for Incentive FSI under this regulation.

For the purpose of calculating premium as above, the cost of construction of PPL including amenities / facilities and the cost of construction of built-up area corresponding to the incentive FSI admissible under this Regulation for the financial year 2011-2012 shall be taken as Rs.15,000/- per sq. mtrs. and Rs.25,000/- per sq.mtr. respectively....

(XI) The Premium shall be paid in two stages - 50% before the issuance of I.O.D. for the PPL and 50% before the issuance of C.C. for the incentive FSI admissible under this Regulation.

Upon Payment of 100% premium as foresaid, C.C. shall be issued in respect of 50% of incentive FSI. In no case shall the remaining 50% Incentive FSI be released without the handing over of the PPL, complete in all respects, to MCGM.

The year in which 50% premium is paid before the issuance of I.O.D. for the PPL shall be taken as the year for determination of construction cost as well as ASR for calculation of the premium. Out of the total premium payable, 50% shall be paid to the GoM and the remaining 50% to MCGM.

Provision of this Regulation may also be applicable to lease hold plots of Govt and MCGM with prior approval from Gov. /Municipal Corporation.

XII) The height of 32 mtrs. for parking floors as per clause ____ will be over and above the parking floors that are required for accommodation of the public parking lot in basements and superstructure.

The total no. of floors that would be required for accommodating Public Parking Lot (including basements) will be allowed for accommodation of captive car parking floors over and above the height of 32m as mentioned under DCR 37(33).

This cap of 32m of parking floors does not permit the provision of the required car parking spaces as may be required for public parking lot which is an infrastructure

need and hence the inclusion of this provision for additional height of parking floors for buildings to be developed under DCR 33(18) is essential.

33(19) Additional FSI for Commercial user development in Central Business District (CBD):

The Commissioner may allow FSI up to 5.0 including permissible FSI as per provision of Regulation 30(A)1 Table No 12 for commercial user/development on plots in CBD on payment of premium subject to following conditions: -

- 1) Additional FSI shall be allowed only for plots situated in CBD which are not reserved/designated in the DP except affected by proposed DP roads/Sanctioned RL under MMC Act.
- 2) The development of reserved/designated plots in CBD shall be governed by provisions of these Regulations.
- 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.
- 4) Premium for granting such additional BUA beyond permissible FSI as per Table No 12 shall be charged at the rate of ~~80~~ 40 % 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~~ 40 % 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.~~

6. 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.

Provision of IH shall not be applicable for such development.

Sr. No	Plot area excluding area covered under Reservation/Designation in the DP except affected by proposed DP roads/Sanctioned RL under MMC	Maximum Permissible FSI <u>on gross plot area including area under Road/ setback/reservation/designation/ amenity open space as per relevant regulations</u>

	Act	
1	Up to 2000 sq. m	3
2	Above 2000 and up to 3000 sq. m	4
3	Above 3000	5

33(20) Affordable Housing (AH):

(A) Development or redevelopment of plots earmarked/reserved for AH on the lands of MCGM/Govt./Appropriate Authority as notified by Govt. and in possession, may undertake development for AH with permissible FSI 4.0 subject to the following conditions:

- 1) The carpet areas of the tenements to be constructed shall be for EWS, LIG and MIG or as decided by Govt. from time to time subject to a minimum 25 sq. m. Development of other types of tenements shall not be permissible under this Regulation.
- 2) No premium shall be charged for fungible FSI and for features covered under the provision of Regulation No 31(1) for the development for AH tenements.
- 3) The MCGM/Public Authority shall make provision for offsite infrastructure charges at the rate of 7% of land rate as per ASR for FSI 1 for BUA beyond Zonal (basic) FSI. Out of 7% charges, 5/7 of such charges shall be transferred to the fund allocated for infrastructural development for developing necessary offsite infrastructure.
- 4) The requirement of open spaces shall be as per Regulation No 41(5) subject to clearance from CFO.
- 5) Once the development of AH tenements are completed and Occupation Certificate is granted, it shall be the responsibility of the MCGM/Public Authority of allotment of AH tenements within 12 months from the date of grant of occupation or earlier. Once development proposal is approved for AH, the MCGM/Public Authority may start process of sale proceeds.
- 6) The fund so received on account of sale proceeds of such tenements, after deduction of cost of development including off site infrastructure charges for development of AH, 50% amount shall be utilized towards implementation of D.P. and rest amount shall be used for the development of AH tenements at other locations.
- 7) The MCGM/Public Authority may develop AH in the plot of land reserved for Rehabilitation & Resettlement, but the same shall not be applicable when private owner undertakes development.
- 8) The land with approved BUA shall be leased out to such society of occupants of building.

(B) Development of AH on private plot.

The permissible FSI may be allowed to be exceeded up to 4.0 on gross plot area when the private owner proposes to develop non-reserved/non-designated private land for AH tenements and hand over the area of AH tenements free of cost to MCGM.

- (a) The FSI & distribution of additional FSI for the construction AH shall be as shown below:

Location	Total	Zonal	Additional	FSI for transit	FSI for sale
	permissible	(basic)FSI	FSI	tenements	component
	FSI			for MCGM	
				AH.	
(1)	(2)	(3)	(4)	(5)	(6)
Island City	4.00	1.33	2.67	~~1.67~~ 1.5	~~1.0~~ 1.17
Suburbs/Extended	4.00	1.00	~~3.00~~ 2.67	1.5	~~1.5~~ 1.17
Suburbs					

- (b) Such Scheme shall not be permissible in NDZ.
- (c) The carpet areas for AH tenements to be constructed shall be as required for EWS, LIG and MIG as decided by Govt. from time to time subject to a minimum 25 sq. m
- (d) The ratio of BUA to carpet area shall be 1.2, including all the amenities & facilities. The area of features permissible free of FSI as per Regulation No 31 shall not be considered for the calculation of carpet areas.
- (e) The owner shall have to declare the intension for developing the plot for AH initially. The AH shall be marked on the plan clearly with note, "to be handed over to MCGM".
- (f) The additional FSI over & above Zonal (basic) FSI may be released in co-relation as per BUA of tenements that are required to be handed over free of cost to MCGM, in proportion 0.50 sale: 1 AH area ~~and 100% sale area can be released only after handing over of entire AH tenements.~~
- Alternatively, TDR in lieu of unconsumed sale component of additional FSI, as per provision of this Regulation in proportion as stated above can be released. However 20 % of such admissible TDR shall be released only after handing over the entire area of AH to MCGM.
- (g) After AH tenements are handed over free of cost to MCGM, Occupation Certificate for sale portion shall be given.
- (h) No premium shall be charged for fungible FSI and features permitted free of FSI as per Regulation No 31 for the development for AH tenements. However, payments of the premium shall be applicable on the owners share wherever required. The deficiency if any for AH component shall be condoned by the Commissioner without charging premium and for sale component at the rate of 10% of the normal premium
- (i) The offsite infrastructure charges at the rate of 7% of land rate as per ASR for FSI 1.0 for BUA beyond Zonal (basic) FSI shall be payable.
- (j) The owner shall be allowed to utilize the Zonal (basic) FSI and BUA as per column no (6) of above table for the uses permissible in the zone.

k) All the relaxations as per regulations 33(10) shall be granted to this regulation.

l) Clubbing: In case of two or more nos. of AH / schemes taken up for development by same owner or collaborating owners/developers/Co-Operative Housing Societies under any legal arrangement approved by special permission of Commissioner, both AH and sale

components of the said AH schemes can be combined and located in any proportion in those plots provided that the FSI as stipulated in Table above is not exceeded. However, clubbing shall be allowed only if it leads to an independent plot/Building/Wing as the case may be with AH component being handed over to MCGM.

Whenever such clubbing of AH schemes on plots/lands having different ASR is approved & AH component are shifted on land having lesser ASR, the Developer shall have to pay premium equal to 51% of unearned income on extra sale component being available than which would have been otherwise available on such plot as standalone scheme. Such unearned income shall be equal to difference of rate of open land in sq. mas per as per ASR (on the date of clubbing of the scheme) of BUA of land where such extra sale component to be allowed & from the land from which such sale component is shifted. Such premium shall be paid to MCGM in two stages viz-50% at the time of IOD of such extra sale component to be allowed & balance at the time of issuing CC for the same.

Note: The premium amount so collected under AH scheme under this Regulation shall be kept in a separate account to be utilized as shelter fund for the State of Maharashtra.

(C) Shramamsafaly/AshrayYojana

The tenements required for Shramamsafalya/Ashray yojana may be allowed to be constructed as per the provisions of Regulation (A) & (B) above with the special permission of Municipal Commissioner subject to condition that the sizes of tenements constructed shall be governed by the requirements of such schemes.

33(21) Development and Redevelopment of Municipal Market/ Public Amenities by MCGM/Government

(A) Development and Redevelopment of Municipal Market

If development/redevelopment of existing Municipal Market of MCGM or land Reserved/Designated for Municipal Market on land belonging to MCGM is proposed by MCGM itself, then development/redevelopment of such existing/designated/reserved land of Municipal Market shall be as follows:

i. The permissible FSI shall be 5.0 on gross plot area.

ii. The existing licensed vendors on such lands, if any, as certified by Market Department of MCGM, shall be allotted spaces in the proposed redevelopment. While reallocating, they shall be reallocated with 20% more carpet area over and above their existing carpet area (excluding fungible BUA). The status of the licensed vendor shall remain as it was prior to redevelopment.

iii. BUA as per Zonal (basic) FSI or BUA required for accommodation/rehabilitation of existing licensed vendors certified by the Market Department of MCGM, whichever is more, shall be exclusively developed for Market purpose and balance potential may be utilised for the users permissible in the respective zone and conforming with these regulations or the user as stated below in this Regulation.

iv. The commercial galas so constructed and available with MCGM, will be first allocated to existing licensed vendors certified by Market Department, second to PAPs of vital public purpose projects, third to new licensees as per policy decided by the MCGM.

v. Balance BUA may be used for (a) Municipal Office, (b) Municipal Housing (c) PAPs displaced due to Municipal Projects, (d) Municipal Staff Quarters, (e) Municipal Maternity Home/Dispensary, (f) Drama Theatre (g) hawkers plaza or any other uses permissible under these Regulations, and as decided by Municipal Commissioner.

vi. The MCGM may undertake such development on its own or through public private partnership.

vii. Minimum 6 m open space or open spaces as required under Regulation no 41(5) shall be deemed to be sufficient subject to fulfilment of requirement from fire safety point of view.

viii. Separate access for the market area and other development shall be provided.

ix. Notwithstanding anything contained in this Regulation, where the existing Market/designated land is having combination of user/reservation, the existing BUA of such user shall be necessarily put to such use.

x. No premium shall be charged for Fungible FSI as per Regulation No 31(3).

(B) Public Amenities by MCGM/Government:

For the construction of building for public purpose/ public amenities by the Corporation/Govt. on their own, on the plot of land belonging to them, the FSI shall be 5.0.

Such additional FSI will not be available when private owner undertakes development as per Regulation No. 17.

No premium shall be charged for Fungible FSI as per Regulation No 31(3).

33(22) Additional FSI for Redevelopment of existing residential housing societies, residential tenanted buildings excluding cessed buildings:

In case of redevelopment of existing residential housing societies, residential tenanted buildings excluding cessed buildings proposed by Housing societies/land lords or through their proponents where existing members, tenants are proposed to be re-accommodated on the same plot, additional FSI for redevelopment of such existing residential buildings shall be as follows:

1. Additional BUA in lieu of cost of construction of authorized existing BUA = 1.50 (Rate of construction per sq. m as per ASR rate /Rate of developed land per sq. m as per ASR (for FSI 1))*(authorized existing built up area+ area of the balcony if claimed free of FSI as per then prevailing regulation)

Provided that this incentive shall not exceed 40% of existing authorized BUA.

Provided further that if the existing authorized BUA and incentive thereon as per above is less than the permissible FSI 2.0 then society may avail the 'Additional FSI on payment of premium/TDR' up to limit of permissible FSI up to 2.

Suggestion 1

Provided further that if the existing BUA and incentive thereon as per above is more than the FSI of 2 then the society may avail the difference of BUA between the Additional BUA calculated as per sr. no. 1 above and the incentive cap of 40% of existing authorized BUA upon payment of premium at the rate of 60% of the land rates as per ASR (for FSI 1) of the year in which the project is granted approval.

Notwithstanding above, if the existing authorized BUA and incentive thereon as per above is more than the permissible FSI 2.0 then society/land lords or through their proponents shall be allowed to utilise existing BUA + incentive FSI as stated above.

Suggestion 2

When it is mentioned as additional BUA it should be additional BUA over & above permissible BUA as per col.no. 7 of table 12 in regulation no. 30 (A)

This incentive/additional BUA is for old buildings in the suburb where FSI has been consumed more than the basic FSI. Further due to climate condition of Mumbai i.e. surrounded by sea on 3 sides & humidity is more. The steel/RCC reinforcement members get corroded early due to even hair cracks in the plaster. The cement plaster also gives way due to this climate condition and life of the building becomes even less than 30 years.

Hence the lifespan for the building in Mumbai for this regulation maybe insisted about 20 years from the actual opinion by the members since many old buildings do not have occupation permission.

As such this additional FSI should be at par with the cess properties in the City

It is true that as per present scenario in the market & present provision of various premiums for redevelopment of existing buildings the feasibility is not there to redevelop existing buildings in the suburb hence this regulation shall be reviewed and the incentive FSI should be over & above permissible BUA as given in column no. 7 of table 12 in regulation no. 30 (A).

2. If staircase, lift & lift lobby areas are claimed free of FSI by charging premium as per then prevailing Regulation, then such areas to that extent only will be granted free of FSI without charging premium. If staircase, lift & lift lobby areas are counted in FSI in earlier development, then additional FSI as stated in Sr. No 1 shall also be given on such area & such areas may be availed free of FSI by charging premium as per these Regulations.

Suggestion 1

If staircase, lift & lift lobby areas are claimed free of FSI by charging premium as per then prevailing Regulation, then such areas to that extent only will be granted free of FSI without charging premium. If staircase, lift & lift lobby areas are counted in FSI in earlier development, then additional FSI as stated in Sr. No 1 shall also be given on such area & such areas for the rehabilitation component may be availed free of FSI by without charging premium as per these Regulations.

3. This Regulation shall be applicable only when existing members of the societies/tenants are proposed to be re-accommodated & where authorized existing BUA is more than Zonal (basic) FSI as per then prevailing Regulations.

4. This regulation will be applicable for redevelopment of existing authorized buildings which are of thirty years of age or more.

5. This regulation shall not be applicable in respect of redevelopment proposal to be/being processed under Regulation No 33(5), 33(7), 33(8), 33(9), 33(9)(A), 33(10), 33(10)(A), 33(20)(A), 33(21).

Explanation: -Age of a building shall be as on the 1st of January of the year in which a complete redevelopment proposal is submitted to the Commissioner and shall be calculated from the date of Occupation Certificate or alternately, from the first date of assessment as per the property tax record in respect of such building, available with the MCGM.

6. This additional BUA shall be independent of additional BUA as permissible under Regulation No 14(A), 15, 16 and 17, if any.

7. Fungible FSI admissible under Regulation No. 31(3) shall also be allowed over the additional BUA in lieu of cost of construction of authorized existing BUA on payment of premium & on existing authorised BUA on without payment of premium.

Provided further that the Fungible FSI of the rehab component can be utilised in sale component on payment premium with the consent of the existing tenant/member.

Suggestion 1

8. The premium, Open Space Deficiency shall be charged at par with the provision of 33(7) and other relaxations such as stair case lifts parking etc. shall be relaxed.

PART VII LAND USE CLASSIFICATION AND USES PERMITTED

34. Land use Zoning & Uses Permitted

The Proposed Land-use plan depicts the five land use zones.

Explanation: For ascertaining Land-use Zone for a given plot of land please refer to relevant proposed Land-use Map of DP. Eventually web-enabled map will be available on the MCGM website, where by providing the name of Ward, Division/Village/Town Planning Scheme and Survey Number (either C.S. No., C.T.S. No. or F.P. No.) of the concerned plot, the land use zone could be ascertained.

1 General:

In case of development of any land, the intended use shall conform to the permissible uses of the zone in which the land is situated.

2 Zoning definitions:

Following five land use zones are demarcated on the Proposed Land-use Plan.

Table No. A

Zoning Definitions

Zone	Representation	Broad Description
Residential Zone(R – Zone)	R	The Residential Zone is a mixed use zone with residential use as the predominant one and where other uses as specified are permitted.
Commercial Zone (C – Zone)	C	The Commercial Zone is a mixed use zone with commercial use as the predominant one and where other uses as specified are permitted.
Industrial Zone (I – Zone)	I	Industrial zone is a zone with Manufacturing as the primary activity. In addition, Warehousing and logistics are also permissible. New industrial activity shall be non-polluting, non-hazardous and subject to clearance from MPCB. Existing Industrial users are protected subject to certification by MPCB. Conversion of land use can be permitted as specified in these Regulations.

Zone	Representation	Broad Description
No Development Zone	NDZ	<u>No Development Zone (NDZ) is a Zone comprising potentially developable land kept in reserve for future development.</u> <u>In addition, 1/3rd of area I.T./ITES/Biotechnology as residential, Cinema and Studios, Offices, Tourism Activities Amusement Park and activities listed in Regulation No. 34.3.4.C (VI) are also permissible. Conversion of land use can be permitted as specified in these Regulation.</u>
Natural Areas /Zone	NA	Natural Area Zone (NA) is an environmentally sensitive not amenable to buildable development.

Note: In conformity with the intent and spirit of these Regulations, the Commissioner may modify the boundary limit of a zone where the boundary line of the zone divides a plot.

3 Uses and ancillary uses permitted in the zones:

The purpose of this Regulation is to allow environmentally compatible uses in a zone on a given plot of land and specifically prevent non-compatible uses. Where an activity not specifically listed in these Regulations is proposed, its approval or rejection will be decided with the special permission of the Commissioner

3.1 Conditions under which land-uses are permissible

The conditions under which land-uses are permissible in the zones and which are required to be complied with as detailed in Table No. C are described in this Regulation listed in Table No. B below.

Table No. B.

Conditions under which land-uses and occupancies are permissible.

Sr No	Conditions under which Land-use and Occupancies are permissible
1	Independent plot
2	Independent building
3	Separate wing with separate access
4	Separate floor with separate access
5	<u>On ground floor or 1st Floor</u>
6	On ground floor with separate access.
7	On stilt
8	On the top of podium <u>or within podium</u>
9	On ground/stilt, 1 st &2 nd floors with separate access

10	On Terrace
11	Minimum area of plot-1,000 sq. m
12	Minimum area of plot-2,500 sq. m
13	Minimum width of street on which the plot abuts-9.00 m
14	Minimum width of street on which the plot abuts-12.00 m
15	Minimum width of street on which the plot abuts-13.40 m
16	Minimum width of street on which the plot abuts-18.30 m
17	Permissible on street on which the plot abuts road having width more than 18.3 m excepting roads as stated below (a)
18	All ancillary uses limited to 50% floor space of principal use
19	Minimum width of side & rear marginal open Space-6.0 m.
20	In a single-storeyed detached or semi-detached structure each unit having an area not more than 100 sq. m
21	With the Special permission of Commissioner
22	Subject to permission of Commissioner of Police
23	Subject to approval from Traffic Police.
24	Subject to permission from Executive Health Officer of MCGM.
25	Subject to permission from Director of Industries
26	Subject to permission from Controller of Explosives
27	Minimum width of side & rear marginal Open Space - 9.0 m.
28	By maintaining segregating distances as per Regulation No 41

(a) (1) All Express Highways/Freeways

(2) East West Corridor i.e. Jogeshwari Vikroli link Roads, Goregaon Mulund Link Road, General Arun Kumar Vaidya Marg, Santacruz Chembur Link Road, Ghatkopar Mankhurd Link Road, Andheri Ghatkopar Link Roads, Mathurdas Visanji Marg (Andheri Kurla Road), Jai Prakash Road

(3) Western Corridor:- From Regal Cinema junction to Vithabhai Patel Road, Khar covering Madam Cama Road, Netaji Subhash Road, Dr. N.A. Purandare Marg, Babulnath Road, Justice Patkar Marg, Bhulabhai Desai Road, Lala Lajpatrai Road, Dr. Annie Besant Road, Veer Savarkar Marg, Mahim Causeway, Vithalbhai Road upto its junction with Chitrakar Dhurandhar Marg, Khar and Juhu Tara Road.

(4) Central Corridor.- From Regal Cinema junction to V.N. Purav Marg, Trombay, covering Mahatma Gandhi Road, Dadabhai Navroji Road, Lokmanya Tilak Road, Dr. B. Ambedkar Marg, Sion Road, Tatya Tope Road, V.N. Purav Marg upto Anushakti Nagar.

(5)a) Other Roads viz. Shahid Bhagatsingh Road, Lokmanya Tilak Road, L. Jagmohandas Road (Napean Sea Road), Bhulabhai Desai Road (Warden Road), August Kranti Marg, Walkeshwar Road, S.K. Barodawala Marg (Altamount Road), Dahanukar Marg (Carmichael Road), Manav Mandir Road,

b) Proposed Roads having width 45.70 m and above.

Suggestion

(COMMENT:- Restriction of Road should be deleted.)

3.2 Conditions applicable for permitting various land-uses and occupancies

The conditions applicable for permitting various land-uses and occupancies in Residential, Commercial & Industrial Zones as described in Table No. B, are given in Table No. C with following for their permissibility.

Suggestion

The conditions applicable for permitting various land-uses and occupancies in Residential, Commercial & Industrial Zones and No Development Zone as described in Table No. B, are given in Table No. C with following for their permissibility.

P	"P" Denotes Permissible Use without conditions in a Zone. When conditions are reflected without indication of "P", such uses shall be permissible in that zone subject to compliance of those conditions.
NP	Denotes Non-Permissible Uses in a Zone.

Table No. C.

Conditions under which uses and occupancies will be permitted in Residential, Commercial & Industrial Zones

Sr. No.	Uses and Occupancies	Conditions under which land uses and occupancies will be permitted in zones			
		R	C	I	Additional Conditions
1	Residential	P	1 or 2 or 3	NP	In case of CBD, FSI will be regulated as per Regulation No 33(19) subject to compliance of condition 1 or 2 or 3
2	Customary home occupations including professional works from home in all such as detached, semi-detached and multi-family houses	P	1 or 2 or 3	NP	
3	Residential care activities for the elderly and disabled, orphanages, boarding homes/ institutions for children and women	1 or 2 or 3 or 4	1 or 2 or 3 or 4	NP	
4	Short term accommodation (i) 4 or 5 Star category	1 or 2 & 11,16,21	1 or 2 & 11,16,21 ,	1 or 2 & 11,16, 21, 28	

	Hotels				
	(ii) 3 Star category hotels	1 or 2 & 15, 21	1 or 2 & 15, 21	1 or 2 & 15, 21, 28	
	(iii) Other categories of Hotels	1 or 2 or 3, & 14, 21	1 or 2 or 3 & 14, 21	1 or 2 & 21, 28	
	(iv) Motels, resorts,	1 or 2 & 14, 21	1 or 2 or 3 & 21	1 or 2 & 21, 28	In case of 3 in residential premises, it shall be subject to condition no 18
	v) Guest houses, circuit houses, hostels and boarding / lodging houses, Dharmashala	1 or 2 or 3 or 4 & 13	1 or 2 or 3 or 4	1 or 2 & 28	In case of 3 or 4 and in residential premises, it shall be subject to condition no 18
	vi) Club Houses or Gymkhanas with extension counter or branch of Bank	1 or 2	1 or 2	NP	
	General agriculture, horticulture and poultry farming (but not dairy farming)	1 or 2	1 or 2	NP	Poultry farming permitted at the rate of 0.25 sq. m. BUA per bird in plot measuring not less than 1 ha.; provided that no offensive odors, dirt and/or dust are created, that there is no sale of products not produced on the premises, and the accessory buildings are not located within 9 m of the boundaries or 6 m. from the main buildings or the plot: Provided further that the above restriction on space shall not apply to any poultry kept for domestic consumption only.
5	A) Health Care facilities without indoor bedding facilities for patients like, dental, medical practitioners, pathological	1 or 2 or 3 or 6 or 9	1 or 2 or 3 or 6 or 9	NP	In case of 3, 6, 9 and in residential premises it shall be subject to condition no 18

	laboratory, diagnostic clinic, eye clinic ,veterinary clinic & clinics of other medical allied facilities				
	B)Health Care facilities with indoor bedding facilities for patient like maternity homes, polyclinics, nursing homes, eye hospitals & other medical allied Facilities	1 or 2 or 3 or 6 or 9	1 or 2 or 3 or 6 or 9	NP	In case of use already existing prior to coming in force of these Regulations, without fulfillment of condition no 3,6 and 9, the said use may be allowed to continue subject to compliance of condition no 21 & 24
6	6 All other hospitals correctional and mental institutions, institutions for children, the aged or widows sanatoria and hospitals (except veterinary hospitals)	1 or 2 or 3 & 16	1 or 2 or 3 & 16	NP	Hospital principally for contagious diseases shall be located not less than 36 m. from any boundaries. In case of 3 in residential premises, it shall be subject to condition no 18
7	(i) Preprimary school, Montessori school, kinder garten schools, balwadis & coaching classes	1or 2 or 3 or 6 or 9	1or 2 or 3 or 6 or 9	NP	Permissible with minimum area 40 sq. m in residential building & in case of 3, 6, 9 subject to no nuisance being caused to the occupants of the building. In case of 3,6,9 in residential premises, it shall be subject to condition no 18
	(ii) Primary schools/ Primary cum secondary school	1 or 2 or 3 & 13	1 or 2 or 3 & 13	NP	In case user is proposed in residential building as per 3, the same shall be permissible subject to no nuisance being caused to the occupants& as per condition no 21. In case of 3 in residential

					premises it shall be subject to condition no 18
	(iii)Composite Schools and colleges with other activities such as sports, recreational, cultural and educational support services. Educational Universities, Hostels	1 & 14	1 & 14	NP	
8	Institutional uses other than specified in this table	1 or 2 or 3 or 4 & 15	1 or 2 or 3 or 4 & 15	NP	In case of 3 & 4 in residential premises it shall be subject to condition no 18
9	Police Station, Govt. or Municipal sub-offices, branches of Banks with safe deposit vaults, telephone exchange, sub-office of consulate offices, sub offices of electric supply company, Post office, Civil Defense warden post and First Aid post, Home Guard & Civil Defense center.	1 or 2 or 3 or 6 & 14	1 or 2 or 3 or 6	1 or 2 or 3 or 4	In case of 3,6 in residential premises it shall be subject to condition no 18
10	Electricity consumer/ distribution sub stations	1 or 2 or 3 or 6 or 7 or 8	1 or 2 or 3 or 6 or 7 or 8	1 or 2 or 3 or 6 or 7 or 8	
11	Fire station,	1 or 2 or 3 & 13	1 or 2 or 3 & 13	1 or 2	In case of 3 in residential premises it shall be subject to condition no 18
12	Electricity distribution/ receiving stations, public utilities & services such as pumping station, sewage disposal work, water supply installation & ancillary structures thereof	1 or 2 & 14	1 or 2 & 12	1 or 2	
13	Convenience Shops	5, 14 & 18	P	NP	In Gaonthan & Koliwadass areas shall be permissible on

					road width of 9.0 m & above.
14	Photographic studios with laboratories, Photo-copying, video-taping establishments etc, local sub-offices of any public utility, pawnshops, undertaker's premises, private lockers, data processing unit including desk top publishing, with use of computers, travel agencies, ticket booking and selling agencies for air, surface or water travel or transport of any other modes of travel or transport, shoe repair and sports shops, fish or meat or frozen food store	5,14 &18	P	P	Each employing not more than 9 persons & Power not more than 3.75 KW for Photographic studios with laboratories, Photocopying, video-taping establishments.
15	Shops for the collection and distribution of clothes and other materials for cleaning, pressing and dyeing establishments.	5 or 6 & 16,17	5 or 6	P	In case of 5, 6 in residential premises shall be subject to condition no 18. Cleaning, pressing and dyeing establishments may be permitted in service industrial estate
16	Tailoring, embroidery and buttonhole making shops,	5 or 6 & 16,17	5 or 6	P	P In case of 5,6 in residential premises shall be subject to condition no 18 Each employing not more than 9 persons. Tailoring, embroidery and buttonhole making shops may be permitted in service industrial estate

17	Cleaning and pressing establishments for clothes,	5 or 6 & 16,17	5 or 6	P	Each occupying a floor area not more than 200 sq. m. and not employing solvents with a flash point lower than 590 C, machine with dry-load capacity not exceeding 30 Kg. and employing not more than 9 persons: Provided that the total power requirement does not exceed 4 KW. In case of 5, 6 in residential premises it shall be subject to condition no 18. Cleaning and pressing establishments for clothes may be permitted in service industrial estate.
18	Coffee grinding establishments	1 or 2 or 3 or 5 or 6 & 16,17	1 or 2 or 3 or 5 or 6	P	With electric motive power not exceeding 0.75 KW. (0.025 KW individual motor each). In case of 3, 5, 6 in residential premises it shall be subject to condition no 18.
19	Establishments using power only for heating refrigeration or airconditioning purposes.	1 or 2 or 3 or 5 or 6 & 16,17	1 or 2 or 3 or 5 or 6	P	In case of 3, 5, 6 in residential premises it shall be subject to condition no 18.
20	Bulk storage of kerosene and bottled gas for domestic consumption	1 or 2 or 3 or 5 or 6 & 16,17,21	1 or 2 or 3 or 5 or 6 & 21	21	In case of 3, 5, 6 in residential premises it shall be subject to condition no 18.
21	Fish or meat, Vegetable, fruit, flower, frozen fish, frozen meat or frozen food shops, Coal or firewood shops	5,14 & 17 & 18	5	NP	In Gaonthan & Koliwadas areas shall be permissible on road width of 9.0m & above.

22	Shops for goldsmiths, locksmiths, watches and clocks, electronic goods and their repairs, bicycles and their rental and repairs, optical glass grinding and repairs, musical instruments and their repairs, picture framing, radio, television and household appliances and their repairs, umbrellas and their repairs and upholstery work,	5,14 & 17 & 18	1 or 2 or 9	1 or 2	In Gaonthan & Koliwadas areas shall be permissible on road width of 9.0m & above. Each employing not more than 9 persons. In the vicinity of obnoxious industries subject to 28.
23	a) Art galleries i.e. display shops b) Personal services establishments c) Motor driving schools d) Hair dressing saloons and beauty parlours.	1 or 2 or 3 or 6 or 20 & 16,17	P	NP	In case of 3,6 & 20 in residential premises it shall be subject to condition no 18
24	Professional offices and studies of a resident of the premises and incidental to such residential use, or medical and dental practitioners' dispensaries or clinics of a resident of the building with only outpatient treatment facilities without any indoor work,	18	P	NP	In residential premises each not occupying a floor area exceeding 50 sq. m on any floor
25	Business Offices and services Establishments	1 or 2 or 3 & 16	1 or 2 or 3 & 16	NP	In case of 3 in residential premises it shall be subject to condition no 18

26	Restaurants, eating houses, cafeteria, ice-cream and milk parlours	1 or 2 or 3 or 6 or 9 & 16 & 17 & 18	1 or 2 or 3 or 6 or 9	NP	In case of 3,6,9 in residential premises it shall be subject to condition no 18
27	Retail trade and shops/stores or shops for conduct of retail business,	6 or 20 & 16,17, 18	6 or 20 or 9 & 17	NP	Storage or sale of combustible materials shall be permissible subject to condition no 21. In case of residential premises shall be subject to condition no 18.
28	Malls/shopping centers/ Multiplex/Departmental Stores and Independent Market building along with their ancillary storage	1 or 2 & 16	1 or 2	NP	Additional 3.0 m front open space for the traffic management / holding bay shall be provided.
29	Sale of used or second hand goods for merchandise, excepting for junk, cotton and other waste rags or other materials of an offensive nature.	1 or 2 & 16,17	1 or 2	P	
30	Storage of furniture and household goods	1 or 2 & 16,17	1 or 2	P	
31	Retailing of building materials, open or enclosed,	1 or 2 & 16,17	1 or 2	P	With not more than 500 sq. m of area per establishment.
32	Pasteurizing and milk processing plants each employing not more than 9 persons and 7.5 KW motive power within an area not more than 100 sq. m.	1 or 6 or 20 & 16,17	1 or 6 or 20	P	
33	Repair, cleaning shops and analytical experimental or	1 or 2 or 6 or 20 & 16,17	1 or 2 or 6 or 20	P	Each employing not more than 15 persons (but not

	testing laboratories				including cleaning and dyeing establishments, using a cleaning or dyeing fluid having a flash point lower than 50 degree C and machines with dryload capacity not exceeding 30 kg. or any establishment carrying on activities that are offensive because of emission of odour, dust, smoke, gas, noise or vibration or otherwise dangerous to public health and safety), provided that the motive power requirement of each such establishment does not exceed 7.5 KW.
34	Paper-box manufacturing, including paper-cutting,	NP	1 or 2 or 5 or 6	P	Each employing not more than 9 persons with motive power not exceeding 3.75 KW and area not more than 100 sq. m.
35	Establishments requiring power for sealing tins, package, etc.	NP	1 or 2 or 5 or 6	P	Each employing not more than 9 persons with motive power not exceeding 2.25 KW
36	Ice factories in independent buildings.	1 or 2 & 16,17	1 or 2	P	Each with an area of not more than 250 sq. m and power not more than 34 KW
37	Aquariums.	1 & 16,17	1	P	
38	Cemeteries and Graveyards	1	1	1	subject to approval of the Corporation
39	Private parks, gardens and playfields on non reserved plots	1	1	1	
40	Stadiums, golf courses and	1	1	NP	

	amusement parks				
41	Libraries, reading halls, study halls, creative arts, archives, museums and other cultural activities	1 or 2 or 3 or 6 or 9 & 14	1 or 2 or 3 or 6 or 9	NP	In case of 3,6,9 in residential premises it shall be subject to condition no 18
42	Places of worship, Religious buildings.	1 or 2 & 14,21 & 22	1 or 2 & 14,21 & 22	1 or 2 & 14,21 & 22	
43	Community halls, welfare centers,	1 or 2 or 3 & 14	1 or 2 or 3 & 14	NP	In case of 3 in residential premises it shall be subject to condition no 18
44	Commercial halls, exhibition halls, Marriage halls, Auditorium, clubs, assembly or concert halls, dance and music studios	1 or 2 or 3 & 17	1 or 2 or 3 or 4 or 5 or 6 & 14	NP	In case of 3 in residential premises it shall be subject to condition no 18. Additional 3.0 mt front open space for the traffic management / holding bay shall be provided.
45	Drama theatre, Cinema theatre, Drive-in-theatre	1 or 2 & 16	1 or 2 or 3 & 16	NP	Minimum front open space of 12 m shall be provided.
46	Gymnasiums,	1 or 2 or 3 or 9	P	NP	In case of 3 or 9 in residential premises it shall be subject to condition no 18, if proposed other than permissible as per regulation no. 37
47	Radio broadcasting and television studios,	1 or 2 or 3	1 or 2 or 3	NP	In case of 3 in residential premises it shall be subject to condition no 18
48	Sound recording and dubbing studios/ Preview Theater	1 or 2 or 3 or 6 or 9	P	NP	In case of 3 in residential premises it shall be subject to condition no 18
49	Flour Mill	1 or 2 or 3 or 20 & 18	1 or 2 or 3 or 20 & 17	NP	Power requirement shall not exceed 7.5 KW each
50	Storage and Retail sale of household fuel Storage of liquefied petroleum	1 or 6 or 14 & 21	1 or 6 & 21	1 or 6 & 21	In case of 6 in residential premises it shall be subject

	gas cylinders (bottled gas) for domestic consumption not exceeding 300 kg. in a residential building and not exceeding 8000 kg. in an independent ground floor structure (except a garage) at any one time, with the special permission of the Commissioner and subject to compliance with statutory safety requirements.				to condition no 18
51	Vehicles repair/ servicing garages, driving school, repairing garages, without activities of body-building and spray painting,	1 or 6 or 20 & 16,17	1 or 6 or 20	1 or 6 or 20	In case of 6, 20 in residential premises it shall be subject to condition no 18. Employing not more than 9 persons or using 1.5 KW motive power
52	Sale of motor vehicles, parts and accessories, Showrooms for motor vehicles	1 or 2 or 6 & 16,17	1 or 2 or 6	P	
53	Bus stations, taxi stands, auto-rickshaw stands, Bus Shelters, Bus Depots and Railway stations.	1 & 14 & 23	1 & 14 & 23	1 & 14 & 23	
54	Heliports				Heliports shall be allowed subject to compliance of Regulation No 37(35)
55	Public parking areas, including multistoried parking	14	14	NP	
56	Cottage Industries,	1 or 2 or 3 or 4 or 6	1 or 2 or 3 or 4 or 6	P	In case of 3,4,6 in residential premises it shall be subject to condition no 18
57	Service industrial uses as per table (D) below	1 or 2 or 3 or 6 or 20 & 16	1 or 2 or 3	P	In case of 3,6 in residential premises it shall be

					subject to condition no 18
58	Service Industrial estates	1 or 2 & 16,17	1 or 2	P	In case of 3 in residential premises it shall be subject to condition no 18
59	Collection and disposal of nonhazardous waste	NP	1 or 2 & 19	P	
60	Warehousing,	NP	NP	P	
61	Ware housing activities of hazardous material	NP	NP	25,26,27	
62	Logistics activities and truck terminals	NP	1 & 15	1 & 15	
63	I.T. & I.T.E.S unit/s (pertaining to software only)	1 or 2 or 3 or 4 or 9 & 14	14	14	In case of 3,4,9 in residential premises it shall be subject to condition no 18
64	Offices, Information Technology Establishment	1 or 2 & 14	1 or 2 or 3 & 14	14	
65	Biotechnology units	NP	NP	14	
66	Wholesale trade and storage	1 or 2 or 3 or 20 & 16,17	1 or 2 or 3 or 6 or 20 & 14	1 or 2 or 6 or 20	In case of 3 or 20 in residential premises it shall be subject to condition no 18
67	Prisons	NP	1 or 2 & 22	1 or 2 & 22	
68	a) Trade and other similar schools, not involving any danger of fire or explosion, or offensive noise, vibration, smoke, dust, odour, glare, heat or other objectionable features.	1 or 2 & 16, 17	1 or 2 or 3 or 4	P	
	b) Bakeries, with no floor above, each not occupying for production an area more than 75 sq. m.	1 or 2 & 16, 17,	1 or 2 or 3 or 20	P	Not employing more than 9 persons, if the power requirement does not exceed 4 KW where only electrical ovens are used, an additional heating load upto 12 KVA being permitted.
	c) Confectioneries and establishments	1 or 2 or 20 & 16,	1 or 2 or 3 or 20	P	Employing not more than 9

	for the preparation and sale of eatable each not occupying for production an area more than of 100 sq. m per establishment.	17			persons, motive power not exceeding 1.12 KW in residential zone. In case of Commercial zone area not in excess of 250 sq. m per establishment, employing not more than 25 persons, motive power not exceeding 10 KW with no floors above over the furnace portion. If only electrical ovens are used an additional load upto 24 KVA may be permitted.
	d) Sugarcane and fruit juice crusher	5 or 20 & 14, 17,18	5	5	Employing not more than 6 persons with motive power not exceeding 1.12 KW
	e) Printing presses	5 or 20 or 16,17,18	5 or 20	P	Aggregate motive power each not exceeding 3.75 KW and not employing more than 9 persons and individual electric motors of not more than 1.5 KW.
	f) Battery charging and repairing establishments with an area not more than 50sq.m	5 or 20 or 16,17,18	5 or 20	P	Each not employing more than 6 persons and not more than 2 charges with power not exceeding 5 KW
	g) Electronic industry of assembly, but not of manufacturing type,	5 or 20 or 16,17,18	5 or 20	P	Area not exceeding 100.00 sq. m. total electric power inclusive of motive power and heating load not to exceed 3.75 KW and employing not more than 9 persons each
69	Research & experimental & testing laboratories	1 or 2	1 or 2 or 3 or 4	P	Not involving any danger of fire or explosion or of any

					obnoxious nature and located on a plot not less than 4 ha. in area, provided that the laboratory is at least 30 m. from any of the boundaries of the site and the accessory residential building is at least 30 m. from the laboratory.
70	Industrial manufacturing, fabrication, assembly and processing activities other than Service Industries	NP	NP	P	
71	Filling stations of petrol, diesel, compressed natural gas stations and/or any other motor vehicle fuel	1, 26	1, 26	26	
72	Manufacturing not classified Elsewhere	NP	NP	25	
73	Manufacturing, processing & usage of				
	(a)Chemicals, fertilizers, gases, metal compounds, soap, soda, acids, starch, automobiles, boiler works, metals, ceramics, asphalt, ammonia, alcohol, leather processing, metal processing, paints, varnish, turpentine, dyestuff, tar products, paraffin, gypsum, plaster or plaster of paris manufacture; photographic films manufacture, lime manufacture, match manufacture pesticides, organic industry, match sticks, fat rendering,				

	fat tallow, grease or lard refining or manufacturing, gelatin or glue manufacture, or processes, involving recovery from fish or animal offal pyroxylin manufacture;				
	(b) Cellulose manufacture, explosives, fireworks and petroleum & its products (flammable)	NP	NP	25,26,27	

(Suggestion)

Table No. C.

Conditions under which uses and occupancies will be permitted in Residential, Commercial & Industrial Zones

Sr. No.	Uses and Occupancies	Conditions under which land uses and occupancies will be permitted in zones			
		R	C	I	Additional Conditions
1	Residential	P	1 or 2 or 3 <u>or 4</u>	NP	In case of CBD, FSI will be regulated as per Regulation No 33(19) subject to compliance of condition 1 or 2 or 3
2	Customary home occupations including professional works from home in all such as detached, semi-detached and multi-family houses	P	1 or 2 or 3 <u>or 4</u>	NP	
3	Residential care activities for the elderly and disabled, orphanages, boarding homes/ institutions for children and women	1 or 2 or 3 or 4	1 or 2 or 3 or 4	NP	
4	Short term accommodation (i) 4 or 5 Star category Hotels	1 or 2 & 11,16,21	1 or 2 <u>or 3 or 4</u> & 11, <u>16</u> , 21	1 or 2 <u>or 3 or 4</u> & 11, <u>16</u> , 21, 28	
	(ii) 3 Star category hotels	1 or 2 & 15, 21	1 or 2 <u>or 3 or 4</u>	1 or 2 <u>or 3 or 4</u>	

			~~&15~~ , 21	~~&15~~ , 21, 28	
	(iii)Other categories of Hotels	1 or 2 or 3,&14,21	1 or 2 or 3 ~~or 4~~ & ~~14~~ ,21	1 or 2 ~~or 3 or 4~~ & 21,28	
	(iv)Motels, resorts,	1 or 2 & 14,21	1 or 2 or 3 ~~or 4~~ & 21	1 or 2 ~~or 3 or 4~~ & 21,28	In case of 3 in residential premises, it shall be subject to condition no 18
	v)Guest houses, circuit houses, hostels and boarding / lodging houses, Dharmashala	1 or 2 or 3 or 4 & 13	1 or 2 or 3 or 4	1 or 2 & 28	In case of 3 or 4 and in residential premises, it shall be subject to condition no 18
	vi)Club Houses or Gymkhanas with extension counter or branch of Bank	1 or 2 ~~or 3~~ ~~or 6 or 8 or 9~~	~~1 or 2~~ ~~P~~	~~NP~~ ~~P~~	
	General agriculture, horticulture and poultry farming (but not dairy farming)	1 or 2	1 or 2	~~NP~~ ~~1 or 2~~	Poultry farming permitted at the rate of 0.25 sq. m. BUA per bird in plot measuring not less than 1 ha.; provided that no offensive odors, dirt and/or dust are created, that there is no sale of products not produced on the premises, and the accessory buildings are not located within 9 m of the boundaries or 6 m. from the main buildings or the plot: Provided further that the above restriction on space shall not apply to any poultry kept for domestic consumption only.
5	A)Health Care facilities without indoor bedding facilities for patients like, dental, medical practitioners, pathological laboratory, diagnostic clinic, eye	1 or 2 or 3 or 6 or 9	~~1 or 2 or 3 or 6 or 9~~ ~~P~~	~~NP~~ ~~1 or 2~~	In case of 3,6,9 and in residential premises it shall be subject to condition no 18

	clinic ,veterinary clinic & clinics of other medical allied facilities				
	B)Health Care facilities with indoor bedding facilities for patient like maternity homes, polyclinics, nursing homes, eye hospitals & other medical allied Facilities	1 or 2 or 3 or 6 or 9	~~1 or 2 or 3~~ ~~or 6 or 9~~ <u>P</u>	~~NP~~ <u>1 or 2</u>	In case of use already existing prior to coming in force of these Regulations, without fulfillment of condition no 3,6 and 9, the said use may be allowed to continue subject to compliance of condition no 21 & 24
6	6 All other hospitals correctional and mental institutions, institutions for children, the aged or widows sanatoria and hospitals (except veterinary hospitals)	1 or 2 or 3 & 16	~~1 or 2 or 3~~ & ~~16~~ <u>P</u>	~~NP~~ <u>1 or 2 or 3</u>	Hospital principally for contagious diseases shall be located not less than 36 m. from any boundaries. In case of 3 in residential premises, it shall be subject to condition no 18
7	(i) Preprimary school, Montessori school, kinder garten schools, balwadis & coaching classes	1or 2 or 3 or 6 or 9	1or 2 or 3 or 6 or 9	NP	Permissible with minimum area 40 sq. m in residential building & in case of 3, 6, 9 subject to no nuisance being caused to the occupants of the building. In case of 3,6,9 in residential premises, it shall be subject to condition no 18
	(ii) Primary schools/ Primary cum secondary school	1 or 2 or 3 <u>or 6 or 9</u> & 13	1 or 2 or 3 <u>or 6 or 9</u> & 13	NP	In case user is proposed in residential building as per 3, the same shall be permissible subject to no nuisance being caused to the occupants& as per condition no 21. In case of 3 in residential premises it shall be subject to

					condition no 18
	(iii)Composite Schools and colleges with other activities such as sports, recreational, cultural and educational support services. Educational Universities, Hostels	1 or 2 or 3 & 14	1 or 2 or 3 & 14	NP	
8	Institutional uses other than specified in this table	1 or 2 or 3 or 4 & 15	1 or 2 or 3 or 4 & 15	NP	In case of 3 & 4 in residential premises it shall be subject to condition no 18
9	Police Station, Govt. or Municipal sub-offices, branches of Banks with safe deposit vaults, telephone exchange, sub-office of consulate offices, sub offices of electric supply company, Post office, Civil Defense warden post and First Aid post, Home Guard & Civil Defense center.	1 or 2 or 3 or 6 or 9 & 14	1 or 2 or 3 or 6 or 9	1 or 2 or 3 or 4 or 6 or 9	In case of 3,6 in residential premises it shall be subject to condition no 18
10	Electricity consumer/ distribution sub stations	1 or 2 or 3 or 6 or 7 or 8 or 9	1 or 2 or 3 or 6 or 7 or 8 or 9	1 or 2 or 3 or 6 or 7 or 8 or 9	
11	Fire station,	1 or 2 or 3 & 13	1 or 2 or 3 & 13	1 or 2	In case of 3 in residential premises it shall be subject to condition no 18
12	Electricity distribution/ receiving stations, public utilities & services such as pumping station, sewage disposal work, water supply installation & ancillary structures thereof	1 or 2 & 14 or 5	1 or 2 & 12 or 5	1 or 2	
13	Convenience Shops	5, 14, 13 & 18	P	NP P if plot becomes unbuildable due to	In Gaonthan & Koliwad areas shall be permissible on road width of 9.0 m & above.

				<u>Industrial location policy</u>	
14	Photographic studios with laboratories, Photocopying, video-taping establishments etc, local sub-offices of any public utility, pawnshops, undertaker's premises, private lockers, data processing unit including desk top publishing, with use of computers, travel agencies, ticket booking and selling agencies for air, surface or water travel or transport of any other modes of travel or transport, shoe repair and sports shops, fish or meat or frozen food store	5, ~~14~~ <u>13</u> &18	P	P	Each employing not more than 9 persons & Power not more than 3.75 KW for Photographic studios with laboratories, Photocopying, video-taping establishments.
15	Shops for the collection and distribution of clothes and other materials for cleaning, pressing and dyeing establishments.	5 or 6 & ~~16~~ , <u>14</u> , <u>17</u>	~~5 or 6~~ <u>P</u>	P	In case of 5, 6 in residential premises shall be subject to condition no 18. Cleaning, pressing and dyeing establishments may be permitted in service industrial estate
16	Tailoring, embroidery and buttonhole making shops,	5 or 6 & ~~16~~ , <u>14</u> , <u>17</u>	~~5 or 6~~ <u>P</u>	P	P In case of 5,6 in residential premises shall be subject to condition no 18 Each employing not more than 9 persons. Tailoring, embroidery and buttonhole making shops may be permitted in service industrial

					estate
17	Cleaning and pressing establishments for clothes,	5 or 6 & ~~16~~ <u>14,17</u>	~~5 or 6~~ <u>P</u>	P	Each occupying a floor area not more than 200 sq. m. and not employing solvents with a flash point lower than 590 C, machine with dry-load capacity not exceeding 30 Kg. and employing not more than 9 persons: Provided that the total power requirement does not exceed 4 KW. In case of 5, 6 in residential premises it shall be subject to condition no 18. Cleaning and pressing establishments for clothes may be permitted in service industrial estate.
18	Coffee grinding establishments	1 or 2 or 3 or 5 or 6 & ~~16~~ <u>14,17</u>	~~1 or 2 or 3 or 5 or 6~~ <u>P</u>	P	With electric motive power not exceeding 0.75 KW. (0.025 KW individual motor each). In case of 3, 5, 6 in residential premises it shall be subject to condition no 18.
19	Establishments using power only for heating refrigeration or airconditioning purposes.	1 or 2 or 3 or 5 or 6 & ~~16~~ <u>14,17</u>	~~1 or 2 or 3 or 5 or 6~~ <u>P</u>	P	In case of 3, 5, 6 in residential premises it shall be subject to condition no 18.
20	Bulk storage of kerosene and bottled gas for domestic consumption	1 or 2 or 3 or 5 or 6 & ~~16~~ <u>15,17,21</u>	1 or 2 or 3 or 5 or 6 & 21	<u>P & 21</u>	In case of 3, 5, 6 in residential premises it shall be subject to condition no 18.
21	Fish or meat, Vegetable, fruit, flower, frozen fish, frozen meat or frozen food shops, Coal or firewood	5,14 & ~~17~~ <u>14</u> & 18	~~5~~ <u>P</u>	NP	In Gaonthan & Koliwad areas shall be permissible on road width of 9.0m & above.

	shops				
22	Shops for goldsmiths, locksmiths, watches and clocks, electronic goods and their repairs, bicycles and their rental and repairs, optical glass grinding and repairs, musical instruments and their repairs, picture framing, radio, television and household appliances and their repairs, umbrellas and their repairs and upholstery work,	5,14 & ~~17~~ & 18	~~1 or 2 or 9~~ ~~P~~	~~1 or 2~~ ~~P~~	In Gaonthan & Koliwadas areas shall be permissible on road width of 9.0m & above. Each employing not more than 9 persons. In the vicinity of obnoxious industries subject to 28.
23	a) Art galleries i.e. display shops b) Personal services establishments c) Motor driving schools d) Hair dressing saloons and beauty parlours.	1 or 2 or 3 ~~or 5~~ or 6 or ~~9~~ ~~or 20~~ & ~~16~~ ~~13,17~~	P	NP	In case of 3,6 & 20 in residential premises it shall be subject to condition no 18
24	Professional offices and studies of a resident of the premises and incidental to such residential use, or medical and dental practitioners' dispensaries or clinics of a resident of the building with only outpatient treatment facilities without any indoor work,	18	P	NP	~~In residential premises each not occupying a floor area exceeding 50 sq. m on any floor~~
25	Business Offices and services Establishments	1 or 2 or 3 & ~~16~~ ~~14~~	~~1 or 2 or 3 & 16~~ ~~P~~	~~NPP~~	In case of 3 in residential premises it shall be subject to condition no 18
26	Restaurants, eating houses, cafeteria, ice-cream and milk parlours	1 or 2 or 3 or 6 or 9 & ~~14~~ ~~16~~ & ~~17~~ & 18	~~1 or 2 or 3 or 6 or 9~~	~~NPP~~	In case of 3,6,9 in residential premises it shall be subject to condition no 18
27	Retail trade and shops/stores or	6 or 20 & ~~14~~ ~~16,17~~ ,	~~6 or 20 or 9 & 17~~ ~~P~~	~~NPP~~	Storage or sale of combustible

	shops for conduct of retail business,	18			materials shall be permissible subject to condition no 21. In case of residential premises shall be subject to condition no 18.
28	Malls/shopping centers/ Multiplex/Departmental Stores and Independent Market building along with their ancillary storage	1 or 2 <u>or 3</u> & 16	1 or 2 <u>or 3</u>	NP	~~Additional~~ —3.0 m <u>Layby in</u> front open space for the traffic management / holding bay shall be provided.
29	Sale of used or second hand goods for merchandise, excepting for junk, cotton and other waste rags or other materials of an offensive nature.	1 or 2 <u>or 3</u> <u>or 5 or 6</u> & <u>16,17 14</u>	~~1 or 2~~ <u>P</u>	P	
30	Storage of furniture and household goods	1 or 2 <u>or 3</u> <u>or 6</u> & <u>13</u> <u>16,17</u>	~~1 or 2~~ <u>P</u>	P	
31	Retailing of building materials, open or enclosed,	1 or 2 <u>or 3</u> <u>or 4 or 5</u> <u>or 6</u> & <u>16,17 14</u>	~~1 or 2~~ <u>P</u>	P	With not more than 500 sq. m of area per establishment.
32	Pasteurizing and milk processing plants each employing not more than 9 persons and 7.5 KW motive power within an area not more than 100 sq. m.	1 or 6 or 20 & <u>16,17 14</u>	1 or 6 or 20	P	
33	Repair, cleaning shops and analytical experimental or testing laboratories	1 or 2 or <u>3</u> <u>or</u> 6 or 20 & <u>16,17 14</u>	~~1 or 2 or 6~~ <u>or 20</u> <u>P</u>	P	Each employing not more than 15 persons (but not including cleaning and dyeing establishments, using a cleaning or dyeing fluid having a flash point lower than 50 degree C and machines with dryload capacity not exceeding 30 kg. or any establishment carrying on

					activities that are offensive because of emission of odour, dust, smoke, gas, noise or vibration or otherwise dangerous to public health and safety), provided that the motive power requirement of each such establishment does not exceed 7.5 KW.
34	Paper-box manufacturing, including paper-cutting,	NP	1 or 2 or 5 or 6	P	~~Each—employing not more than 9 persons—with motive power not exceeding 3.75 KW and area not more than 100-sq.m.~~
35	Establishments requiring power for sealing tins, package, etc.	NP	1 or 2 or 5 or 6	P	~~Each—employing not more than 9 persons—with motive power not exceeding 2.25 KW~~
36	Ice factories in independent buildings.	1 or 2 & 16,17	1 or 2	P	<u>In case of R & C Zone.</u> Each with an area of not more than 250 sq. m and power not more than 34 KW
37	Aquariums.	1 & 16,17	1	P	
38	Cemeteries and Graveyards	1	1	1	subject to approval of the Corporation
39	Private parks, gardens and playfields on non reserved plots	1	1	1	
40	Stadiums, golf courses and amusement parks	<u>1 or 2</u>	<u>1 or 2</u>	~~NP~~ <u>1 or 2</u>	
41	Libraries, reading halls, study halls, creative arts, archives, museums and other cultural activities	1 or 2 or 3 or 6 or 9 & 14	~~1 or 2 or 3 or 6 or 9~~ <u>P</u>	NP	In case of 3,6,9 in residential premises it shall be subject to condition no 18
42	Places of worship, Religious buildings.	<u>1 or 2 or 3 or 6 or 8 or 9 & 14,21 & 22</u>	<u>1 or 2 or 3 or 6 or 8 or 9 & 14,21 & 22</u>	<u>1 or 2 or 3 or 6 or 8 or 9 & 14,21 & 22</u>	

43	Community halls, welfare centers,	1 or 2 or 3 ~~or 3 or 6~~ ~~or 8 or 9~~ & 14	~~1 or 2 or 3~~ & ~~14~~ ~~P~~	NP	In case of 3 in residential premises it shall be subject to condition no 18
44	Commercial halls, exhibition halls, Marriage halls, Auditorium, clubs, assembly or concert halls, dance and music studios	1 or 2 or 3 & ~~17~~ ~~14~~	~~1 or 2 or 3~~ ~~or 4 or 5~~ ~~or 6 & 14~~ ~~P~~	~~NPP~~	In case of 3 in residential premises it shall be subject to condition no 18. ~~Additional~~ 3.0 mt ~~layby in~~ front open space for the traffic management / holding bay shall be provided.
45	Drama theatre, Cinema theatre, Drive-in-theatre	1 or 2 ~~or 3~~ & 16	~~1 or 2 or 3~~ & ~~16~~ ~~P~~	~~NPP~~	Minimum front open space of 12 m shall be provided.
46	Gymnasiums,	1 or 2 or 3 or 9	P	~~NPP~~	In case of 3 or 9 in residential premises it shall be subject to condition no 18, if proposed other than permissible as per regulation no. 37
47	Radio broadcasting and television studios,	1 or 2 or 3 ~~or 6 or 9~~	~~1 or 2 or 3~~ ~~P~~	~~NP~~ ~~P~~	In case of 3 in residential premises it shall be subject to condition no 18
48	Sound recording and dubbing studios/ Preview Theater	1 or 2 or 3 or 6 or 9	P	~~NP~~ ~~P~~	In case of 3 in residential premises it shall be subject to condition no 18
49	Flour Mill	1 or 2 or 3 or 20 & 18	~~1 or 2 or 3~~ ~~or 20 & 17~~ ~~P~~	~~NP~~ ~~1 or 2~~	Power requirement shall not exceed 7.5 KW each
50	Storage and Retail sale of household fuel Storage of liquefied petroleum gas cylinders (bottled gas) for domestic consumption not exceeding 300 kg. in a residential building and not exceeding 8000 kg. in an independent	1 or 6 or 14 & 21	1 or 6 & 21	1 or 6 & 21	In case of 6 in residential premises it shall be subject to condition no 18

	ground floor structure (except a garage) at any one time, with the special permission of the Commissioner and subject to compliance with statutory safety requirements.				
51	Vehicles repair / servicing garages, driving school, repairing garages, without activities of body-building and spray painting,	1 or 6 or 20 & ~~16,17~~ <u>15</u>	~~1 or 6 or 20~~ <u>P</u>	~~1 or 6 or 20~~ <u>P</u>	In case of 6, 20 in residential premises it shall be subject to condition no 18. Employing not more than 9 persons or using 1.5 KW motive power
52	Sale of motor vehicles, parts and accessories, Showrooms for motor vehicles	1 or 2 or 6 & ~~16,17~~ <u>15</u>	~~1 or 2 or 6~~ <u>P</u>	P	
53	Bus stations, taxi stands, auto-rickshaw stands, Bus Shelters, Bus Depots and Railway stations.	1 & 14 & 23	1 & 14 & 23	1 & 14 & 23	
54	Heliports				Heliports shall be allowed subject to compliance of Regulation No 37(35)
55	Public parking areas, including multistoried parking	14	~~14~~ <u>P</u>	~~NPP~~ <u>P</u>	
56	Cottage Industries,	1 or 2 or 3 or 4 or 6	~~1 or 2 or 3 or 4 or 6~~ <u>P</u>	P	In case of 3,4,6 in residential premises it shall be subject to condition no 18
57	Service industrial uses as per table (D) below	1 or 2 or 3 or 6 or 20 & 16	~~1 or 2 or 3~~ <u>P</u>	P	In case of 3,6 in residential premises it shall be subject to condition no 18
58	Service Industrial estates	1 or 2 & 16,17	1 or 2 <u>or 3 or 4 or 6</u>	P	In case of 3 in residential premises it shall be subject to condition no 18
59	Collection and disposal of	NP	1 or 2 & 19	P	

	nonhazardous waste				
60	Warehousing,	~~NP~~ 1 or 2 or 3 or 6 & 14	~~NP~~ P	P	
61	Ware housing activities of hazardous material	NP	NP	25,26,27	
62	Logistics activities and truck terminals	NP	1 & 15	1 & 15	
63	I.T. & I.T.E.S unit/s (pertaining to software only <u>as per I.T. Policy of State/ Central Govt.)</u>)	1 or 2 or 3 or 4 or 9 & 14	~~14~~ P	14	In case of 3,4,9 in residential premises it shall be subject to condition no 18
64	Offices, Information Technology Establishment	1 or 2 & 14	~~1 or 2 or 3 & 14~~ P	14	
65	Biotechnology units	NP	~~NP~~ P	14	
66	Wholesale trade and storage	1 or 2 or 3 or 20 & 16, ~~17~~	1 or 2 or 3 or 6 or 20 & 14	~~1 or 2 or 6 or 20~~ P	In case of 3 or 20 in residential premises it shall be subject to condition no 18
67	Prisons	NP	1 or 2 & 22	1 or 2 & 22	
68	a) Trade and other similar schools, not involving any danger of fire or explosion, or offensive noise, vibration, smoke, dust, odour, glare, heat or other objectionable features.	1 or 2 & ~~16, 17~~ 14	~~1 or 2 or 3 or 4~~ P	P	
	b) Bakeries, with no floor above, each not occupying for production an area more than ~~75~~ 150 sq. m.	1 or 2 & ~~14~~ 16, 17,	1 or 2 or 3 or 20	P	Not employing more than 9 persons, if the power requirement does not exceed 4 KW where only electrical ovens are used, an additional heating load upto 12 KVA being permitted.
	c) Confectioneries and establishments for the preparation and sale of eatable each not occupying for production an area more than of 100 sq. m per establishment.	1 or 2 or ~~3~~ or 6 or 20 & ~~16,~~ ~~17~~ 14	~~1 or 2 or 3 or 20~~ P	P	Employing not more than 9 persons, motive power not exceeding 1.12 KW in residential zone. In case of Commercial zone area not in excess

					of 250 sq. m per establishment, employing not more than 25 persons, motive power not exceeding 10 KW with no floors above over the furnace portion. If only electrical ovens are used an additional load upto 24 KVA may be permitted.
	d) Sugarcane and fruit juice crusher	5 or 20 & 14, ~~17~~ ,18	5	5	Employing not more than 6 persons with motive power not exceeding 1.12 KW
	e) Printing presses	5 or 20 or 16,17,18	~~5 or 20~~ P	P	Aggregate motive power each not exceeding 3.75 KW and not employing more than 9 persons and individual electric motors of not more than 1.5 KW.
	f) Battery charging and repairing establishments with an area not more than 50sq.m	5 or 20 or ~~16~~ , ~~17~~ ~~15~~ ,18	~~5 or 20~~ P	P	Each not employing more than 6 persons and not more than 2 charges with power not exceeding 5 KW
	g) Electronic industry of assembly, but not of manufacturing type,	5 or 20 or ~~16~~ , ~~17~~ ~~15~~ ,18	~~5 or 20~~ P	P	Area not exceeding 100.00 sq. m. total electric power inclusive of motive power and heating load not to exceed 3.75 KW and employing not more than 9 persons each
69	Research & experimental & testing laboratories	1 or 2 ~~or 3~~ ~~or 6 or 9~~	~~1 or 2~~ ~~or 3 or 4~~ P	P	Not involving any danger of fire or explosion or of any obnoxious nature and located on a plot not less than 4 ha. in area, provided that the laboratory is at least 30 m. from

					any of the boundaries of the site and the accessory residential building is at least 30 m. from the laboratory.
70	Industrial manufacturing, fabrication, assembly and processing activities other than Service Industries	NP	NP	P	
71	Filling stations of petrol, diesel, compressed natural gas stations and/or any other motor vehicle fuel	<u>1 or 2 or 3</u> , 26	<u>1 or 2 or 3</u> , 26	26	
72	Manufacturing not classified Elsewhere	NP	NP	25	
73	Manufacturing, processing & usage of				
	(a)Chemicals, fertilizers, gases, metal compounds, soap, soda, acids, starch, automobiles, boiler works, metals, ceramics, asphalt, ammonia, alcohol, leather processing ,metal processing, paints, varnish, turpentine, dyestuff, tar products, paraffin, gypsum, plaster or plaster of paris manufacture; photographic films manufacture, lime manufacture, match manufacture pesticides, organic industry, match sticks, fat rendering, fat tallow, grease or lard refining or manufacturing, gelatin or glue manufacture, or processes, involving recovery from fish				

	or animal offal pyroxylin manufacture;				
	(b) Cellulose manufacture, explosives, fireworks and petroleum & its products (inflammable)	NP	NP	25,26,27	

TABLE No. D

Service Industrial users and conditions governing such uses:

Serial No.	Category of Industry	Service Industry permitted subject to			Special conditions, if any
		Maximum permissible power (in KW)	Maximum permissible employment.	Maximum permissible floor area (sq. m)	
I	Food Products-	7.5	9	50	
	i Ground nut decorticators, ii. Grain mill for production of flour, iii. Manufacture of supari and masala grinding, iv. Rice-hullers, v. Manufacture of milk and dairy products, vi Manufacture of ice- cream and ice candy.				
	vii. Manufacture of bakery products	10	25	250	(i) Fuel used shall be electricity, gas or Smokeless fuel. (ii) No floor above the furnace portion (iii) Where only electric oven is used, an additional heating load of 24 KVA permitted per establishment.
	viii. Coffee curing, roasting and grinding.	1.5	9	50	
	ix. Manufacture of ice	45.0	20	250	
	x. Sugarcane and fruit juice	1.5	9	25	

	crashers				
II	Textile and Textile Products-	3.75	9		
	xi. Embroidery and making of crepe laces and fringes.				
	xii. Manufacture of textile goods, such as wearing apparel, curtains, mosquito net, mattresses, bedding material, pillow cases, and textile bags. xiii. Mattress making and cotton cleaning.	2.25	9	50	
III	Wood Products and Furniture-	2.75	9	50	Not permitted under or adjoining a dwelling unit.
	xiv. Manufacture of wooden furniture and fixtures.				
	xv. Manufacture of bamboo and cane furniture and fixtures.	2.25	9	50	
IV	Paper products and Printing Publishing-	3.75	9	50	(i) Manufacture with paper pulp not permitted. (ii) No restrictions on power, number of employees, area of hours of operation shall apply if located in a building on a separate plot not less than 500 sq. m in area and if special permission of the Commissioner is obtained.
	xvi. Manufacturing of containers and boxes from paper board.				
	xvii. Printing and publishing periodicals, books, journals, atlases, maps, envelopes, picture post-cards and embossing. xviii. Engraving, etching, blockmaking etc. xix. Book binding.	7.5	9	120	(i) Manufacture with paper pulp not permitted. (ii) No restrictions on power, number of employees, area or hours of operation shall apply, if located in a building

					on a separate plot not less than 500 sq. m in area and if special permission of the Commissioner is obtained.
V	Leather products excluding tanning-	3.75	9	50	Manufacture of leather or leather processing not permitted.
	xx. Manufacture of leather footwear.				
	xxi Manufacture of wearing apparel like coats, gloves.				
	xxii. Manufacture of leather consumer goods such as upholstery, suitcases, pocket books, cigarette and key cases, purses.				
	xxiii. Repair of footwear and other leather products.				
VI	Rubber and Plastic Products-	1.5	9	50	
	xxiv. Retreading, recapping and vulcanizing works.				
	xxv Manufacture of rubber balloons, hand-gloves and allied products.				
VII	Metal products-	0.75	9	25	
	xxvi. Tool sharpening and razor sharpening works.				
	xxvii Umbrella assembly works	0.75	9	50	
VIII	Electrical Goods-	2.25	9	50	No spray painting permitted.
	xxviii. Repairs of household electrical appliances, such as radio and television sets, tape recorders, video sets, heaters, irons, shavers, vacuum cleaner, refrigerators, air-conditioners,				

	washing machines, electric cooking ranges, meter rewinding works.				
	xix. Electronic industry of assembly type.	3.75	9	50	Only permitted on ground floor.
IX	Transport Equipment	3.75	9	100	No floor above. No spray painting permitted.
	xxx. (a) Servicing of motor vehicles and motor cycles.				
	(b) Repair of motor vehicles and motor cycles.				
	(c) Battery charging and repairs.	5.0	6	25	
	(d) Repair of bicycles and cycle rickshaws.	3.75	6	50	
X	Other Manufacturing and Repairs, Industries and Services-	2.25	9	50	
	xxxi. Manufacture of jewellery and related articles.				
	xxxii. Repairs of watches, clocks and jewellery.				
	xxxiii. Manufacture of musical instruments and their repairs.				
	xxxiv. (a) Repairs of locks, stoves, umbrellas, sewing machines gasburners, buckets and other sundry household equipments.				
	(b) Optical glass grinding and repairs.	2.25	3	50	
	xxxv. Petrol filling stations in plot size of 30.5 m. x 16.75 m. and petrol filling and service stations in plot size of 36.5 m. x 30.5 m.	7.5	9	No limit	

TABLE No. D

Service Industrial users and conditions governing such uses:

(Suggestion)

Serial No.	Category of Industry	Service Industry permitted subject to			Special conditions, if any
		Maximum permissible power (in KW)	Maximum permissible employment.	Maximum permissible floor area (sq. m)	
I	Food Products-	7.5	9	~~50~~ 250	
	i Ground nut decorticators, ii. Grain mill for production of flour, iii. Manufacture of supari and masala grinding, iv. Rice-hullers, v. Manufacture of milk and dairy products, vi Manufacture of ice-cream and ice candy.				
	vii. Manufacture of bakery products	10	25	250	(i) Fuel used shall be electricity, gas or Smokeless fuel. (ii) No floor above the furnace portion (iii) Where only electric oven is used, an additional heating load of 24 KVA permitted per establishment.
	viii. Coffee curing, roasting and grinding.	1.5	9	~~50~~ 250	
	ix. Manufacture of ice	45.0	20	250	
	x. Sugarcane and fruit juice crashers	1.5	9	~~25~~ 250	
II	Textile and Textile Products-	3.75	9		
	xi. Embroidery and making of crepe laces and fringes.			~~50~~ 250	
	xii. Manufacture of textile goods, such as wearing	2.25	9	~~50~~ 250	

	apparel, curtains, mosquito net, mattresses, bedding material, pillow cases, and textile bags. xiii. Mattress making and cotton cleaning.				
III	Wood Products and Furniture-	2.75	9	~~50~~ 250	Not permitted under or adjoining a dwelling unit.
	xiv. Manufacture of wooden furniture and fixtures.				
	xv. Manufacture of bamboo and cane furniture and fixtures.	2.25	9	~~50~~ 250	
IV	Paper products and Printing Publishing-	3.75	9	~~50~~ 250	(i) Manufacture with paper pulp not permitted. (ii) No restrictions on power, number of employees, area of hours of operation shall apply if located in a building on a separate plot not less than 500 sq. m in area and if special permission of the Commissioner is obtained.
	xvi. Manufacturing of containers and boxes from paper board.				
	xvii. Printing and publishing periodicals, books, journals, atlases, maps, envelopes, picture post-cards and embossing.	7.5	9	~~120~~ 250	(i) Manufacture with paper pulp not permitted. (ii) No restrictions on power, number of employees, area or hours of operation shall apply, if located in a building on a separate plot not less than 500 sq. m in area and if special permission of the Commissioner is obtained.
	xviii. Engraving, etching, blockmaking etc.				
	xix. Book binding.				

V	Leather products excluding tanning-	3.75	9	~~50~~ 250	Manufacture of leather or leather processing not permitted.
	xx. Manufacture of leather footwear.				
	xxi Manufacture of wearing apparel like coats, gloves.				
	xxii. Manufacture of leather consumer goods such as upholstery, suitcases, pocket books, cigarette and key cases, purses.				
	xxiii. Repair of footwear and other leather products.				
VI	Rubber and Plastic Products-	1.5	9	~~50~~ 250	
	xxiv. Retreading, recapping and vulcanizing works.				
	xxv Manufacture of rubber balloons, hand-gloves and allied products.				
VII	Metal products-	0.75	9	~~25~~ 250	
	xxvi. Tool sharpening and razor sharpening works.				
	xxvii Umbrella assembly works	0.75	9	~~50~~ 250	
VIII	Electrical Goods-	2.25	9	~~50~~ 250	No spray painting permitted.
	xxviii. Repairs of household electrical appliances, such as radio and television sets, tape recorders, video sets, heaters, irons, shavers, vacuum cleaner, refrigerators, air-conditioners, washing machines, electric cooking ranges, meter rewinding works.				

	xix. Electronic industry of assembly type.	3.75	9	~~50~~ 250	Only permitted on ground floor.
IX	Transport Equipment	3.75	9	~~100~~ 250	No floor above. No spray painting permitted.
	xxx. (a) Servicing of motor vehicles and motor cycles.				
	(b) Repair of motor vehicles and motor cycles.				
	(c) Battery charging and repairs.	5.0	6	~~25~~ 250	
	(d) Repair of bicycles and cycle rickshaws.	3.75	6	~~50~~ 250	
X	Other Manufacturing and Repairs, Industries and Services-	2.25	9	~~50~~ 250	
	xxxi. Manufacture of jewellery and related articles.				
	xxxii. Repairs of watches, clocks and jewellery.				
	xxxiii. Manufacture of musical instruments and their repairs.				
	xxxiv. (a) Repairs of locks, stoves, umbrellas, sewing machines gasburners, buckets and other sundry household equipments.				
	(b) Optical glass grinding and repairs.	2.25	3	~~50~~ 250	
	xxxv. Petrol filling stations in plot size of 30.5 m. x 16.75 m. and petrol filling and service stations in plot size of 36.5 m. x 30.5 m.	7.5	9	No limit	

Note 1 i) Service industrial uses amended from time to time by government shall be allowed.

ii) With the approval of Corporation, Commissioner may from time to time add to, alter or amend the above Tables.

(Suggestion)

ii) With the approval of Corporation, Commissioner may from time to time add to, alter or amend the above Tables.

Note 2: (a) Conditions governing other uses permitted in Residential Zone: The uses permissible in the Residential zone shall be restricted and subject to the conditions below:

(i) A depth of 12 m. measured from the building line along the front portion abutting the street shall be provided.

Suggestion - I

(i) A depth of 12 m. measured from the building line along the front portion abutting the street shall be provided if it derives natural light and ventilation through open space.

Suggestion - II

(i) A depth of 6 m. measured from the building line along the front portion abutting the street shall be provided

(ii) Shops, except convenience shopping, may be permitted up to second floor with separate access unless otherwise specified, subject to road having width of 18 m or more, except as stated in condition no 17 of Table B.

(Suggestion)

(ii) Shops, except convenience shopping, may be permitted up to second floor with separate access unless otherwise specified, subject to road having width of 18- 12.00 m or more, except as stated in condition no 17 of Table B.

(iii) Motive power, no of persons working in shops shall be such that it shall not attract provisions of Factory Act

(iv) Power may be discontinued if the Commissioner is satisfied that the particular use is a nuisance to the residents.

(b) Other uses in the Industries Zone (I-Zone): If a plot in the Industrial Zone (I-Zone) becomes un-buildable for industrial use because of restrictions in the Industrial Location Policy of GoM or restrictions regarding segregating distances under these Regulations, the following uses may be permitted on such plot without maintaining the required segregation distances:

(Suggestion)

- i. Fuel-stations and service stations/motor garage;
- ii. Parking lots/Parking garages;
- iii. Electric sub-stations; Receiving Station
- iv. Offices for public utility concerns or organizations
- v. Police stations, Government and Semi-Government offices, municipal sub-offices, fire stations and posts and telegraph offices.
- vi. Warehouses.
- vii. Community Facilities
- viii. Convenience shops
- ix. Hotels with rooms not exceeding 75 nos.
- x. Branches of banks with safe deposit vaults

The Commissioner may alter, amend or add to the list of the above uses.

(Suggestion)

- Convenience Shops
- Hotels with rooms

- Branches of banks with
- Receiving Station
- Restaurants/ Eating Places

3.3 Exceptions

In case of Residential/Commercial/Industrial Zone following exceptions shall apply to the permissible uses:

(Suggestion)

In case of Residential/Commercial/Industrial Zone/ No Development Zone following exceptions shall apply to the permissible uses:

1) Existing non-conforming uses to continue in certain circumstances:

a) The existing authorized uses in the zone that are not listed in the permissible uses will be allowed to continue and will not be considered as non-conforming.

b) Any lawful use of land/building premises existing before the coming into force of these Regulations may continue even if it does not conform to the use provisions of these Regulations provided such non-conforming use is not extended or enlarged except as provided in these Regulations.

c) In case a building accommodating any nonconforming use collapses, is pulled down or is destroyed, any new building on the site shall conform to these Regulations and to the land use prescribed for the plot in DP.

d) In rehabilitation scheme undertaken by Mumbai Repair and Reconstruction Board (A MHADA unit) or Slum Rehabilitation Authority (SRA) or in Dharavi Redevelopment Project (DRP) where a new building is constructed in place of an old building, containing authorized non-conforming uses, the Commissioner may allow the same non-conforming use in new building provided such user is not industrial, hazardous or likely to cause pollution. In case of such rehabilitation scheme in Industrial Zone, authorized residential use may be permitted only in independent building subject to 2 below

e) In case of redevelopment, existing authorized non-residential uses in a residential building will be allowed to be continued on the ground floor, first or second floor or floor above stilts/parking floors or in a separate wing of a building with the special permission of the Commissioner.

f) Any permitted non-conforming uses or those existing prior to 01.04.1962 including industries which are nonhazardous or nonpolluting may be allowed to continue without addition to such non-conforming use

g) *Non-conforming industries.*- Non-conforming industries which are neither hazardous nor polluting and which have been permitted to operate, without any requirement that they may shift to a conforming zone after a specific period, may, with the Commissioner's special permission, be allowed to make additions to start a new process or to manufacture new products, provided the degree of nuisance from the existing unit will in no way be affected by such additions and subject to requirements of these Regulations for such additions.

h) In C and I Zone, if entire building is constructed for non-residential use, the requirement of separate access shall not be insisted upon.

2) Prohibition of Factories in Residential Building in Conforming Zones:

Notwithstanding anything contained in these Regulations, no permission shall be granted for establishing any factory, workshop or work place (for the establishment of which previous permission is required under Section 390 of the MMC Act, 1888) wholly or partly

on lands used for residential purposes even if such use is in conformity with these Regulations and the aforesaid Act;

(Suggestion)

Notwithstanding anything contained in these Regulations, no permission shall be granted for establishing any factory, workshop or ~~work place~~ (for the establishment of which previous permission is required under Section 390 of the MMC Act, 1888) wholly or partly on lands used for residential purposes even if such use is in conformity with these Regulations and the aforesaid Act;

Provided that the uses in a residential building permissible under this Regulation which are compatible with the residential use unless & otherwise specified may be permitted on the ground floor.

3) All land of the Municipal Octroi Check Nakas, not utilized to full potential, shall be considered as land in Commercial Zone and be treated as Central Business District (CBD)/Parking Transport Hub for development apart from primary function of octroi naka and may be developed as per the relevant provisions of these Regulations.

3.4 No Development Zone (NDZ):-

(Suggestion)

3.4 ~~No~~ Special Development Zone (NDZ) (SDZ):-

(A) Development of land in No Development Zone (NDZ):

(Suggestion)

(A) Development of privately owned land in No Development Zone (NDZ) wherein Development Permissions have not been granted previously:

1. General

The provision of this Regulation shall apply to any contiguous, unbroken and uninterrupted piece of land, excluding the land under reservation for the public purpose, not less than 4.0 ha, and not disqualified from development on account of other laws or regulations that are binding. Such plot shall have means of access of width not less than 18m. Owners of land parcels having plot area lesser than 4 ha may come together to create contiguous land parcels of 4 ha or more & submit proposal for development under this Regulation.

(Suggestion)

The provision of this Regulation shall apply to any contiguous, unbroken and uninterrupted piece of land, excluding the land under reservation for the public purpose, not less than 0.5 ha, and not disqualified from development on account of other laws or regulations that are binding. Such plot shall have means of access of width not less than 9.0 m. Owners of land parcels having plot area lesser than 0.5 ha may come together to create contiguous land parcels of 0.5 ha or more & submit proposal for development under this Regulation.

1. General

The provision of this Regulation shall apply to any contiguous, unbroken and uninterrupted piece of land, excluding the land under reservation for the public purpose, not less than ~~4.0~~ 1.0 ha, and not disqualified from development on account of other laws or regulations that are binding. Such plot shall have means of access of width not less than ~~18~~ 9.0 m. Owners of land parcels having plot area lesser than ~~4~~ 1.0 ha may come

together to create contiguous land parcels of 4 1.0 ha or more & submit proposal for development under this Regulation.

2. Submission of Proposal

The proposal shall be submitted by the Owner containing the demand assessment for infrastructure such as roads, water supply, sewerage and storm water drains.

3. Planning Considerations

(a) The proposed development, as far as possible, shall be planned in such a way that the Public Open Space (POS) falls centrally and Affordable Housing (AH) and Owner's development fall on either side of the Public Open Space (POS).

(Suggestion - I)

(a) The proposed development, as far as possible, shall be planned in such a way that the Public Open Space (POS) falls centrally ~~and Affordable Housing (AH) and Owner's development fall on either side of the Public Open Space (POS).~~

(Suggestion - II)

(a) The proposed development, as far as possible, shall be planned in such a way that the Public Open Space (POS), (Affordable Housing (AH) / BUA Amenity and Owner's development shall be provided.

(b) A Road shall be proposed on both sides of the POS to be made public, as per the provision of these Regulations subject to each having minimum width of 12 m. They shall also serve as connecting roads for the area proposed to be developed beyond the area for which proposal under this Regulation is submitted. These roads shall be handed over to MCGM.

(Suggestion - I)

A Road shall be proposed on one side of the POS to be made public, as per the provision of these Regulations subject to each having minimum width of 9.0 m. They shall also serve as connecting roads for the area proposed to be developed beyond the area for which proposal under this Regulation is submitted. These roads shall be handed over to MCGM

(Suggestion - II)

(b) A Road shall be proposed on ~~both~~ one sides of the POS to be made public, as per the provision of these Regulations subject to each having minimum width of 12 m. They ~~road~~ shall also serve as connecting roads for the area proposed to be developed beyond the area for which proposal under this Regulation is submitted. ~~These~~ This roads shall be handed over to MCGM.

(c) The area of the land after deduction of the area covered under above referred roads shall be apportioned among Owner's Share, AH, POS, Institutional Amenities (IA), and Other Amenities as detailed below:

Sr. No.	Public Open Spaces & Institutional Area 33%		Affordable Housing, Education, Health & Social Amenities 33%				Area for Other Development
	Public Open Space	Institutional Area	Affordable Housing	Educational	Medical	Social	
1	25 %	8 %	25%	4 %	3%	1%	34 %

(Suggestion - I)

Sr. No.	Public Open Spaces & Institutional Area ~~33%~~ roads 25%		Affordable Housing, Education, Health & Social Amenities 33%				Area for Other Development
	Public Open Space	Institutional Area ~~Roads~~	Affordable Housing	Educational & Institutional	Medical	Social	
1	25% ~~10%~~	8% ~~5%~~	25% ~~10%~~	4% ~~5%~~	3%	1%	34% ~~66%~~

Note: Over & above (A) layout R.G. will have to be done (B) Inclusive Housing also will have to be done. Therefore, net physical land to the Owner to consume FSI will be very less.

(Suggestion - II)

Sr. No.	Public Open Spaces & Institutional Area 25%		Affordable Housing, Education, Health & Social Amenities 30%				Area for Other Development By Owner 45%
	Public Open Space	Institutional Area	Affordable Housing	Educational	Medical	Social	

4. Procedure of Approval

The Owner shall submit his proposal in accordance with Sr. No. 1, 2 and 3 above to the Commissioner MCGM. While making such submission he will take care of the following:

- He shall distinctly mark lands for AH, POS, 2 numbers of roads and Owner's share in the layout. Further earmarking of lands for Institutions, education, health and social amenities cited above shall be done by the Commissioner taking the amenity standards prescribed as minimum.

(Suggestion - I)

- He shall distinctly mark lands for AH, POS, ~~2 numbers of~~ roads and Owner's share in the layout. Further earmarking of lands for Institutions, education, health and social amenities cited above shall be done by the Commissioner taking the amenity standards prescribed as minimum.
- Advance possession of all lands other than the Owner's Share as detailed in Sr. No 3(b) & (c) above shall be handed over to MCGM at the time of ~~approval of layout~~ O.C. of 70%. The ownership shall be transferred in the name of MCGM within one year from the date of advance possession ~~or seeking commencement certificate beyond plinth of the development of Owner's share, whichever is earlier.~~
- The Land Owner shall have the option of developing all AH, POS, Institution, education, health and social amenities (hereafter referred to as AH & Amenities) and handing them over to the MCGM.
- The development of AH & Amenities shall be as per specifications laid down by the Commissioner, within three years from date of approval to the individual building plans of AH, POS and amenities, unless extended by the Municipal Commissioner for valid, recorded reasons.
- Provision of amenities as per Regulation No. 14(A) and 15 shall not be applicable for development under this Regulation.

- (f) The carpet area of affordable housing tenements shall be EWS (30 m²), LIG (45 m²) and MIG (60 m²) in the ratio of 0.35, 0.35 & 0.30 respectively. Any minor variation in tenement percentages must be recorded in writing and be reflective of actual demand. Over a period of time, with approval of GoM, the carpet area of tenements may be upwardly revised to reflect a rising economy, higher incomes and the aspirations of citizens.
- (g) The proposal under this Regulation shall be considered with the approval of the Municipal Commissioner.
- (h) Notwithstanding anything contained in these Regulations, residential/commercial uses otherwise permissible, independent of road width to which it abuts shall be permissible on the Owner's share of land.

5. Infrastructure Development

The owner shall develop the infrastructure network within the layout (AH & Amenities) to be handed over to MCGM (road + water supply mains + sewer line + storm water drain + street lights pertaining to that specific scheme) as per the requirements of the concerned departments.

6. Permissible FSI:

- (a) If the Owner opts out of the responsibility of developing AH & Amenities, he will get FSI 0.8 of the gross plot (AH + POS+ all public amenity land + area covered under 2 numbers of roads to be handed over to MCGM + land forming Owner's share of that specific scheme) on the Owner's share of land.

(Suggestion - I)

- (a) If the Owner opts out of the responsibility of developing AH & Amenities, he will get FSI ~~0.8~~ 1.0 of the gross plot (AH + POS+ all public amenity land + area covered under 2 numbers of roads to be handed over to MCGM + land forming Owner's share of that specific scheme) on the Owner's share of land.

(Suggestion - II)

- (a) If the Owner opts out of the responsibility of developing AH & Amenities, he will get FSI 2.0 of the entire gross plot ie (AH + POS+ all public amenity land + area covered under 2 numbers of roads to be handed over to MCGM + land forming Owner's share of that specific scheme) on the Owner's share of land.

- (b) If the Owner opts to develop the cited AH & Amenities, the Owner shall be entitled for FSI 1 of the gross plot (AH + POS+ all public amenity land + area covered under 2 numbers of roads to be handed over to MCGM + land forming Owner's share of that specific scheme) on the Owner's share of land.

(Suggestion - I)

- (b) If the Owner opts to develop the cited AH & Amenities, the Owner shall be entitled for FSI ~~1~~ 1.25 of the gross plot (AH + POS+ all public amenity land + area covered under 2 numbers of roads to be handed over to MCGM + land forming Owner's share of that specific scheme) on the Owner's share of land.

- (c) The Owner would also be compensated for all infrastructure developed by him that is not attributable to infrastructure pertaining to Owner's share of land and construction of the AH tenements & other amenities as described in serial no. 7(a) below.

(Suggestion - I)

(c) The Owner would also be compensated for all infrastructure developed by him and construction of the AH tenements & other amenities/infrastructure as described in serial no. 7(a) below.

(d) In addition, the Owner would be eligible to receive the sale proceeds of 15 % of AH units from MCGM after deduction of administrative charges.

(Suggestion - I)

(d) In addition, the Owner would be eligible to receive the sale proceeds of 25% of AH units from MCGM.

(e) The Development of the plot handed over for AH shall be with FSI 3.0 on the plot of the AH area. AH Tenements & constructed amenities shall have to be handed over to MCGM. The cost of construction of AH tenements & built up amenities shall be paid in the form of BUA.

(f) The development of Amenities as per the requirements of MCGM shall be permissible as per these Regulations. Provided further that Municipal Commissioner's decision regarding development of Amenities/Institutional Amenities shall be final and binding on the concerned.

(g) 'TDR' or 'Additional FSI on payment of premium' as per Regulation No 30 (1) (A) [except Fungible FSI as per Regulation No. 31(3)], shall not be permissible on Owner's share of land.

(Suggestion - I)

(g) 'TDR' or 'Additional FSI on payment of premium' as per Regulation No 30 (1) (A) ~~except~~ land Fungible FSI as per Regulation No. 31(3)], shall ~~not~~ be permissible on Owner's share of land.

(Suggestion - II)

(g) Fungible FSI shall be allowed on owner's share of land of gross area including additional FSI permitted under this regulation.

(h) The land handed over to MCGM for public amenities as stated above shall not be allowed to be developed under AR as stipulated in Regulation No 17 and shall have to be used entirely for the intended purpose as per these Regulations.

(i) Notwithstanding anything contained in these Regulations, residential/commercial uses otherwise permissible, independent of road width to which it abuts shall be permissible on the Owner's share of land

(j) Development charges and premium shall not be recovered for any relaxations in open spaces, exclusion of staircase, lift and lobby areas from FSI computation & for Fungible FSI as per Regulation No. 31(3) for BUA to be handed over to MCGM.

(Suggestion - I)

(j) Development charges and premium shall not be recovered for any relaxations in open spaces, exclusion of staircase, lift and lobby areas from FSI computation & for Fungible FSI as per Regulation No. 31(3) for BUA including open land to be handed over to MCGM.

(k) Off-site infrastructure charges at 7% of the Land Rate (for FSI 1) for the BUA (including fungible FSI) to be constructed on owner's share of land as per ASR of the year of approval shall be paid to MCGM. These off-site infrastructural charges shall be in addition to development charges levied as per section 124 of MR&TP Act 1966

[Suggestion - I]

(k) Off-site infrastructure charges at 7% of the Land Rate (for FSI 1) for the BUA (including fungible FSI) to be constructed on owner's share of land as per ASR of the year of approval shall be paid to MCGM. These off-site infrastructural charges shall be in addition to development charges levied as per section 124 of MR&TP Act 1966. However, this off-site infrastructure charges at 7% of the land rate shall not be payable if Owner/Developer develops infrastructure himself.

7. Compensation for development of infrastructure in lands handed over to MCGM and constructed BUA.

a) The owner shall be entitled for the following:

BUA in lieu of cost of construction of AH/Built up Amenities including entire infrastructure development for MCGM share of Land	=	2.0 [Rate of construction per sq. m as per ASR rate/rate of developed land per sq. m as per ASR(for FSI 1)]x BUA of all amenities & all AH

This shall be subject to maximum 50% of the BUA of AH/Amenity to be handed over to MCGM.

[Suggestion - I]

~~This shall be subject to maximum 50% of the BUA of AH/Amenity to be handed over to MCGM.~~

b) The ratio of BUA to carpet area shall be considered as 1.2 (including provisions of various requirements as per these Regulations).

c) Area covered under staircase/lift/staircase and lift lobby for AH tenements/Amenities shall not be counted in FSI/BUA and shall be without charging premium.

d) No premium shall be charged for Fungible FSI and features permitted free of FSI as per Regulation No 31 for the development of AH tenements/Amenities/IA.

[Suggestion - I]

d) No premium shall be charged for Fungible FSI and features permitted free of FSI as per Regulation No 31 for the development of AH tenements/Amenities/IA. Including development charges, deficiency in open space & all other scrutiny fees/ deposit will be reduced to 10%

e) Commencement Certificate beyond 75 % of the BUA as per serial No 6(a) shall not be issued unless the infrastructure development in the entire layout and construction of AH tenements/Amenities/IA is completed & occupation granted.

[Suggestion - I]

e) ~~Commencement~~ Occupation Certificate beyond 75 % of the BUA as per serial No 6(a) shall not be issued unless the infrastructure development in the ~~entire~~ layout upto the A.H. plot and construction of AH tenements/Amenities/IA is completed & occupation granted (if Owner / Developer opts to develop the plot).

[Suggestion - II]

e) Occupation Certificate beyond 75 % of the BUA as per serial No 6(a) shall not be issued unless the infrastructure development in the entire layout and construction of AH tenements/Amenities/IA is completed & occupation granted

f) The Commencement Certificate beyond 75 % of BUA as per serial No 6(a) may be released once the Occupation Certificate for AH tenements/Amenities/IA is granted.

[Suggestion - I]

f) The ~~Commencement~~ Occupation Certificate beyond 75 % of BUA as per serial No 6(a) may be released once the Occupation Certificate for AH tenements/Amenities/IA is granted (if being developed by Owner/Developer).

(Suggestion - I)

~~f) The Commencement Certificate beyond 75 % of BUA as per serial No 6(a) may be released once the Occupation Certificate for AH tenements/Amenities/IA is granted.~~

g) BUA in lieu of development of infrastructure and construction of AH tenements/Amenities/IA, as detailed in 7(a) above may be released in proportion of 0.50 sale (incentive) area: 1 AH/Amenity/IA area and the construction shall progress simultaneously in the said proportion, and 100% of incentive area in lieu of AH tenements/Amenities/IA & infrastructure development can be released only after handing over of entire AH tenements/Amenities/IA as per (f) above.

(Suggestion - I)

~~g) BUA in lieu of development of infrastructure and construction of AH tenements/Amenities/IA, as detailed in 7(a) above may be released in proportion of 1.0 sale (incentive) area: 1 AH/Amenity/IA area and the construction shall progress simultaneously in the said proportion, and 100% of incentive area in lieu of AH tenements/Amenities/IA & infrastructure development can be released only after handing over of entire AH tenements/Amenities/IA as per (f) above except composite building.~~

h) TDR in lieu of unconsumed incentive BUA, as per provision (a) above in proportion to handing over of such completed AH tenements/Amenities/IA may be allowed at the option of owner/developer. However, 20 % of such admissible TDR for unconsumed BUA shall be released only after handing over the entire area of AH tenements/Amenities/IA to MCGM.

i) Requirement of ROS as per Regulation No 27 may be kept at 8% on Owners share of land & in respect of plot of AH.

(Suggestion - I)

~~i) Requirement of ROS as per Regulation No 27 may be kept at 8% on Owners share of land & ROS as per Regulation shall not be required in respect of plot of AH.~~

(A) (i) Development of privately owned land in No-Development Zone having approved layout prior to 25th February 2015: Conversion of NDZ to allow the uses permissible in residential and commercial zone.

1. With the previous approval of the Commissioner, any open land in the No development – Zone, (NDZ) may be permitted to be converted into Commercial or Residential zone for permissible uses in the Residential Zone (R- Zone) or Commercial Zone (C Zone) The area for conversion shall be considered after deduction of area under proposed DP Road/Sanctioned Regular line/Existing Municipal Road affecting the plot/s.

Such conversion shall be subject to the following:

Conversion of No Development Zone to Residential/Commercial Zone shall be permitted in respect of any open land to any continuous, unbroken and uninterrupted piece of land, excluding the land under reservations for the public purpose, not less than 2 Hect. and not disqualified from development on account of other laws or regulations that are binding. Such plot shall have means of access of width not less than 18 M. Owners of land parcels having plot area lesser than 4 ha may come together to create contiguous land parcels of 4 ha or more & submit proposal for development under this Regulation.

2. These proposals shall be submitted by the Owner containing the demand assessment for infrastructure such as roads, water supply Sewerage & storm water drains.

3. Planning Considerations

- (a) The proposed development, as far as possible, shall be planned in such a way that the Public Open Space (POS) falls centrally.
- (b) A Road shall be proposed on one side of the POS to be made public, as per the provision of these Regulations subject to each having minimum width of 12 m. The road shall also serve as connecting road for the area proposed to be developed beyond the area for which proposal under this Regulation is submitted. This road shall be handed over to MCGM.
- (c) The area of the land after deduction of the area covered under above referred road shall be apportioned among AH, POS, Amenity area as detailed below:

<u>Sr. No</u>	<u>Plot Area for conversion</u>	<u>% of land area as POS to be handed</u>	<u>AH</u>	<u>Amenity/L</u>
<u>1</u>	<u>4 ha or more, but less than 10 ha</u>	<u>10%</u>	<u>5%</u>	<u>--</u>
<u>2</u>	<u>10 ha or more, but less than 20 ha</u>	<u>10%</u>	<u>5%</u>	<u>5%</u>
<u>3</u>	<u>20 ha or more</u>	<u>10%</u>	<u>10%</u>	<u>5%</u>

Subject to Clauses 4, 5, 6 & 7 of above Regulation No. 3.4 (A) shall be applicable.

(B) Land of Govt. /Semi. Govt. /Appropriate Authority appointed by Govt falling in NDZ

1. General

Notwithstanding anything contained in these Regulations the land of Govt./Semi-Govt./Appropriate Authority falling in NDZ, the provision of this Regulation shall apply to any contiguous, unbroken and uninterrupted piece of land having area not less than 4.0 ha, excluding the land under reservation for the public purpose and not disqualified from development on account of other laws or regulations that are binding.

2. Planning Considerations

(a) The proposed development, as far as possible, shall be planned in such a way that the POS falls centrally and AH and area for other development fall on either side of POS. These areas shall have proper access as per provisions of these Regulations.

(b) The area of the land after deduction of the area covered under above referred roads shall be apportioned among Appropriate Authorities' Share, AH, POS + Roads, IA, and Other Amenities as detailed below:

<u>Sr. No.</u>	<u>Public Open Spaces & Institutional Area 33%</u>		<u>Affordable Housing, Education, Health & Social Amenities 33%</u>				<u>Area for Other Development</u>
	<u>Public Open Space</u>	<u>Institutional Area</u>	<u>Affordable Housing</u>	<u>Educational</u>	<u>Medical</u>	<u>Social</u>	
<u>1</u>	<u>25 %</u>	<u>8 %</u>	<u>25%</u>	<u>4 %</u>	<u>3%</u>	<u>1%</u>	<u>34 %</u>

3. Procedure of Approval

The Appropriate Authority shall submit the proposal to the Commissioner, MCGM, distinctly showing lands for AH, POS, 2 numbers of roads and share of other development in the layout. Further earmarking of lands for education, health and other amenities cited above shall be done by the Commissioner taking the amenity standards prescribed as minimum.

- (a) Provision of amenities as per Regulation No. 14(A) and 15 shall not be applicable for development under this Regulation.
- (b) The proposal under this Regulation shall be considered with the approval of the Municipal Commissioner.
- (c) The area of social amenities, POS and roads shall be handed over to MCGM. Advance possession receipt shall be submitted at the time of approval of proposal and the ownership shall be transferred in the name of MCGM in revenue records before seeking Occupation to any of the development in layout.

4. Permissible FSI:

- a) Govt./Semi-Govt./Appropriate Authority appointed by Govt. shall be eligible for FSI 1 of the gross plot (AH + POS+ all public amenity land + area covered under 2 numbers of roads to be handed over to MCGM) on area of other Development.
- b) The Development of the plot earmarked for AH with FSI 3.0 on the plot of AH area shall be done by Government/semi-government/ Appropriate Authority appointed by Govt. These tenement shall be made available for general public for the affordable Housing as per policy of Government.
- c) The carpet area of affordable housing tenements shall be EWS (30 m²), LIG (45 m²) and MIG (60 m²) in the ratio of 0.35, 0.35 & 0.30 respectively. Any minor variation in tenement percentages must be recorded in writing and be reflective of actual demand. Over a period of time, with approval of GoM, the carpet area of tenements may be upwardly revised to reflect a rising economy, higher incomes and the aspirations of citizens.
- d) The development of Amenities as per the requirements of MCGM shall be permissible as per these Regulations. Provided further that Municipal Commissioner's decision regarding development of Amenities shall be final & binding.
- e) Institutional Amenities may be developed by Govt./Semi-Govt./Appropriate Authority appointed by Govt, as decided by the Govt. /Appropriate Authority.
- f) 'TDR' or 'Additional FSI on payment of premium' shall not be permissible except fungible FSI.

(Suggestion - I)

- ~~f) 'TDR' or 'Additional FSI on payment of premium' shall not be permissible except fungible FSI.~~
- g) The land handed over to MCGM for public amenities as stated above shall not be allowed to be developed under AR as stipulated in Regulation No 17 and shall have to be used entirely for the intended purpose as per these Regulations.
- h) Notwithstanding anything contained in these Regulations, residential/commercial uses otherwise permissible, independent of road width to which it abuts shall be permissible on the Owner's share of land
- i) Off-site infrastructure charges at 7% of the Land Rate (for FSI 1) for the BUA (including fungible FSI) to be constructed on owner's share of land as per ASR of the year of approval shall be paid to MCGM.
- j) Requirement of ROS as per Regulation No 27 may be kept at 8% on area of other development & in respect of plot of AH

5. Interchanging the location:

The Appropriate Authority may interchange the location of land earmarked as Affordable Housing (AH) + Public Open Space (POS) + Institutional Area(IA) in DP with equivalent developable land area under their ownership either in contiguity or in parcels of land not less than 2 ha.

(C) Other Development in NDZ:

The following uses are permissible provided, however, no services of any kind or Limited/available services will be provided by the Corporation. No subdivision of the land creating size of plot less than 4 ha or less shall be permissible.

(Suggestion-I)

The following uses are permissible provided, however, no services of any kind or Limited/available services will be provided by the Corporation. No subdivision of the land creating size of plot less than 0.5 ha or less shall be permissible

(I) Institutional Development

Institutional Development such as Higher & Other educational Institutions, Medical Institutions, Urban Planning Institutions, Financial Institutions & Other Institutions such as Research & Development Institutions shall be permitted subject to the following conditions:

- a. Maximum FSI limit shall be 0.20 (excluding area of DP road). As far as possible, the development shall be at one place of the total land.
- b. Ground coverage shall not exceed 10% of the area of plot.
- c. Tree plantation shall be done at the rate of 500 trees/ha on the remaining land excluding the BUA and the surrounding open space/utility space.
- d. Essential residential development for the staff/officer's accommodation shall be permitted up to the extent of 33% of the permissible BUA.

(Suggestion-I)

(I)Institutional, Educational, Medical, Development

(II)Development of Cinema and TV Film production

(III) Information Technology & Information Technology Enabled Services (IT/ITES) & Biotech units

(IV) Tourism Development Area (TDA)

Conditions:

- a. Maximum FSI limit shall be 1.00 (including area of DP road). As far as possible, the development shall be at one place of the total land.
- b. Plinth coverage shall not exceed 30% of the area of plot.
- c. Tree plantation shall be done at the rate of 500 trees/ha on the remaining land excluding the BUA and the surrounding open space/utility space.

Essential residential development for the staff/officer's accommodation / hostels / ancillary uses shall be permitted up to the extent of 33% of the permissible BUA.

(II) Development of Cinema and TV Film production,

Development of Cinema and film production, shooting, editing and recording studios with its ancillary and supporting users, including Film School with their shooting stages and screening rooms, Performing Art Academy, Students Hostels and faculty residences,

Auditoria, Art Gallery, Museums, Preview Theatres, construction of staff quarters, rest rooms, canteens etc. shall be allowed subject to the following conditions:

- a) The total permissible FSI shall not exceed 0.2 (excluding area of DP road).
- b) Out of the permissible BUA equivalent to 0.2 FSI; BUA of supporting users shall not exceed 1/3 of permissible FSI 0.2.
- c) The construction shall be confined to 10% of the plot and the remaining plot (excluding areas required for parking, roads etc.) shall be planted with trees at the rate of at least 500 trees per ha.

(III) Information Technology & Information Technology Enabled Services (IT/ITES) & Biotech units

IT/ITES Parks/Units or, set up by public or private sector; shall be permissible with the special permission of Commissioner, subject to following conditions:

- A) Total FSI shall not exceed 0.20 (excluding area of DP road).
- B) Construction of buildings for IT/ITES shall be permitted to the extent of 20% on 10% of the total plot area and shall be located such that, as much of remaining open space is available in a contiguous manner and on remaining 90% of plot area, trees shall be planted at the rate of at least 500 trees per ha.
- C) The permission from the Director of Industries to set up IT/ITES Parks/Units shall be necessary.

(IV) Tourism Development Area (TDA)

Sites or plots identified by the Tourism Department of GoM in consultation with the MTDC, and as specified by GoM from time to time as suitable for promotion of tourism to serve as holiday or beach resorts, hotels or motels may be included in a Tourism Development Area (TDA), and allowed to be developed for activities like beach resorts, hotels, motels, restaurants, health farms, water sports facilities, arts and crafts complexes, golf courses, gliding, powered gliding, grass skiing facilities, marinas, jetties and pontoons for docking of boats and swimming pools.

If such specified sites are situated in the NDZ, they shall be permitted to be developed for the aforesaid purposes with a FSI 0.20 (excluding area of DP road), notwithstanding anything contained in these Regulations, additional FSI in such Zone shall not be admissible.

Note- If such sites are situated in zone other than NDZ and Natural Area, the FSI permissible shall be that corresponding to the FSI permissible in the respective zones as stipulated in Table 12 of Regulation No.30(1)(A).

Guidelines for identification of TDA and for development to be permitted therein

a) General Conditions:

- i) TDA can be developed by individual or Company or Partnership firm or Govt/Semi-Govt. Organisation/ corporations.
- ii) These guidelines shall be applicable for TDA, as set out herein below.
- iii) Proposals for lands to be specified as TDA shall be approved by UD department, GOM and shall not be permissible on plot Reserved/Designated for Play Ground/Park/Garden/Any other POS reservation

(a) Smaller Plots:

For existing landholders having smaller plots in NDZ, the provisions of promotion of Tourism through bed-and-breakfast type arrangements for tourists shall be permissible, approved by the Govt. in Urban Development Department. These shall have the same FSI as per B(VI) of this regulation.

(b) Prohibition for Inclusion in Tourism Development Land falling in categories specified below shall not be permissible for TDA:

- i Lands affected beyond permissible levels by pollution in land, water and air, as may be decided and certified by the MPCB.
- ii Lands covered by mangroves.
- iii Areas from NDZ directly abutting the Residential Zone without being separated by road having width not less than 18.30 m.

(c) Infrastructural Facilities:

All the infrastructural facilities required on site and as specified by the MCGM shall be provided by the developer at his own cost on the site. Proper arrangement for treatment and disposal of sewage and sullage and solid wastes shall be made to the satisfaction of the MCGM and MPCB. No untreated effluent shall be allowed to pass into the sea or any water body.

(d) Reserved Sites for Tourism Development:

Where the lands are located in a unique/unusual area, particularly suitable for development of tourism in view of an existing water body, scenic beauty, tree plantations or geological formation can be specified as TDA. The minimum area of such site however shall not be less than 1.00 ha. The floor space index available for development in such a site will be 0.20.

(e) Environment:

Places where rare species of migratory birds are known to visit and where there is a heritage of flora and fauna shall be given preference for development as TDA.

(V) Amusement park:

Amusement park in a plot of not less than 4 ha. in area, with recreational and amusement devices like a giant wheel, roller coaster, merry-go-round or similar rides, ocean -park, swimming pool, magic mountain and lake, ethnic village, shops for souvenirs, toys, goods, refreshments and beverages shall be permissible with the special permission of commissioner. The Permissible FSI shall not Exceed 0.025 (excluding area of DP road)

(Suggestion - I)

0.5 FSI on the Gross Plot Area

a) The entire land for the amusement park shall vest in a single ownership and the land shall not be sub-divided at any time.

b) The required infrastructure, like proper and adequate access to the park, water supply, sanitation, conservancy services, sewage disposal and adequate off-street parking will have to be provided and maintained by the promoters of the project at their cost and to the satisfaction of the Commissioner.

c) The promoters of the project shall provide adequate facilities for collection and disposal of garbage at their cost, and to the satisfaction of the Commissioner and will keep, at all times, the entire environment clean, neat and hygienic.

d) Structures for ancillary activities, such as administrative offices, exhibition hall or auditorium, restaurant, open air theatre, essential staff quarters, store buildings, fast food shops, museum, souvenir and small shops, ancillary structures to swimming pool, may be permitted

e) Structures permitted in the amusement park (except those intended for park apparatus, entertainment such as magic mountain etc. and other equipment) should be ground floor structures, with the construction blending with the surrounding environment and landscape.

f) Except for minor dressing, hills and natural features, if any, shall be maintained in their natural condition and beautified with planting of trees etc.

g) All trees already growing on the land shall be preserved to the extent possible, except that if it becomes necessary to cut any tree, the required permission of the Competent Authority should be obtained under the law. At least 5 trees per 100 sq. m shall be planted and grown within the area of the park.

h) Structures, buildings or monuments of historical, aesthetical, architectural, or heritage importance, if any, shall be preserved and maintained properly.

i) Sufficient parking facilities and ancillary facilities for cars, buses, transport vehicles etc. shall be provided on site as prescribed by and to the satisfaction of the Commissioner and Commissioner of Police.

j) The promoters of the project will prepare a suitable layout with appropriate land-scaping of the recreational and other facilities and obtain approval of the Commissioner.

k) No objection certificate of the Tourism Department shall be obtained.

l) The development shall be regulated according to other requirements of these Regulations and subject to all other clearances as may be required.

m) Proper arrangements for safety, regulations of traffic approaches to the park etc. shall be made to the satisfaction of the Commissioner of Police from the law and order and traffic aspects.

(VI) Miscellaneous Uses:

The following uses shall be permissible where the permissible where FSI shall not exceed 0.025 (excluding area of DP road)

(Suggestion - I)

0.5 FSI on the Gross Plot Area

(i) Agriculture, horticulture and animal husbandry (except for keeping animals on a commercial scale), subject to a limit of 10 head of cattle per acre and providing necessary buildings, garages, pig sties, stables and storage buildings

(ii) Gardens and poultry farms;

(iii) Forestry;

(iv) Golf clubs and links;

(v) Public parks, private parks, play fields, stadia, gymkhanas, swimming pools, gliding facilities, temporary camps for recreation of all types.

(vi) Race tracks and shooting ranges.

(vii) Fish curing on open land/fish farming.

(viii) Salt manufacture from sea water.

(ix) Public utility establishments such as electric sub-stations, receiving stations, switch yards, over-head line corridors, radio and television stations, receiving stations, main stations for public gas distribution, sewage treatment and disposal works, Storm Water Drain Pumping Station, facilities for the disposal of Solid Waste, water works along with residential quarters for essential staff for such works, with the special permission of the Commissioner.

(x) Cemeteries and crematoria and structures incidental there to.

(xi) Structure for watchmen's quarters each not exceeding 20 sq. m numbers of such structures in each plot to be decided by the Commissioner

(xii) A residential building, not more than ground and one story with a height not exceeding 9.75 m including the height of stilted portion.

(VII) *Periphery of Vihar and Pawai lake:*

In order to prevent erosion of soil and silting in lakes, an exclusive green belt of 100 m shall be provided around the periphery of Vihar and Pawai lake, in which no construction whatsoever shall be allowed.

(Suggestion - I)

In order to prevent erosion of soil and silting in lakes, an exclusive green belt of 100 m shall be provided around the periphery of Vihar and Pawai lake, in which no construction whatsoever shall be allowed unless divided by any DP Road.

Hotels / Motels of all category permissible subject to following conditions:-

- Total FSI shall not exceed 1.0 of the gross plot area
- Out of total BUA ancillary use shall not exceed 1/3 of permissible FSI.

Plinth coverage area should not exceed 30% of plot area.

3.5 Natural Areas (N A)

(Suggestion - I)

3.5 Natural Areas (NH)

It is an environmentally sensitive zone where following facilities may be permissible

a) Board walks in mangroves, trekking facilities, conveniences for visitors

b) Uses permissible as per the notifications issued by the Ministry of Environment and Forest, if any, as amended from time to time.

35. Development or redevelopment of lands of cotton textile mills (mills).-

1) The development or redevelopment of land of cotton textile mills, (hereafter referred to as "mills") shall be permissible ~~with the special permission of the Commissioner~~. The proposal for the development of land of mills shall be considered under any of the following three categories:

(i) **Development of Lands of sick and / or closed mills-** ~~With the previous approval of the Commissioner to~~ A layout prepared for development or redevelopment of the entire land of a sick and/or closed mill and on such conditions specified under these regulations 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~~ development shall may be allowed ~~development~~.

(ii) **Lands of mills for purpose of modernization-** ~~With previous approval of the Commissioner to~~ A layout prepared for development or redevelopment of the entire land of a 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~~ under these regulations, subject to the condition that it shall also be in accordance with scheme approved by Government.

(iii) **Lands of mills after shifting-** 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, this Regulation shall also apply in regard to the development or redevelopment of its land after shifting.

2. The proposal of the above mentioned three categories shall be formulated according to the provisions mentioned below;

(a) Areas earmarked for development by the owner/developer as per Column No 5 of the table below to be utilized-

(i) For the same mill or related user subject to observance of all other Regulations;

(ii) For diversified industrial user in accordance with the industrial location policy, with office space only ancillary to and required for such uses, subject to and observance of all other Regulations;

(iii) For the residential and commercial user as permitted under these Regulations;

(b) The entire lands of the mills shall be apportioned in the manner as described in Table below:

Sr. No.	Extent	Percentage to be earmarked for 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	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) or diversified Industrial uses as per Industrial Location Policy, to be developed by the owner
(1)	(2)	(3)	(4)	(5)
1	Up to and inclusive of 5 ha.	~~16.5~~ <u>10.0</u>	~~16.5~~ <u>10.0</u>	~~67~~ <u>80.0</u>
2	Above 5 ha.	~~18~~ <u>12.5</u>	~~18~~ <u>12.5</u>	~~64~~ <u>75</u>

Notes-

(i) In addition to the land to be earmarked for public open space, 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 the provision of Regulation No 27 shall also be provided.

(ii) Segregating distance as required under these Regulations shall be provided within the lands intended to be used for residential/commercial uses.

(iii) Notwithstanding anything contained in these Regulations, Development Rights/FSI in respect of the lands earmarked and handed over as per column (3) and (4) shall be available to the owner of the land for utilization in the land as per Column (5) in addition to availability of TDR or as TDR as aforesaid on gross plot as per Regulation No.32.

(iii)(a) Notwithstanding anything contained in Regulation No. 30 and the Table 12, the development under this regulation shall be allowed with FSI 4.0. In Table 12, additional FSI on payment of premium under Column (5) shall be 1.33, admissible TDR under Column (6) shall be 1.33 and the permissible FSI under Column (7) shall be 4.0 for the purpose of this regulation.

(iv) Where 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.

(v) Where lands accruing as per Columns (3) & (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); allow POS for any mills received as MCGM'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),

(vi) It shall be permissible for the different owners of the land to submit a composite scheme for the development or redevelopment of lands of different mills, under their respective common ownership, upon which lands comprised in the 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 any of the land of the mill or 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.

(vii) Notwithstanding anything above, the lands earmarked for MHADA & POS as per the approved layout shall be handed over to the concerned Authority immediately after the approval of layout and such period of handing over shall not be more than six twenty four months.

(viii) Land of the mill to be considered for the apportionment as stipulated in above Table shall be exclusive of notional plot area as per the Zonal (basic) FSI of the existing residential buildings/chawls to be developed as per sub Regulation no 3 below.

(ix) If the developer proposes to utilize 20% of the basic FSI total floor area on owner's share of land as per column no 5 of the above table for residential development, with each tenement having BUA up to 50 sq. m, the provision of Regulation No 15 shall not be applicable.

(3) 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 mills, the following shall apply:

i) if and when the BUA of a mill occupied for residential purposes as on the 1st of January, 2000 is 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 carpet area. Provided that no such occupants shall be evicted till such time, he/she is provided with alternative accommodation of 27.88 sq. m carpet area in such development or redevelopment scheme.

ii) 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 BUA of the building shall be computed and thereafter considering such notional area of the plot, FSI of 4.0 shall be allowed.

The FSI computation of 4.0 shall be as follows:

Rehab area shall be the total BUA required for rehabilitation of all the occupants of residential buildings/chawls with the carpet area of 27.88 sq. m. each. 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.

Difference between FSI 4.0 and FSI used for rehabilitation of existing occupants shall be shared as follows:

- a) Available difference shall be divided into two parts in a ratio of 1: 0.40
- 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 carpet area each and shall be handed over to MHADA/Government and to be used for rehabilitation of mill workers.
- c) The mill owners shall be entitled for FSI of above 0.4 part as stated in (a) in lieu of construction done and handed over to MHADA/Government.
- 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 given to landlord/or Co-op. Housing society of occupiers

iii) All the occupants of the old building shall be re-accommodated in the redeveloped building.

iv) In case of cessed building, the list of occupants and area occupied by each of them shall be certified by Mumbai Repairs and Reconstruction Board. For non cessed buildings, it shall be certified by MCGM.

v) In case of dispute, the matter shall be referred to the Monitoring Committee whose decision shall be binding on all parties.

vi) An amount of Rs 50,000 per tenement has 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.

vii) Notwithstanding anything contained in these Regulations, the relaxations incorporated in Regulation No. 33(7) of these regulations and amended from time to time, shall apply.

(a) if and when a 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;

(b) for purposes of clause (a) above, the mill owner shall undertake and complete training of candidates for employment before recruitment of personnel/starting of the relocated mill/diversified industry takes place.

(c) Notwithstanding anything contained above, if and when a mill is taken up for development / redevelopment for any industrial/commercial purpose, the mill owner/developer/occupier of the premises shall on priority provide employment to the workers 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.

4 (a) Funds accruing to a sick and/or closed mill or such mill requiring modernisation or is to be shifted, from the utilisation of BUA as per clause (a) of Sub-Regulations (2) and from the sale of TDR in respect of the land as per columns (3) & (4) of the Table contained in clause (a) of Sub-Regulations (2) or from the development by the owner of the land as per column (5), together with FSI on account of the land as per column(3)&(4), shall be credited to an escrow account to be operated as hereinafter provided.

(b) The funds credited to the escrow account shall be utilised only for the revival / rehabilitation or modernisation or shifting of the 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 modernisation of the mill or for its shifting outside Greater Mumbai but within the State.

(c) On payment of dues of the workers and/or payment under voluntary retirement scheme for the workers if applicable, or deposit of the dues of the workers with the Labour Commissioner, the Escrow account shall be closed.

5.(a) In order to oversee the due implementation of the package of measures recommended by BIFR for the revival / rehabilitation of a potentially sick and / or closed textile mill, or schemes approved by Government for the modernisation or shifting of mills, and the permissions for development or redevelopment of lands of 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 mill owners, recognised trade union of mill workers, the Commissioner and the Government as members.

(b) The Commissioner shall provide to the Monitoring Committee the services of a Secretary and other required staff and also necessary facilities for its functioning.

(c) Without prejudice to the generality of the functions provided for in clause (a) of this Sub-Regulation, the Monitoring Committee shall: --

(i) lay down guidelines for payment of workers' dues if pending, for the transparent disposal by sale or otherwise of built up space, open lands and balance FSI by the mills;

(ii) lay down guidelines for the opening, operation and closure of escrow accounts if there are outstanding workers' dues;

(iii) approve proposals for the withdrawal and application of funds from the escrow accounts upto the time workers' dues are paid or deposited with Labour Commissioner;

(iv) monitor the implementation of the provisions of this regulation as regards housing, alternative employment and related training of mill workers in case of Mill Land having residential buildings or chawls to be redeveloped.

(d) The Monitoring Committee shall have the powers of issuing and enforcing notices and attendance in the manner of a Civil Court.

(e) Every direction or decision of the Monitoring Committee shall be final and conclusive and binding on all concerned.

(f) The Monitoring Committee shall determine for itself the procedures and modalities of its functioning

(g) Notwithstanding anything stated or contained in sub-clause 5(a) to 5(f) herein above. As soon as workers' dues including payment under voluntary retirement scheme (if any) is made by the mill owner or developer. The said mill and the development thereof shall not be monitored by the Monitoring Committee. The Mill Owner or the developer shall produce no dues certificate or no objection certificate for the aforesaid purpose from office of the Labour Commissioner.

6. Notwithstanding anything stated or omitted to be stated in these Regulations, the development or redevelopment of all lands in Greater Mumbai owned or held by all 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 not under any other Regulation.

However, the lands reserved for public purposes which is owned or held by Mills, shall not be regulated by the provisions of these Regulations and reserved lands shall be handed over to MCGM or the Appropriate Authority in lieu of FSI/TDR or shall be developed as per the provisions laid down under Regulation No 17

7. The provisions of sub Regulation no 2(b) of this Regulation shall not be applicable where the share of MHADA and MCGM land has already been handed over as per then prevailing Regulations.

PART VIII GENERAL BUILDING REQUIREMENTS

36. Occupancy Load

Space requirements of various parts of Buildings, etc.-This Part sets out the standard space requirements of various parts of a building and those of light and ventilation, the building services, fire safety, etc. Some of these items depend on the number of persons who would normally occupy the building, for which the occupant load should be worked out from Table No 13 hereunder:

Table No: 13

Occupant Load

Serial No. (1)	Type of Occupancy (2)	Occupant load per 100 sq. m. of plinth or covered area (3)
1	Residential	8
2	Educational	25
3	Institutional	6.6*
4	Assembly : (a)With fixed or loose seats and dance floor (b)without seating facilities including dining rooms	166.6** 66.6**
5	Mercantile : (a)Street floor and sales basement (b)Upper sales floors	33.3 16.6
6	Business and Industrial	10
7	Storage, <u>wholesale establishment</u>	3.3
8	Hazardous	10

*The occupant load in dormitory portions of homes for the aged, orphanages or mental hospitals, etc. where sleeping accommodation is provided shall be calculated at not less than 13.3 persons per 100 sq.m.

** The plinth or covered area shall include, in addition to the main assembly room or space, any occupied connecting room or space in the same storey or in the storeys above or below, where entrance is common to such rooms and spaces and they are available for use by the occupants of the assembly place. ~~No~~ deductions shall be made in the plinth/covered area for corridors, closets and other subdivisions; that area shall include all space serving the particular assembly occupancy.

37. Requirements of parts of buildings

- (1) **Plinth:** The plinth or any part of a building or outhouse shall be so located with respect to the surrounding ground level that adequate drainage of the site is assured.
- (i) **Main Building:** The height of the plinth shall not be less than 30 cm with respect to the surrounding ground level or plinth shall not be less than 15 cm with respect to the surrounding ground level in case of stilt/covered parking spaces. In areas

subject to flooding, the height of the plinth shall be at least 60 cm above the high flood level or shall be at least 45 cm above the high flood level in case of stilt/covered parking spaces. Architect on record shall certify that the plinth has been proposed after taking due cognizance of High Flood Level (HFL) with reference to available Contour map.

(ii) *Interior court-yards, covered parking spaces and garages:* These shall be raised at least 15cm above the surrounding ground level and shall be satisfactorily drained.

(2) *Habitable Rooms/Rooms:*

(i) *Size and Width:* The minimum size and width shall be as given in the Table No 14 hereunder.

Table No: 14

Minimum size and width of Habitable Rooms/Rooms

Serial No.	Occupancy	Minimum size in Sq.m.	Minimum width in m
1	2	3	4
1	Any habitable room.	~~9.5~~ 7.5	~~2.1~~
2	Rooms in a two-room Kitchen tenement & above		
	one of the rooms.	9.5	2.4
	other room/ rooms	7.5	~~2.4~~ 2.1
	Kitchen	5.5	1.8
3	One room Kitchen tenements		
	one room	~~9.5~~ 7.5	~~2.4~~ 2.1
	Kitchen	~~7.5~~ 5.5	~~2.1~~ 1.8
4	Multipurpose Room (with provision of alcove)	~~12.5~~ 9.5	2.4
5	Single-bedded room in a hostel.	7.5	2.4
6	Shop	6.0	1.2
7	Vending stalls & kiosks	3.0	1.2
8	Class room in an Educational Building	~~38~~ 25.0 or area at the rate of 0.8 sq.m. per student.	~~5.5~~ 4.0
9	Institutional building		
	(a) special room ...	9.5	3.0
	(b) general ward ...	40.0	5.5
10	Bathroom	1.50	1.10
11	Water Closet (W.C.)	1.10	0.90
12	Combined Bathroom and Water Closet (W.C.)	2.20	1.10
13	Cinema hall, theatre, auditorium, assembly hall, etc.	In conformity with the Maharashtra Cinema Rules.	
14	Multiplex/Multiplex	In conformity with the Bombay	

	theatre complex	Entertainment Duty Act 1923, Revenue and Forest Dept. Govt. of Maharashtra.

(ii) **Height-** (i) The minimum and maximum height of a habitable room shall be as given in Table No 15 hereunder:-

(ii) Notwithstanding the above restriction as stated in Table No. 15, any telematics equipment storage or erection facility can have a height as required for effective functioning of that system.

(iii) Notwithstanding the above restrictions as stated in TableNo.15, for cinema/TV films production, shooting, editing, recording studios, more height as required for their effective functioning shall be permitted.

Table No: 15

Height of Habitable Room/s

Sr. No.	Occupancy	Minimum height in meters (m)	Maximum height in meters (m)
(1)	(2)	(3)	(4)
1	Flat roof.		
	(a) Any habitable room	2.75	~~3.9~~ <u>4.2</u>
	(b) Bathrooms, Water Closets, combined Bath & WC (Measured from the surface of the floor to the lowest point of the ceiling)	2.2	~~3.9~~ <u>4.2</u>
	(c) Air-conditioned habitable room.	2.4	~~3.9~~ <u>4.2</u>
	(d) i) Assembly halls, residential hotels of all types, institutional, educational, industrial, hazardous or storage occupancies, departmental stores, malls, entrance halls and lobbies to departmental stores and assembly,	3.6	~~4.2~~ <u>6.0</u>
	ii) IT buildings, office buildings	2.75	~~4.2~~ <u>5.5</u>
	(e)i) Exhibition cum Convention Centre, Sport facility requiring more height	4.2	~~8.8~~ <u>12.0</u>
	ii) Sound Recording/Film Studio, Warehouse	4.2	12*
	(f) Shops.	2.75	~~3.9~~ <u>4.5</u>
2	Pitched roof - (a) Any habitable room	2.75 (average with 2.4 m at the lowest point)	~~3.9~~ <u>4.2</u> (Average with 2.8 m at the lowest point).

* Subject to the special permission of the Commissioner greater height may be permitted.

Provided that- (i) the minimum clear head-way under any beam/tie beam of pitched roof shall be 2.4 m.

(ii) In all occupancies except those included in Sr. No. 1(d) & (e) in the table above, any height in excess of ~~3.9~~ 4.2m shall be deemed to have consumed an additional F.S.I. of 50% of the relevant floor area.

(ii)(a) For the maximum height permitted under this Clause, the FSI for such height shall be taken as the floor area only.

(iii) Other requirements- One full side of a habitable room must abut an exterior open space same as provided in sub-regulation (2) of Regulation 41.

(iv) Other Requirements of Kitchen- A kitchen shall be treated as non-habitable(s). Every room to be used as a kitchen shall have-

(a) unless separately provided in a pantry, means for the washing of kitchen utensils which shall lead directly or through a sink to a grated and trapped connection to the waste pipe;

(b) on an upper floor, an impermeable floor;

(c) at least a window not less than 1 sq. m in area, opening directly on to an interior or exterior open space.

(3) Bathroom and water closets:

(i) A sanitary block consisting of a bathroom and water closet for each wing of each floor at each mid-landing staircase level of the building for the use of domestic servants engaged on the premises may be permitted by the Commissioner

A sanitary block consisting of a bathroom and water closet for each wing of each floor at each mid-landing staircase level / ground / stilt level / each podium level of the building for the use of domestic servants engaged on the premises.

(ii) Other Requirements Bathroom or Water Closet

(a) Every bathroom or water closet shall be so situated that at least one of its walls shall abut on to an exterior open space or an interior/exterior chowk or ventilation shaft of the size specified in clause (a) of sub-regulation (8) of Regulation 41 or a ventilation shaft of the size specified in sub-regulation (2) of Regulation 40 with the openings (windows, ventilators, louvers) not less than 0.3 sq. m in area or 0.3 m in width.

(b) No bathrooms or water closet shall be situated directly over any room other than another water closet, washing place, bathroom or terrace unless the said floor is made impervious with adequate water-proofing treatment. However, in no case shall a water closet or bathroom be provided over a kitchen.

(c) Every bathroom or water closet shall have the platform or seat or flooring made of water-tight non-absorbent material.

(d) It shall be enclosed by walls or partitions and the surface of every such wall or partition shall be finished with a smooth impervious material to a height of not less than 1m above the floor of such a room.

- (e) It shall be provided with an impervious floor covering sloping towards the drain with a suitable grade and not towards a verandah or any other room.
- (f) Every water closet and/or a set of urinals shall have a flushing cistern of adequate capacity attached to it.
- (g) All the sewerage outlets shall be connected to the municipal sewerage system. Where no such system exists, a septic tank shall be provided within the plot conforming to the requirements of sub-regulation 29 of Regulation 37.

(4) Loft:

- (i) Location: Lofts may be provided over kitchens, habitable rooms, bathrooms, water closets and corridors within a tenement in residential buildings, in shops and in industrial buildings.
- (ii) Height: The height of the loft shall not be more than 1.5 m. If it exceeds 1.5 m, it shall be counted towards FSI.
- (iii) The lofts in non-residential buildings shall be located at least 2 M away from the entrance.

(5) Mezzanine Floor:

- (i) The aggregate area of mezzanine floor in any room shall not exceed 50% of the BUA of that room. The size of mezzanine floor shall not be less than 9.5 sq.m if it is used as a living room. The area of the mezzanine floor shall be counted towards FSI.

Provided, however, that in existing authorized buildings having no balance FSI, area of the mezzanine floors constructed prior to 15th August, 1997 without approval, may be exempted from FSI with special permission of the Commissioner subject to the terms and conditions and payment of premium as may be specified by the Commissioner.

Note- Lofts having head room more than 1.5 m above shall be treated as mezzanine floor.

-
- (ii) *Height*-The minimum height/head-room above a mezzanine floor shall be 2.2m. The head-room under a mezzanine floor shall not be less than 2.2m.

- (iii) *Other Requirements*-A mezzanine floor may be permitted over a room or a compartment, if

- (a) it conforms to the standards of living rooms in regard to lighting and ventilation in case its size is 9.5 sq.m or more;
- (b) it is so constructed as not to interfere under any circumstances with the ventilation of the space over and under it;
- (c) no part of it is put to use as a kitchen/sanitary block;
- (d) it is not closed, so that it could be converted into an unventilated compartment;

- (e) it is at least 1.8 m away from the ~~front~~ wall deriving access of such room;

- (f) access to the mezzanine floor is from within the respective room below only;

- (g) where it is in an industrial building, NOC from the relevant authorities of the Industries Department is obtained for the additional floor area.

(6) Store Room:

- (i) *Size*.-The area of a store room where provided in residential buildings shall not be more than 4 sq.m.
- (ii) *Height* -The height of store room shall not be less than 2.2 m.
- (iii) Store Room shall be treated as non-habitable room

(7) Prayer Room:

- (i) *Size*.-The area of a prayer room where provided in residential buildings shall not be more than 3 sq.m.
- (ii) *Height* -The height of prayer room shall not be less than 2.2 m.

(8) Garage:

- (i) *Size*.-The size of a private garage shall not be less than 2.5 m x 5.5 m or 2.3 mx 4.5m as provided in clause (ii) and the note under it in sub-regulation (1) of Regulation 44.
- (ii) *Location*-If not within the building the garage may be located at its side or rear, but at least 7.5 m away from any access road.
- (iii) Area of garage shall be counted in FSI & it shall be at least 1.5m meter away from compound wall.

Explanation: For purposes of this Regulation, the term "garage" means a detached ground floor structure in the open space of the plot or on the ground floor of a building and intended for parking or shelter of mechanically controlled vehicles but not for their repairs.

(9) Basement:

- (i) The basement may be allowed to be constructed beyond building line in the required front open space under the provision of these regulations provided clear distance of 3.0 m between plot boundary/edge of road and basement line is maintained. The open spaces from the other boundaries of the plot except front open space shall not be less than 1.5 m. Basement may be at one level or more. Depth of the basement should be allowed for any depth provided Firefighting provisions and air circulation provisions are adequately provided.
- (ii) *Height*- The height of the basement from the floor to the underside of the roof-slab or ceiling or under side of a beam when the basement has a beam shall not be less than 2.4 m. The height of basement below soffit of the slab shall not be more than 3.9 m. In case of mechanical parking, and/or bus parking height as per the requirement may be allowed.
- (iii) *Ventilation*- The extent of ventilation shall be the same as required by the particular occupancy for which the basement is used. Any deficiency must be made good by resort to a mechanical system, viz. blowers, exhaust fans, air-conditioning system, according to the standards in Part VIII Building Services Section I-Lighting and Ventilation, NBC.
- (iv) *Uses permitted* – A basement may be put to the following uses only:
 - (a)(i) Storage of household or other non-hazardous goods;
 - (ii) Store rooms, bank lockers or safe deposit vaults;
 - (b) Air conditioning equipment / AHU and other machines used for services and utilities of the building;
 - (c) Parking spaces;

(d) DG set, meter room and Electric substation (which will conform to specified safety requirements);

(e) Effluent Treatment Plant, suction tank, pump room; Sewage Treatment Plant (STP);

(f) MRI & X-Ray rooms;

(g) Shops and offices, recording studio;

(h) Commercial user

(i) Sanitary facility

(j) Play area for school

Provided that the uses mentioned at (a),(f),(g),(h)& (j)above shall be permitted in the 1st basement only by counting in FSI subject to compliance of requirements of habitable rooms the following conditions:

(k) Laundry Room, Boiler Room & Water Treatment Plant Room for Hotel, Hospital Building & Hostel Building.

➤ Radiation Rooms for treatment of cancer patients.

➤ Water Treatment Plan

Provided that the uses mentioned at a,f,g,h,j & k above shall be permitted free of FSI in the 1st basement only upto 50% of the user strictly to the principle user on ground floor.

i) All requirements regarding access, safety (including fire safety), ventilation, etc. shall be complied with.

ii) All the planning standards (particularly as regarding parking) should be strictly adhered to.

(v) Other Requirements-Every basement shall meet the following specifications:

(a) The ceiling of an upper basement shall be at least 0.6 m and not more than 1.2 m above the average surrounding ground level within the building line & may be flush with the average surrounding ground level beyond building line, Provided further that the height of basement above average surrounding ground level within building line may be reduced up to 0.15 m case of stilt and 0.30 m in case ground floor, when basement beyond building line is flush with average surrounding ground level, subject to provision of artificial light and ventilation.

(b) Adequate arrangements shall be made to ensure that surface drainage does not enter the basement.

(c) The walls and floors of the basement shall be water-tight and the effect of the surrounding soil and moisture, if any, should be taken into account in design and adequate damp-proofing treatment shall be given.

(d) Any access to the basement through a staircase or pedestrian ramp shall meet requirements of clause (18) of this Regulation. Open ramps may be permitted in the

open spaces except in the front open space within plot boundary, subject to (b) above and the fire protection requirements.

- (e) Any access to the basement through vehicular ramps shall meet the requirements of item, (ii) of clause (18) of this Regulation.

(10) **Cabin:** Where cabins are provided, a clear passage not less than 0.9 m wide will be maintained. The size of a cabin shall not be less than 3 sq. m and the distance from the farthest space of cabin to the nearest exit shall not be more than 18.5 m. If the cabin does not derive direct light and ventilation from any open spaces/mechanical means, its maximum height shall be 2.2 m.

(11) **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 office room shall be in accordance with Regulation 31.

(12)(a) **Letter Box Room:** A separate letter box room of appropriate dimensions shall be provided on the ground floor /stilt floor/over podium or any other convenient location in residential, commercial and industrial occupancy in each wing.

(13) **Electric Meter/Service Utility Room:** An independent and ventilated Electric meter/Service utility room directly accessible from the outside common areas shall be provided Free of FSI on ground floor and/or on upper floors/Podium/Parking floor and in the first basement floor with proper ventilation, according to the requirements of the electric supply undertaking. The door to the room shall have fire resistance of not less than two hours.

(13)(a) Diesel Generator Set (D.G. Set) Room: Provision for diesel generator set will be allowed on parking floors, stilt floor, service floor free of FSI. In no case it can be permitted within the required marginal open spaces of side 1 of the building. Also in no case it will be permitted on habitable floor or abutting the habitable premises of the building.

(14) **Refuse Chute/Garbage Chute:** In all residential buildings, refuse chutes/garbage chute may be provided with openings on each floor or on mid-landing. Design and specifications of refuse chutes shall be in accordance with provisions of IS 6924.

(15) **Corridor:** The minimum width of a common corridor shall be as shown in Table No 16 hereunder. Provided that any corridor identified as an exit (vide Regulations shall also conform the requirements therein.

(16) **Door:** Doors shall conform to the under mentioned provisions, In addition, in order to satisfy fire-fighting requirements, any doorway identified as an exit shall conform to the requirements stipulated in Regulation 47,

(i) **Width-** A door shall be at least 0.9 m wide, except that doors to bathrooms, water-closets or stores may at least be 0.7 m wide.

(ii) **Height-** The minimum height of a doorway shall be 2 m.

(17) **Stairway:** Stairways shall conform to the following provisions in addition to items (i) to (ix) below. In addition, in order to satisfy fire-fighting requirements, any stairway identified as an exit stairway shall conform to the requirements stipulated in Regulation 47

(i) *Width*- The minimum width of a staircase other than a fire escape shall be as given in Table No 16 hereunder.

Table No: 16

Minimum width of common Stairways/Corridors for various occupancies.

Sr. No.	Type of Occupancy	Minimum width of stairway/corridor (in meters) for buildings up to 70.00 m height	Minimum width of stair- way/corridor (in meters) for buildings more than 70.00 m height
1	Residential buildings-		
	(a) General	1.20	1.50
	(b) Row housing (2 storeyed) or internal staircase in duplex flat	0.75	-
	(c) Hotels	1.50	2.0
2	Educational buildings		
	(a) Up to 32 m high	1.50	-
	(b) Over 32 m high	2.0	-
3	Institutional buildings	1.50	2.0
4	Assembly buildings	2.0	2.0
5	Mercantile storage, hazardous Buildings	1.50	2.0
6	Industrial Bldg.	<u>2.00</u>	

Note:

Width of stairways or corridor in case of 1(b) above shall be limited to 1.20 m.

(ii) *Flight*- No flight shall contain more than 12 risers, but in residential buildings, in narrow plots a single flight staircase may be permitted.

(iii) *Risers*- The maximum height of a riser shall be 17.50 cm in any occupancy. However, on an internal stairway within a dwelling unit a riser may be 25 cm high.

(iv) *Treads*- The minimum width of the tread without nosing shall be 25cm for staircases of a residential building, other than fire escapes. In other occupancies, the minimum width of the tread shall be 30cm It shall have a non-slippery finish.

(v) *Head-room*- The minimum head-room in a passage under the landing of a staircase and under the staircase shall be 2.2m.

(vi) *Floor Indicator*- The number of each floor shall be conspicuously painted in figures at least 15cm large on the wall facing the flights of a stairway or at such suitable place as is distinctly visible from the flights.

(vii) *Hand rail*- Handrails with a minimum height of 0.9m from the center of the treads shall be provided.

(viii) Except for the row houses or for the internal staircase of a duplex tenement, no staircase shall be made of wooden or other combustible material.

(ix) Corridors and Stairway side identified as fire exits shall conform to other relevant provisions of National Building Code.

(18) Ramps:

(i) Ramps for pedestrians-

(a) **General:** The provision applicable to stairways shall generally apply to ramps. A ramp in a hospital shall not be less than 2.25 m wide. In addition, to satisfy the fire-fighting requirements, a ramp shall conform to sub-regulation (7) of Regulation 48

(b) **Slope:** A ramp shall have a slope of not more than 1 in 128. It shall be of non-slippery material.

a) **Handrail-** A handrail shall be provided on both the sides of the ramp with minimum height of 0.90 m above the surface of the ramp.

b) For every 9 m of ramp length, a landing of 1.5 m shall be provided

c) Landing of minimum 1.5 m length shall be provided at every entry & exit of ramp.

(ii) **Ramps for basement, podium or multi-storeyed parking-** For parking spaces in a basement and upper floors, ramps of adequate width as tabulated below and adequate slope shall be provided preferably at the opposite ends. Such ramps may be permitted in the side and rear marginal open spaces after leaving sufficient space for movement of fire-fighting vehicles subject to the provision of sub-regulation (7) of Regulation 48. Provided that, when a building abuts 3 or more roads, then ramps shall be allowed in front marginal open space facing the road having least width. Alternatively, for ingress & egress of vehicles minimum two numbers of car lifts for vehicles up to 200 parking and one additional car lift for every 100 parking beyond 200 parking or part thereof shall be provided.

Sr. No	Type of Vehicle	Clear width of Ramp in meters(m)	
		One Way Ramp	Two Way Ramp without central divider
i	Light Motor Vehicle (LMV)	3.00	6.00
ii	Medium Commercial Vehicle (MCV)	3.50	7.00
iii	Heavy Motor Vehicle (HMV)	4.50	9.00

Note-

a) In case of two way ramp with dividers, each carriageway will be considered as one way ramp.

b) At turnings, width of ramp mentioned above shall be enhanced/increased for smooth maneuvering as per the sketch of Annexure 23 appended herewith.

c) The gradient of the ramp shall not be more than 1 in 10 1:8.

d) ~~Separate provision for ingress & egress shall be made.~~ As far as possible separate provision for ingress & egress may be proposed. However, this provision may be relaxed with NOC form CFO

(19) Lifts: Lifts shall conform to the provisions given below and to the provisions of sub-regulation (2) of Regulation 50.

(i) At least one lift shall be provided in every building more than 16m in height. In case of buildings more than 24m-32m high at least two lifts shall be provided in order to serve each dwelling unit. One of these lifts shall be fire lift & shall be in conformity with

the fire safety regulations. It shall be ensured that at least one lift must serve access to the lowest level of basement & may also extend up to terrace floor except in areas where civil aviation and other restrictions operate.

(ii) *Other requirements.-*

- a. The number, type and capacity of lift shall satisfy the requirements of part 8, Sec.5, and those of Installation of Lifts and Escalators National Building Code of India and modified provision thereof from time to time.
- b. At ground floor level, a grounding switch shall be provided to enable grounding the lift cars in an emergency.
- c. The lift machine room shall be separate and no machinery other than required for the lift shall be installed therein.
- d. The number of each floor shall be conspicuously painted in figures at least 15cm. large on the wall opposite the lift/lifts opening or on other suitable surface so as to be distinctly visible from the lift cage.
- e. In high rise residential buildings having height more than 70m, one of the lifts installed shall be a freight lift. The freight lift will be designed in such a way that it shall serve as stretcher lift also.
- f. A new lift with passage thereto in an existing building with height up to 16m may be permitted with the permission of the Commissioner.

(20) **Porch:** A porch, if any, shall be at least 1.5 m clear of the plot boundary, shall have a level difference of 0.3 m in relation to the level of the floor; the area of a porch up to 5.5 m in length (parallel to the main building) shall not be counted towards FSI. A parapet wall 0.23 m in height is permissible over a porch. The Commissioner may permit larger porches for mercantile, institutional, IT, Mall, Commercial, hotel and public buildings and residential building

The area of a porch up to 7.5 m in length (parallel to the main building) shall not be counted towards FSI

The Commissioner may permit larger porches for all types of buildings.

(21) **Canopy:** A cantilevered and un-enclosed canopy with level difference of 0.3 m in relation to the floor level may be permitted over each entrance and staircase, if a clear distance of at least 1.5 m is maintained between the plot boundary and the outer edge of the canopy. The minimum clear height of the canopy shall be 2.2 m. The Commissioner may permit larger canopies for mercantile, institutional, IT, Mall, Commercial, hotel and public buildings and residential building.

The area of a canopy up to 7.5 m in length (parallel to the main building) shall not be counted towards FSI

The Commissioner may permit larger canopies for all types of buildings.

(22) **Balcony:** Balconies may be permitted at each floor.

No balcony shall reduce the minimum marginal open space to less than 3 m at the rear and sides and 1.5m in the front. The width of the balcony will be measured

perpendicular to the building line and reckoned from that line to the balcony's outermost edge. The enclosed balcony will be considered as part of room.

The balconies in existing residential buildings may be enclosed on payment of Balcony enclosure fee as decided by the Commissioner from time to time.

(23) Roof:

(i) Effective drainage of rain water- The roof of a building shall be so constructed or framed as to permit effective drainage of the rain water therefrom by means of rain water pipes at the scale of at least one pipe of 10cm diameter for every 40 sq. m of roof area. Such pipes shall be so arranged, jointed and fixed as to ensure that the rain water is carried away efficiently.

(ii) Rain water pipes shall be connected to Rain Water Harvesting system, if required to be provided under these Regulations or to a drain through a covered channel formed beneath the public footpath to connect the rain water pipes to the road side storm water drain or in any other approved manner.

(iii) Manner of fixing rain water pipes- Rain water pipes shall be affixed to the outside of the walls of the building or in recesses or chases cut or formed in such walls or in such any other manner as may be approved by the Commissioner.

(24) Common Terraces: Common Terraces shall not be sub-divided and shall be accessible by a common staircases/lift. The terraces may be used for additional recreational green area over and above the mandatory ROS requirement under these Regulations, provided that the terrace shall be designed and made impervious considering recreational green area. The terraces will also serve as community open spaces for the occupants of the building. Overhang of terrace to the extent of 1.20 m beyond building line subject to requirement of open spaces as per Regulation no 42(e) & 42(f) may be allowed from elevation point of view.

Provided further that completely commercial buildings including buildings of residential hotels, terraces may be permitted to be used as restaurant. No construction whatsoever, temporary or permanent, except service platform & toilet block, shall be permissible.

(25) Parapet: Parapet walls and hand-rails provided on the edges of the roof terrace, balcony, etc. shall not be less than 1.15m from the finished floor level and shall not more than ~~1.30m~~ 1.80 in height above the finished floor level. Parapet wall having height more than ~~1.30~~ 1.80-m may be allowed on top most common terrace level with the approval of commissioner. For the height of building beyond 32 m & up to 70 m parapet wall of height ~~2.4~~ 2.4 m, for the building height beyond 70 m parapet wall with height up to 5 m with 60% voids in surface area beyond height of 1.30 m only on two sides of common terrace may be allowed.

(26) Boundary wall and main entrance:

(i) Boundary wall-

(a) Except with the permission of the Commissioner, the maximum height of a boundary wall shall be ~~2.0~~ 2.4m above the surrounding ground level of plot. A boundary wall ~~up to~~ more than 2.4 m height may be permitted if the top 0.9m is of open type construction, to facilitate through vision.

(b) At a corner plot, the height of the boundary wall shall be restricted to 0.75m for a length of 10m on the front and side of the inter-section and the balance height of 0.75m if required in accordance with (i) above may be made up of open type construction (through railings).

(c) The provisions of (a) and (b) above will not apply to the boundary walls of correction facilities (jails/prison/remand home).

(d) In case of electric sub-stations, transformer stations, institutional buildings like sanatoria, hospitals, educational buildings like schools, colleges, including hostels, industrial buildings and other uses of public utility undertakings, a height up to 2.4m may be permitted ~~by the Commissioner~~

(e) In case a boundary wall around a POS such as Play Ground, is contemplated, the height of Boundary shall not be preferably higher than 0.45 m & shall have width of 0.45 m or wider (in any case the height of boundary wall shall not exceed 1.50 m or as per the requirements of Commissioner) with smooth top finish which can be comfortable for sitting purpose. However, for Gardens & Parks boundary wall up to 1.5 m height may be permitted if the top 0.9 m is of open type construction, to facilitate through vision.

(ii) *Main Entrance*-The main entrance to a plot accommodating a high rise or a special building shall be at least 4.5m wide and shall be so designed as not to obstruct easy movement of a fire-engine or truck. The entrance gate to it shall open inside and fold back against the compound wall.

Provided further that ornamental entrance gate with the height not less than 4.5 or as required for movement of fire Engine shall be permissible.

(27) Bore well/Tube well/Open well:

(a) May be constructed with the locational approval from the Hydraulic Engineering Department of MCGM.

(b) The construction shall be as per the provision of State Ground Water Survey Department.

(28) Overhead Tanks: Every overhead water storage tank shall be maintained in proper hygienic condition. The distance between terrace & soffit of the overhead water tank shall not exceed 1.5 m. The construction of the water storage tanks shall be as per the guidelines issued by Hydraulic Engineering Department of MCGM.

(29) Septic Tanks-Location and sub-soil dispersion: A sub-soil dispersion system shall not be closer than 12m to any source of drinking water such as a well, to mitigate the possibility of bacterial pollution of water supply. It shall not be closer than 3 m from Tube well/Bore well. It shall also be as far removed from the nearest habitable building as economically feasible but not closer than 2 m to avoid damage to the structure.

The construction of septic tank shall be carried out as per the relevant provisions of IS Code 2470-1985 Part I & II.

(30) Yogalaya or Fitness Centre: In every residential building / wing, either existing or constructed or proposed to be constructed for the use of existing or proposed Co-Operative Housing Society or an Apartment Owners Association, a Yogalaya or Fitness Centre / enclosed swimming pool including toilet facilities will be permitted at one or more place/s subject to following conditions:

i. The application for the proposed Yogalaya or Fitness Centre shall be made by the Registered Co-Operative Housing Society/Apartment Owners Association of the buildings that has been issued the occupation certificate/BCC. The owner/developer may make an application for proposed Yogalaya or Fitness Centre with registered undertaking stating that constructed Yogalaya or Fitness Centre shall be handed over to proposed Co-Operative Housing Society/Apartment Owners Association; and in turn shall ensure the handing over on completion.

ii) The area of such center / enclosed swimming pool shall be allowed free of FSI equivalent to 2(two) percent of the total BUA for every building / wing subject to a condition that, it shall not be less than 20 sq. m and not more than 200 sq. m per building

/ wing at one place. Any additional BUA, in excess of this limit would be counted towards FSI.

iii. The center shall not be used for any purpose other than for fitness centre activities.

iv. The Yogalaya or Fitness Centre activities shall be exclusively confined for to the members of the concerned housing society or an Apartment Owners Association.

v. The ownership of the premises of the Yogalaya or Fitness Centre shall vest only with the concerned society or the apartment owners association as the case may be.

vi. In case of larger layout where there is existing/proposed Club House in layout RG under Regulation 27 of these regulations, then the Yogalaya or Fitness Centre in the individual building shall not be permissible free of FSI

(31) Special Provisions for Institutional, Assembly, Business or Mercantile and Industrial Buildings: A Crèche of minimum 40 sq. m BUA shall be provided for Institutional, Assembly, Business or Mercantile Building where total number of employees is 1000 or more.

(32) Parking floor: The parking floors above ground/stilt floor within or beyond building line, for the provision of parking, accessible either by ramp or by minimum two car lift up to 200 parking and one additional car lift for every 100 parking beyond 200 parking or part thereof. The height of the parking floor shall not be more than 2.4m below soffit of the beam & maximum height of the floor permitted in this regulation below soffit of slab. In case of mechanical parking more height as per the requirement may be allowed.

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(33) Podium: A podium may be permitted in plot area measuring 1000 sq.m or more. The podium provided with ramp may be permitted in one or more level, total height not exceeding 32 m above ground level.

Suggestion

➤ A podium may be permitted in plot area measuring 500 sq.m or more.

Podium not provided with ramp but provided with car lifts may be allowed subject to minimum two numbers, for vehicles up to 200 parking and one additional car lift for every 100 parking beyond 200 parking or part thereof.

The podium shall be used for the parking of vehicles, provision of DG set, and substation as per requirement of electric supply company. Further, drivers' room, toilet block, society office, Air Handling Unit (AHU) and Yogalaya or Fitness Centre or swimming pool at one or more place/s may also be permitted without affecting recreational area if provided and if other requirements of these Regulations are fulfilled.

The ROS as laid down under Regulation No 27, may be provided as per note therein. The additional ROS, if any, may be provided on the podium.

Podium may be allowed to be constructed beyond building line in the required front open space under the provisions of these Regulations provided clear distance of 3.0 m between plot boundary/edge of road and podium line is maintained.

Such podium may be extended beyond the building line in consonance with provisions of DC Regulation 47(1) on one side whereas on other side and rear side marginal open

spaces from the edge of the podium, it shall not be less than 1.5 m from the plot boundary.

Area of drivers' sanitary block shall be provided on podium used for parking at the rate of 1 toilet and urinal for every 100 cars or 2000 sq.mtr. built-up area. The drivers' rest room shall be provided on podium used for parking at the rate of 1 room of 15 sq.mtr. for 100 cars and above free of F.S.I.

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Ramps may be provided in accordance with DC Regulation 37(18).

(34) Service Floor: A service floor of height not exceeding 1.8 2.1m below beam may be provided in a building exclusively for provision/diversion of services. Provided further that a service floor with height exceeding 1.8 2.1m may be allowed in a building of medical use star category hotels, institutional buildings or in building having height more than 70 m with the special permission of Commissioner with reasons recorded in writing.

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34(a) Fire Check Floors:

A high rise building having height more than 70.00 M, shall be provided with fire check floor (entire floor) at every 70.00 M level. Height of the fire check floor shall not be more than 2.10 M. The fire check floor shall not be used for any purpose and it shall be the responsibility of the owner / occupier to maintain the same clean and free of encumbrances and encroachments at all times. Periphery of the Fire Check floor shall not be enclosed. Fire drenchers shall be provided at the periphery of each fire check floor externally.

(35) Helipad: A helipad may be allowed on the rooftop of the building having height more than 200 m or at a suitable location subject to;

- (i) prior permission from Director General of Civil Aviation(DGCA) as per the guide lines issued by Ministry of Civil Aviation,
- (ii) prior permission from Ministry of Defence and Government of Maharashtra,
- (iii) structural stability certificate from the registered Structural Engineer,
- (iv) provision for firefighting as prescribed by DGCA/CFO,
- (v) unrestricted access as required by MCGM/any Government agencies in case of emergency and submission of registered undertaking to that effect.

38. Special Design Requirement For

(I) Educational Building:

(1) In addition to the class-rooms and other areas, every educational building shall be provided with -

- (a) a tiffin room with a minimum area of 18 sq. m for every 800 students or part thereof;
- (b) a separate tiffin room for teachers where strength of students exceeds 1000;
- (c) a room Space with drinking water facilities for every 300 students or part thereof on each of the floors.

These requirements may be amended by the Commissioner in consultation with the Education Department of the State Government.

(2) Play Ground-

(a) In case of educational development by Educational Institution on their vacant land, at least 40% of the plot area at one place (inclusive of recreational area as required under Regulation No 27) shall be provided mandatorily for Play Ground. However as per these Regulations, for the educational purpose if additional FSI is due, then while allowing said due FSI, it is not necessary to increase the area of Play Ground.

In case of educational development by Educational Institution on their vacant land, at least ~~40~~ 30% of the plot area at one place (inclusive of recreational area as required under Regulation No 27) shall be provided mandatorily for Play Ground. ~~The same may be provided below the stilt, podium or on the terrace free of FSI, as well as in one side and rear open space~~ However as per these Regulations, for the educational purpose if additional FSI is due, then while allowing said due FSI, it is not necessary to increase the area of Play Ground.

(b) In case of educational development by Educational Institution on their land, if additional FSI is due and if the existing open area is less than ~~40~~ 30% of the plot area, additional FSI can be sanctioned as per these regulations without reducing the open area further and without increasing the plinth coverage area, by ensuring structural stability of the existing building. Further where existing open area is more than ~~40~~ 30%, then minimum ~~40~~ 30% of plot area shall be maintained as open area (inclusive of recreational area as required under Regulation No 27) while allowing additional FSI as per these Regulations.

Note- 1) The permissible FSI shall be on the entire plot.

2) If existing Municipal Play Ground/POS is abutting to the plot of Educational Institute, or may be across the road then the provision of ~~40~~ 30% of play area within plot of Educational Institution may not be insisted upon if the combined play area available is at least ~~40~~ 30% of plot area. Provided further, if ownership of Play Ground/POS having area at least ~~40~~ 30% of area abutting to the plot of Educational Institute is vesting with the Educational Institution, then the provision of ~~40~~ 30% of play area within plot of Educational Institution may not be insisted upon.

(II) Building for Medical use-

For Hospital, Maternity Homes and Health Centre, Sanatorium, Multi-Specialty Hospitals:

- a) minimum area of general wards shall be 40sq.m with no side less than 5.5 m;
- b) the basic requirements for building put to medical use shall conform to IS 12433:2001

(III) Public Building-

A Crèche shall be provided as per the Regulation no 37(31)

39. Special Regulations for Differently abled persons

Differently Abled People

As per the provisions of the Persons with Disabilities Act, 1995, seven categories of disabilities have been identified viz., blindness, low vision, leprosy cured, hearing impairment, loco motor disability, mental retardation and mental illness. Persons falling under the above categories with a minimum of 40% disability are covered under Differently Abled People. The provisions made under Differently Abled People are also applicable to elderly, pregnant women and mothers with small children on prams.

1 Scope:

These bye laws are applicable to all existing and proposed public buildings & facilities having BUA more than 2000 sq. m.

In case of proposed residential buildings and public buildings/facilities having BUA less than 2000 sq. m the access path and walkways up to lift/staircase on ground level/stilt/podium from drop off zone shall be provided for differently abled persons.

2. Site Development:

Level of the roads, access paths and parking areas shall be described in the plan along with specification of the materials.

2.1 Access path/walk way-

Access path from plot entry and surface parking to building entrance shall be of minimum 1.5 m width having even surface without any slope. Slope if any shall not have gradient greater than 1 in 20. Finishes shall have a nonskid surface with a texture traversable by a wheel chair. Where transfer has to be made from a vehicular surface to a pedestrian surface, the driveway and the pavement or footway surfaces shall be blended to a common level or ramp. Kerb Ramps shall be preferably provided.

(A) Kerb Ramps

Provision and Location	Kerb Ramps are to be provided where the vertical rise is less than 0.15m, located or protected to prevent obstruction by parked vehicles and should be free from any obstruction such as signposts, traffic lights, etc.
Dimensions and slopes	The gradient of a kerb ramp should not be steeper than 1:12, the flared sides should not be more than 1:10 and width should not be less than 0.9 m.
Design and Finish	A slip-resistant surface, should be designed not to allow water accumulating on the walking surface, should not project onto the road surface

B) Drop-off Zone

Provision & Location	Drop-off zones if provided should be at the same grade as the driveway
Dimensions	□ Min width of drop-off zone 1.5 m, and min length 4.5 m. □ Change in level between the drop-off and the plinth should be through a ramp of maximum gradient 1:12
Design & Finish	The surface of the drop-off zone should be finished with a non-skid material

C) Access Path:

Provision & Location	● At least one continuous unobstructed accessible route or accessible path of travel shall be provided which connects all accessible elements and spaces in a building or facility for Differently Abled individuals.

	• An accessible route shall be provided from public transportation stops, accessible parking, passenger loading zones and public streets or sidewalks to the accessible building entrances and lifts served. • Directional signs bearing the symbol shall be displayed at all other non-accessible entrances to direct to the accessible entrance. • The access path should have an even surface without any slope.
Dimensions	Access path from plot entry and surface parking to building entrance shall be of minimum 1.5 m width and for a two way traffic, it should be 1.8 m wide.
Slope	• Slope if any shall not have gradient greater than 1 in 20. • Such access shall be free from protrusion, hazards, steps, kerbs other than dropper kerbs, doors or doorways which will impede the passage of a wheelchair, or other form of barrier which will prevent access by Differently Abled persons.
Design & Finish	• The surface of an access route shall be firm and non-slippery. • Tactile guiding path is requirement to ensure visually impaired person familiarize with the road and path. It shall be avoided with the vehicular movement.

D) Ramps:

Provision and Location	• When the horizontal run of the approach ramp exceed 9 m length, an alternative stepped approach (Refer Staircases section) is to be provided in addition to the ramp approach. • Where there is a large change in elevation that requires multiple ramps and landing combinations, other solutions such as elevators should be considered.
Design and Finish	• Single row of tactile warning blocks should be placed at beginning and end of each ramp at also at beginning and end of each run. • Ramps and landing surfaces should be slip resistant.

Dimensions

Level Difference	Minimum gradient	Ramp Width	Comments
≥ 0.15 m < 0.30 m	~~1:12~~ 1:10	1.2 m	
≥ 0.30 m < 0.75 m	~~1:12~~ 1:10	1.5 m	Landing every 5 m of ramp run
≥ 0.75 m < 3.0 m	~~1:12~~ 1:10	1.8 m	Landing every 9 m of ramp run
≥ 3.0 m	~~1:12~~ 1:10	1.8 m	Landing every 9 m of ramp run

2.2 Parking- For parking of vehicles by Differently abled individuals, the following provisions shall be made:

- a) Minimum two surface parking spaces for the first 100 parking spaces and one parking space for next 200 parking spaces or part thereof shall be provided near entrance for the Differently abled persons with maximum travel distance of 30 m from building entrance.
- b) The width of parking bay shall be minimum 3.6 m.
- c) The information stating that the space is reserved for wheel chair users shall be conspicuously displayed.
- d) Indication/directional signage along driveway showing the way leading to the parking spaces reserved for Differently abled persons should be provided

3. Building Requirements:

The specified facilities for the buildings for Differently abled persons shall be as follows:

1. Approach to plinth level.
2. Corridor connecting the entrance/exit for the Differently abled persons.
3. Stairways.
4. Lift.
5. Toilet.
6. Drinking Water.

3.1 Approach to Plinth Level- Every building shall have at least one entrance accessible to the Differently abled persons and shall be indicated by proper signage. This entrance shall be approached through a ramp together with the stepped entry.

3.1.1 Ramped Approach- Ramp to enter the building shall be finished with non-skid material. Minimum width of ramp shall be 1.5 m with maximum gradient 1:12. Length of ramp shall not exceed 9.0 m having 0.9 m high hand rail on both sides extending 0.3 m beyond top and bottom of the ramp. Minimum gap from the adjacent wall to the hand rail shall be 0.050 m.

3.1.2 Stepped Approach- For stepped approach size of tread shall not be less than 0.3 m and maximum riser shall be 0.15 m with provision of 0.9 m high hand rail on both sides of the stepped approach similar to the ramped approach.

3.1.3 Exit/Entrance Door: -The details shall be as under:-

Provision & Location	Publicly accessible buildings should preferably have automatic/self-closing doors, instead of manual doors. Manual doors should be easy and light in operation. Revolving doors should be avoided, but, in cases where a revolving door is the single means of entry, adequate space to accommodate wheelchair users should be provided.

Dimensions	a. The minimum clear opening of doorways shall be 0.9 m measured between the face of the door and the face of the doorstep with the door open at 90° as illustrated in Sketch No 1 in Annexure 23 b. Thresholds of doorways should not exceed 12 mm. Raised threshold and floor level changes at doorways should be leveled off with a slope on each side of threshold. c. Manual doors should incorporate kick plates 0.3 m-0.4 m high to withstand impact of wheelchair footrest (this is especially important where doors are glazed). d. All doors opening outwards (into a circulation space) should be fitted with vision panels between 0.9 m and 1.5 m from finished floor level. e. The doorway of a one-way swing door shall have maneuvering spaces on both sides for wheelchairs and the following clear spaces shall be provided adjacent to the leading edge of the door as illustrated in Sketch No 2 in Annexure 23 ➤ On Pull Side-Minimum space of 0.6 m ➤ On Push Side-Minimum Space of 0.3 m Where two-way swing doors or sliding doors are used, a minimum space of 0.3 m adjacent to the leading edge of the door shall be provided on each side of the door. f. If frameless doors are used, it shall be prominently marked so as to make it visible.
	g. Double action self-closing door shall have a check mechanism to prevent the door swinging beyond closed position

3.1.4 Entrance Landing- Entrance landing shall be provided adjacent to ramp with the minimum dimension 1.8 m x 2.0 m. It shall have a non-skid surface with a texture traversable by a wheel chair. Kerbs wherever provided should blend to a common level.

3.2 Corridor Connecting the Entrance/Exit for the Differently abled persons - The corridor connecting the outdoors to a place where information concerning the overall use of the specified building can be provided to visually impaired persons either by a person or by signs, shall be provided as follows:

- a) The minimum width shall be 1.5 m
- b) In case there is a difference of level, slope ways shall be provided with a slope of 1:12.
- c) Hand rails shall be provided for ramps/slope ways.
- d) No appliances, fixtures and fittings shall project beyond 90 mm from the surface of any wall in corridors, paths and lobbies below a level of 2000mm above the finished floor level unless they are unavoidable, in which case they shall also be extended downwards to the finished floor level or guided by tactile flowing materials.
- e) To facilitate the way-finding for persons with visual impairment, surfaces and finishes with luminous contrast between the wall and the ceiling, and between the wall and the floor should be adopted. Appropriate lighting design with adequate illumination should be considered.
- f) All corridors should have non slippery-resistant surfaces.
- g) A minimum luminous contrast of 30% should clearly define between wall, floor and door surfaces.

3.3 Stair Ways- One of the stair-ways near the entrance/exit for the Differently abled persons shall have the following provisions:

- a) The minimum width shall be 1.5 m.
- b) Height of the riser shall not be more than 0.15 m and width of the tread 0.3 m. The steps shall not have abrupt (square) nosing.
- c) Maximum number of risers on a flight shall be limited to 12.
- d) Hand rails shall be provided on both sides and shall extend 0.3 m on both sides and shall extend 0.3 m on the top and bottom of each flight of steps.
- e) The minimum clear headroom in pedestrian area such as walkways, halls, corridors, passageways or aisles shall be 2.2 m.
- f) A detectable guardrail or other barrier having its leading edge at or below 0.580 m from the floor level shall be provided where the head room of an area adjoining an accessible route is reduced to less than 2.2 m as shown in the Sketch No 3 in Annexure 23
- g) The provision of Braille and high luminous contrast signs is recommended along with tactile guiding path

3.4 Lifts- Wherever lift is required as per bye-laws, provision of at least one lift shall be made for the wheel chair user with the following cage dimensions:

Clear internal depth: 1.2 m

Clear internal width: 1.4 m

Entrance door width: 0.9 m

- a) A hand rail not less than 0.6 m long at 1.0 m above floor level shall be fixed adjacent to the control panel. Also, switch control /call button shall be at an operating height of 0.9 m to 1.2 m.
- b) The lift lobby shall be of an inside measurement of 1.8 m x 1.8 m or more.
- c) The time of an automatically closing door should be minimum 5 second and the closing speed should not exceed 0.25 m/sec.
- d) The interior of the cage shall be provided with a device that audibly indicates the floor the cage has reached and indicates that the door of the cage for entrance/exit is either open or closed.
- e) The gap between the lift floor and floor landing shall not be more than 12 mm.
- f) Grab bars shall be placed on all three internal sides of the lift car at a height of 0.9 m from the finished floor level. Grab bars shall not have a gap of wider than 0.15 m at the corners as shown in the Sketch No 4 in Annexure 23.
- g) Audio announcement system in lift shall be provided

3.5 Toilets- One special W.C. in a set of toilet with non-skid surface shall be provided for the use by the Differently abled persons with essential provision of wash basin near the entrance:-

- a) The minimum size shall be 1.5 m x 1.75 m
- b) Minimum clear opening of the door shall be 0.9 m and the door shall swing out.
- c) Suitable arrangement of vertical/horizontal handrails with 50 mm clearance from wall shall be made in the toilet.
- d) The WC seat shall be 0.5 m from the floor. The flushing control shall be mounted on the wide side of the cubicle at a height from 0.6 m to 1.05 m above the finished floor level.
- e) The wash basin shall be mounted with the rim not higher than 0.75 m above the finished floor level. A clearance of 0.55 m shall be maintained from the finished floor level to the bottom of the apron.
- f) Two horizontal grab rails not less than 0.35 m to 0.50 m shall be provided on the rear side and on other side (different side from the one with wash basin). Drop

down vertical grab bars shall be provided on both sides of WC. Grab bars shall have 50 mm clearance from the wall. The grip space shall be 0.30 m clear of mounting wall. One folding grab rail on the wide side of the cubicle adjacent to the WC at a height from 0.725 m to 0.75 m above the finished floor level when lowered from the wall.

- g) If more than one urinal is provided, at least one urinal shall have a clear leveled space of not less than 0.80 m wide x 1.5 m deep in front. A vertical grab rail near urinal.
- h) An emergency call bell shall be provided in an accessible WC cubicle.

3.6 Drinking Water- Suitable provision of drinking water shall be made for the Differently abled persons near the special toilet provided for them.

3.7 Designing for Children- In the buildings, including toilet, meant for the predominant use by children, it will be mandatory to adjust the height of the handrail and other fittings and fixtures, etc. suitably.

3.8 Protruded objects in the common areas or common ways

1. Objects or obstructions, with their leading edges at any height above 0.580 m from the floor level shall not protrude more than 0.1 m in to pedestrian areas as illustrated in Sketch No 5 in Annexure 23.

2. Objects or obstructions, with their leading edges upto a maximum height of 580 mm from the floor level, may protrude more than 0.1 m into pedestrian are as illustrated in Sketch No 5 in Annexure 23.

3. Free standing objects placed between the height of 0.58 m and 2.0 m from the floor level shall have an overhang of not more than 0.3 m as illustrated in Sketch No 6 in Annexure 23.

4. The maximum height of the bottom edge of free standing objects with a space of more than 0.3 m between supports shall be 0.58 m from the floor level as illustrated in Sketch No 6 in Annexure 23.

3.9 Special requirements at public spaces like auditorium and theatre

Provision & Location	a. In cinemas, theaters, concert halls, stadia or other places of public recreation where permanent fixed seating arrangement is provided, a minimum of two wheelchair spaces shall be provided for every 200 seats or less. Additional one wheel chair space shall be provided for every subsequent addition of 200 seats or part thereof accessible seating should be distributed and integrated throughout seating areas of assembly rooms with different vantage points accessible to all persons with disabilities. b. Guideline: All entertainment and assembly areas should be able to cater for and accommodate Differently abled persons using various mobility aids. c. Wheelchair spaces should be an integral part of any eating plan. Efforts must be made to distribute such seating spaces throughout the seating area and in each pricing tier, arranged so as not to obstruct the view of persons who may be seated behind
Dimensions	The wheelchair spaces, each measuring 0.9 m x 1.2 m

	shall be located alongside the fixed seats to enable wheelchair users to sit together with their able bodied or ambulant companion.

3.10 Proper signage

- a) Appropriate identification of specific facilities within a building for the differently abled persons should be done with proper signals.
- b) Visually impaired persons make use of other senses such as hearing and touch to compensate for the lack of vision, whereas visual signals benefit those with hearing disabilities. Signs should be designed and located so that they are easily legible by using suitable letter size (not less than 20 mm high).
- c) For visually impaired persons, information board in brail should be installed on the wall at a suitable height and it should be possible to approach them closely.
- d) Directional signs and tactile guiding path should readily identify and provide a logical sequence from a starting point to a point of destination and a clear indication of return routes to the named exits. Clear indication of the existence of steps or ramps on a route should be provided at both ends of the route
- d) To ensure safe walking, there should not be any protruding sign which creates obstruction in walking.
- e) Public Address System may also be provided in busy public areas.
- f) The symbols/information should be in contrasting colour and properly illuminated because people with limited vision may be able to differentiate amongst primary colours.
- g) International Symbol Mark for wheel chair be installed in a lift, toilet, staircase, parking areas, etc., that have been provided for the differently abled

4.0 Design Guidelines – Streetscapes for Public Street

Road Intersections, Median Refuge, Traffic Signals, Subways & Foot over Bridges

- a. Guide strips should be constructed to indicate the position of pedestrian crossings for the benefit of people with visual impairments and have kerb ramps
- b. Raised Median Refuges are to be cut through and levelled with the street and should have kerb ramps.
- c. A coloured tactile marking strip at least 0.6 m wide should mark the beginning and the end of a traffic island, to guide pedestrian with visual impairments to its location.
- d. Pedestrian traffic lights should be provided with clear audible signals and these acoustic devices should be installed on a pole at the point at the origin of crossing and not at the point of destination
- e. Signages for Foot over bridges and Subways are to be provided.
- f. There should be a provision of slope ramps/lifts at both ends to enable wheelchair accessibility.
- g. Provisions of a sidewalk are to be followed

5.0 Guidelines and Provisions:

For details & additional information/ guidelines reference may be made to following

1. The Handbook on Barrier Free and Accessibility”, (2014), Central Public Works Department, GoI
2. Model Building Bye-Laws, (2016), Town and Country Planning organisation, Ministry of urban Development, GoI.
3. “National Building Code”, amended up to date (2005), Bureau of Indian Standards,
4. “National Policy for Persons with Disabilities”, (2006), Ministry of Social Justice and Empowerment, GoI.

40. Lighting and Ventilation

- (1) *Adequacy and manner of provision*- All parts of any **habitable** room shall be adequately lighted and ventilated. For this purpose every room shall have -
- one or more apertures, excluding doors, with area not less than one-sixth of the floor area of ~~the~~ **habitable** room, with no part of any habitable room being more than ~~7.50~~ **9.00** m away from the source of light and ventilation. However, a staircase shall be deemed to be adequately lighted and ventilated, if it has one or more openings, their area taken together measuring not less than 1 sq. m per landing on the external wall;
 - an opening with a minimum area of 1 sq. m in any habitable room including a kitchen, and 0.3 sq. m with one dimension of 0.3 m for any bathroom, water closet or store/prayer Room;
 - all the walls, containing the openings for light and ventilation fully exposed to an exterior open space either directly or through a balcony not exceeding 2m. in width provided that a room meant for non-residential user shall be considered as adequately lighted and ventilated if its depth from the side abutting the required open space does not exceed ~~12~~ **5**m and in case centrally air-conditioned building may be allowed to be exceeded up to ~~20~~ **25.00** m.

Suggestion

there will be no restrictions on depth.

- (2) *Artificial ventilation shaft*- A bathroom, **kitchen, toilets** water closet, staircase or store/prayer room may abut on the ventilation shaft, the size of which shall not be less than the values given below:

Height of buildings in metres.(m)	Cross-section of ventilation shaft in sq. m	Minimum dimension of one side of shaft in metres (m).
Upto12	~~2.8~~ 3.5	1.2
Upto18	4.0	1.5
Upto24	5.4	1.8
Upto30	8.0	2.4
Above 30	9.0	3.0

Mechanical ventilation system shall invariably be installed in such ventilation shafts. Further, such ventilation shaft shall be adequately accessible for maintenance. **with service door in external wall or bathrooms, water closets & toilets.**

Suggestion

Height of buildings in mt. (m)	Cross-section of ventilation shaft in sq. m.	Minimum dimension of one side of shaft in meters(m)
Upto 12	1.44	1.2
Upto 18	2.25	1.5
Upto 24	3.24	1.8
Upto 30	3.24	1.8

Above 30	5.76	2.4

NOTE: - In case of Residential, Commercial and Star Category building lesser width of artificial ventilation shaft maybe allowed subject to its approval by M.C.

(3) Artificial Lighting & Mechanical Ventilation- Where lighting and ventilation requirements are not met through day-lighting and natural ventilation, they shall be ensured through artificial lighting and ventilation in accordance with the provisions of Part VIII, Building Service Section I, Lightning and Ventilation, National Building Code.

(4) In any residential hotel where toilets are provided with a mechanical ventilation system, the size of the ventilation shaft prescribed in this Regulation may be suitably relaxed by the Commissioner

41. *Open Spaces within Building Plots/Layout*

(1) (a) *Open spaces separate for each building or wing.*-The open spaces required under these Regulations shall be separate or distinct for each building and where a building has two or more wings, each wing shall not have separate or distinct open spaces as required under these Regulations;

Provided that if one of the wings does not depend for light and ventilation on the open space between the two wings, the said open space shall be the one required for the higher wing or one required for deriving the light and ventilation whichever is higher.

Provided further that even if habitable rooms of both the buildings or wings does derive light and ventilation on the open space between the two wings, the said open space shall be the one required for the higher building.

Provided further that no open space is required to be provided at the side where both the buildings or wings do not derive light or ventilation

Open spaces to be provided for the full consumption of FSI-The open spaces to be left at the sides and rear shall relate to the height necessary to consume the full FSI permissible, for the occupancy in the zone.

(b)*Manner of computing front open space/setback where the street is to be widened*-If the building plot abuts any road which is proposed to be widened under the Development Plan or because of the prescription of regular lines of streets under the Mumbai Municipal Corporation Act, 1888, the front open space /road-side set back shall be measured from the resulting road widening line.

(c) The front open space shall be measured perpendicular to the road line. The open spaces for light and ventilation shall be measured perpendicular to the building line. The open spaces for dead wall shall be measured perpendicular to compound wall.

(2) Side and rear open space in relation to the height of the building for light and ventilation-

(i) Residential and Commercial Zones-

(a) The open spaces on all sides except the front side of a building shall be as follows:

Sr. No.	Ht. of Building (H)	Side & rear marginal open space		Side & rear marginal open space	
		Plot up to 1000 sq. m or where average width/depth of plot is less than 20 m		Plot size 1000 sq. m or more 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/58	3.6 m	Min - 3.6 in case of Residential building & 4.5 m in case of commercial building subject to H/48	3.6 m
2	More than 32 m & up to 70 m	H/58 subject to maximum 12.6 m	6 m	H/48 subject to Maximum 12.6 m	6m
3	More than 70m & up to 120 m	-----		H/48 or 16.12 m Max.	9.6m
4	More than 120 m	-----		20.12 m	9 6m

Note (1) * Averaging of open spaces should be allowed.

(2)* The staircase rooms, lifts and passages in front of staircase and lift etc. shall be allowed in the side setbacks,

- Note (3)** i) Provision of glass facade without construction of dead wall inside the facade shall be treated as side deriving Light & Ventilation.
 ii) In case of residential building Glass façade shall be permissible in the portion, which does not derive light and ventilation.
 iii) In case of High Rise building with height more than 32 m the requirements of Fire Safety as specified in these Regulations/Fire Brigade Authorities shall be fulfilled.

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Provided further that;

1. the open space for separation between any building and a single storeyed accessory building need not exceed 1.5 m
2. the marginal open space(distance)between building and ROS in the same lay-out shall not be less than 3 m.

In respect of tolerated Buildings/ Approved buildings, additional BUA in lieu of the subsequent set back created due to prescription of Regular Line under MMC Act 1888/due to proposed widening of road by Appropriate Authority, after issuance of development permission/Commencement Certificate, may be permitted at upper floors with step-back to make up for deficiencies in the open space in case of new development as required under these Regulations subject to fulfillment of structural requirements or else TDR in lieu of subsequent set back area as provided under these regulations may be allowed

(b) *Step-back at upper level*- The Commissioner may permit smaller step-backs at upper levels and also permit additional floor area up to a limit of 10 sq. m over the permissible FSI to avoid structural difficulties or hardship but so as not to affect adversely the light and ventilation of an adjoining building or part thereof.

(c) *Tower-like structures*- Notwithstanding any provision to the contrary, a tower-like structure may be permitted only with 6 m open space at the ground level and one step-back at the upper levels provided that the total height does not exceed 32m. If it exceeds 32m but does not exceed 70m, the minimum open space at ground level shall be 6 m on rear and one side and 9 m on another side accessible from road. In case of building exceeding the height of 70 m minimum open space at ground level shall be 9 m and two step-back at upper level up to the height of 70 m and for the height more than 70 m and up to 120 m three step-backs and for the height beyond 120 m four step-backs may be allowed. The step-backs shall be provided in such a way that the required open spaces as per the provisions of Regulation No. 41(1)(a), 41(2)(i)(a) & 43(1) are maintained at upper level. The terrace created by the step-back shall be accessible through a common passage and /or common staircase only.

Provided further that such step backs as stated above may also be allowed on one or more sides, and on other sides than the step back, shall have to maintain the regular open spaces as per these regulations.

(ii) Industrial Zone-

- (a) Buildings up to 4 storeys or 16 m in height - The minimum width of the open space around each building shall be 6m.
- (b) Building more than 4 storeys or 16 m in height- The open space dimension prescribed in (a) above shall be increased by at least 0.25m for every 1 m of height or part thereof, above 4 storeys or 16 m.

Provided that no such increase in open spaces is necessary if (i) it is a front margin or (ii) when only store rooms and stairways derive light and ventilation from the open space.

(3) Provisions in marginal open spaces if the height of the building is restricted-

- (a) Notwithstanding the provisions of sub-regulations (2) of this Regulation, the minimum open spaces in plots in residential and commercial zones may be relaxed to the values quoted in Table No 17 below, if the number of storeys are restricted to Ground and one upper floor or Stilt and two upper floors

Table No 17

Provisions in Open Spaces for Plots in Residential and Commercial Zones

Seria I No.	Plot Area (Sq. m.)	Type of Development	Minimum open spaces (in meters)		
(1)	(2)	(3)	(4)		
			Front	Rear	Side
1.	21 and above but less than 30	Row	0.75 (ii)	1.5	.....
2.	30 and above but less than 40	Row	0.75 (ii)	2.25	.....
3.	40 and above but less than 60	Row/Semideta ched	1.00 (ii)	2.25	1.0 (i)
4.	60 and above but less than 125	Row/Semideta ched	1.5	3.0	1.0 (i)
5.	125 and above but less than 250	Row/Semideta ched/Detached	3.0	3.0	1.5 (i)

Explanation to Table No 17:

(i) Such side open space will not be required for row housing, but will be required for semi-detached structure which will have open spaces around the entire structure. Such side open space shall not be reckoned as the main source of light and ventilation for habitable rooms of the structure.

(ii) In plots less than 60 sq. m in area, no front open space need be provided if the means of access serving such plots is at least 3 m in width.

(iii) A row housing scheme developed as a block shall not be more than 45 m in length and the distance separating two such blocks shall not be less than 1.5 m.

(iv) Where the amenity open space is accessible from all the lay-out plots and has no exclusive means of access, the rear marginal open space in plots abutting such amenity open space shall not be less than 3 m

(b) In case of redevelopment in Gaothan/Koliada/Adivasi Pada with the height restricted to 4 storeys or maximum 14 m, the ground coverage of the structure shall not be more than 75% of the plot area and open spaces left at side and rear shall be as to consume the FSI as permissible and not to affect adversely the light and ventilation of adjoining buildings and to provide proper drainage facilities.

(4) Front Set-backs from the Street Line/Plot Boundary and set-backs from the zonal boundary in the different zones shall be as in Table No 18 hereunder.

Table No 18

A. Front set-back from Street Line/Plot Boundary (in meters)

Serial No.	Location of plot	Residential Zone	Commercial Zone	Industrial Zone
1	On express highways or roads wider than 52 m	6.0	6.0	22.5
2	Areas located in -island city -elsewhere	3.0 4.5-3.0	3.04.5 3.04.5	** **
3	Away from road- -island city -elsewhere	4.5-3.0 4.5-3.0	3.04.5 3.04.5	4.5 6.04.5
4	For plots in gaothans/Koliwadass/Adiwasi pada, in suburbs extended suburbs smaller than 250 sq m. i) streets less than 6 m ii)streets 6m and more and less than 9m iii)streets 9m and more	NIL 1 1.5	N.A. N.A. N.A.	N.A. N.A. N.A.
5	On island city roads listed below*	3.04.5	3.04.5	Not Applicable

** Refer to sub-Regulations (2) of this Regulations.

~~*Gopalrao Deshmukh Marg (Pedder Road), Bhulabhai Desai Road, Babasaheb Dahanukar Marg (Carmichael Road), Salebhoy Karim Barodawalla Marg (Altamont Road), Gamadia Road (Walkeshwar Road), Bal Gangadhar Kher Marg (Ridge Road), Laxmibai Jagmohandas Marg (Nepean Sea Road), Nyayamurti Sitaram Patkar Marg (Hughes Road), Chowpatty Sea Face Road, LalaLajpatrai Marg (Hornby Vellard), Dr. Annie Besant Road, Maulana Abdul Kalam Azad Road, Swatantrya Veer Sawarkar Marg (Cadell Road), Senapati Bapat Marg, Dr. Ambedkar Road from Byculla Bridge to Sion Causeway, Rafi Ahmed Kidwai Road.~~

~~NOTE: With the approval of the Corporation, the Commissioner may add, alter or amend this list of roads.~~

B. Segregating distance from Zonal/plot Boundary in Industrial Zones (in meters)

Serial No.	Location of plots	Type of building	Set-back in zones(m)
(1)	(2)	(3)	(4)
1	Island City	Industrial building	6 m
2	Island City	Residential building, if permitted, due to conversion of zone.	9 m
3	Island City	Other permissible non-industrial user if permitted in industrial	(i) 6.00 m up to 32 m in height

		zone.	(ii) For heights more than 32 m, 6.00 plus 0.25m for every meter or part thereof
4	Suburbs, extended suburbs and new reclamation areas at Wadala Salt Pans	Industrial Building- (a) If zone boundary coincides with the boundary of permanent public open space such as P.G. Garden, Park etc.	6m and 22.50 m in case of hazardous building
		(b) Otherwise	~~9~~ 6m and 52.50 m in case of hazardous building
5	Do.	Residential building if permitted due to conversion of zone.	~~9~~ 6m & 52.50 m (For obnoxious or hazardous industries adjacent to residential development.)
6	Do.	Other non-industrial users permitted.	(i) 6m up to 32m in height. (ii) For height more than 32 m, 6m plus 0.25m for every meter or part thereof.

Explanation to Table B-

(i) The minimum segregating distance between different zones shall be the distance as measured from the opposite edge of the road/Nalla/Watercourse (existing or proposed) in which the zone happens to abut.

(ii) These segregating distance from the adjoining plot as stated above shall not be insisted upon where non-industrial development has already been permitted by conversion of zone in the said adjoining plot situated in Industrial zone.

(iii) In the case of residential development and other non-industrial development permitted in the industrial zone, the area within the segregating distance as provided in the Table 18-B shall be planted with trees at the rate of not less than 5 per 100 sq. m of such area.

(5) Provisions in open spaces for plots in Reconstruction/Redevelopment Schemes under the Maharashtra Housing and Area Development Authority Act, 1976, Slum Rehabilitation Authority and Redevelopment Scheme of municipal tenanted properties; in case of DCR 33(5), 33(6), 33(7), 33(9), 33(9A), 33(10), 33(10A), 33(11), 33(15) and 33(20)(A) ~~33(12), 33(22)~~

The following provisions shall only be applicable in case of rehab and composite building. Composite building in Rehab scheme is the building where the rehab component is equal to or more than 50%.

(a) Notwithstanding the provisions contained in sub-Regulations (2) of this Regulation,

(i) for a building up to height 32 m the front open space shall be ~~3.0~~ 1.5m.

(ii) for a building up to height 32 m, side and rear marginal open spaces may be reduced to 3.0 m.

(iii) for a building with height more than 32 m but up to 70 m the side and rear marginal open spaces shall not be less than ~~6~~ 3.6 m and for a building with height more than 70 m the side and rear marginal open spaces shall not be less than ~~9~~ 6 m and ~~12~~ 9 m beyond 120 m subject to fulfillment of fire safety requirement as specified in these Regulations.

(6). Open spaces for various types of buildings-

(a) Educational buildings, hospitals, mental hospitals, maternity homes, house of correction, assembly buildings, mangal karyalaya, markets, stadia, petrol filling and service stations:

A minimum space 6 m wide shall be left open on all sides from the boundaries of the plot.

(b) Cinemas/theatres:

(i) Front open space- A minimum open space ~~12~~ 6m . wide from edge of the road or 37 m from the centre of National Highway/State Highway/Major District road, whichever is more is required.

Provided further that in case the cinema theater is proposed along with other permissible uses in building then open spaces as per requirement of special building will be considered deemed to be sufficient where waiting area for patron is provided within the building

(ii) Side and rear open space- The side and rear marginal distances to be left open shall not be less than 6 m wide.

(c) For high rise and special buildings, the provisions as stipulated in Regulation No. 47(1) shall apply.

(7).Provisions regarding relaxation in open spaces in narrow plots-

(a) Narrow plots in residential and commercial zones, viz those less than 15 m wide or deep will be permitted the relaxation shown in column 3 of Table No 19 hereunder subject to the restrictions in column 4 thereof.

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Table No: 19

Open Space Relaxation in Narrow plots in Residential and Commercial Zones.

Sr. No.	Plot size/dimension	Relaxation	Restrictions on building
(1)	(2)	(3)	(4)
1	Depth less than 20 m	Rear open space may be reduced to 3 m	(i) No room except store-room and staircase derives light and ventilation from reduced open space. (ii) Height not to exceed 32 m
2	Width less than 20 m but more than 15 m	Side open space may be reduced to 3 m	(i) No room except store-room and staircase derives light and ventilation from reduced open space. (ii) Height not to exceed 32 m
3	Depth less than 15 m but more than 9 m	Front open space may be reduced to 3 m and rear open space reduced to 1.8 m	(i) Depth of the building not to exceed 5.5 m (ii) Height not to exceed 32 m.
4	Width less than 11.5 m but more than 9 m	One side open space may be reduced to 3 m and the other side open space may be reduced to 1.8 m	(i) Width of the building not to exceed 5.5m (ii) Height not to exceed 32 m
5	Depth or width less than 11.5 m	Semi-detached structure on adjoining plots with open spaces as at Sr. Nos. 3 or 4 above.	(i) Depth of the building not to exceed 5.5 m (ii) Height not to exceed 32 m

Explanation to Table No 19

1. No dimension of any building in a narrow plot shall exceed 30 m. The relaxation in Table No 19 shall not apply to any narrow plot where in reconstruction/redevelopment scheme under the Maharashtra Housing and Area Development Authority Act, 1976 and Slum Act is undertaken.

2. In areas when the majority of the plots is less than 11.5 m in width or depth, the Commissioner may prescribe building lines in which row houses would be permissible.

(b) Narrow plots in industrial zones, viz. those having one dimension smaller than 16 m will be allowed the relaxation subject to the restrictions in Table No 20 hereunder.

Table No:

Open Space Relaxation in Narrow Plots in Industrial Zones

Sr.No	Relaxation granted in or condition imposed on	Width less than 10.5 m	Depth less than 10.5 m	Width between 10.5 m. upto 12 m	Depth between 10.5 m. upto 12 m	Width between 12m upto 18 m	Depth between 12m upto 18 m
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1	Open space ...	Side	Rear	(i) May	May be	One side	Rear

		open space may be reduced to 1.8 m	open space may be reduced to 1.8 m	be reduced on one side to 4.5 m. (ii)The other side may be reduced to 1.8m	reduced at the rear to not less than 1.8 m	open space may be reduced to 1.8 m	open space may be reduced 1.8 m
2	Building dimensions, etc.- (i) Maximum Width	6 m	30 m	6 m	30 m	6 m	30 m
	(ii) Maximum Depth	30 m	6 m	30 m	6 m	30m	6 m
	(iii)Maximum Height	4.5 m	4.5 m	8 m	8 m	8 m	8 m
	(iv)No. of Storeys	One	One	Two	Two	Two	Two
	(v) Walls	Dead walls 40 cm thick on both sides.	Dead wall 40 cm thick on the rear side.	Dead wall 40 cm thick facing the reduced open space, as in Serial No.(i), (ii)above of this column.	Dead wall 40 cm thick facing the rear side.	Dead wall 40 cm thick facing the reduced open space.	Dead wall 40 cm thick facing the rear side.

(8)Interior open spaces (chowks)-

(a) Inner chowk-Unless it abuts on a front, rear, or side open space, the whole/part of one side of every room other than a habitable room shall abut on an interior open space, courtyard or chowk, whose minimum width shall be 3 m. Such interior space, courtyard or chowk shall be accessible at least on one side at ground floor level through a common passage or space. Further, the inner chowk shall have an area at all its levels of not less than the square of one fifth of the height of the highest wall abutting the chowk:

Provided further that the maximum dimension of an inner chowk may not be insisted more than the required open spaces as stipulated in this regulation.

Provided that when any room (excluding the stairway bay, the bathrooms and water closet) depends for its light and ventilation on an inner chowk, the dimension shall be such as is required for each wing of the building.

(b) *Outer chowk*.- The minimum width of an outer chowk (as distinguished from its depth) shall be 2.4 m, but if the depth exceeds the width, the open space between the wings shall be regulated by Regulation 41(2)(i)(a), when any habitable room depends on light and ventilation on such outer chowk. A recess less than 2.4 m wide shall be ~~treated~~ permissible as a notch and not as a chowk.

(9). *Open spaces to be unencumbered*.- Every open space whether interior or exterior shall be kept free from any erection thereon and shall remain open to the sky except the feature covered by the next Regulation.

42. *Features permitted in open spaces*

Certain features may be permitted in the prescribed open spaces as enumerated below:

(i) **Permitted in the side or rear marginal open spaces:**

(a) Where the facilities in an existing building are inadequate, a sanitary block (i) not exceeding 3 m in height and 4 sq. m in carpet area. (ii) at least 7.5 m from the road line or the front boundary and 1.5 m from other boundaries and (iii) at least 1.5 m away from the main building.

(b) Covered parking spaces at least 7.5 m away from any access road, subject to Regulation No. 44 (6)(d)

(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.

(ii) **Other features permitted in open space:**

(a) A rockery, well and well structures, plant nursery, water pool, or fountain swimming pool (if uncovered and only beyond the required open space as required under these Regulations), platform around a tree, tank, bench, gate, slide, swing, ramp, compound wall without affecting maneuverability of vehicles;

(b) A cantilevered and unenclosed canopy over each entrance and staircase or any part of building not more than 5.5 m long may be permitted as specified in Regulation No 37(21)

(c) An unenclosed porch open on three sides, not more than 5.5 m in length parallel to the main building in front of common entrance only and except rear open space with level difference of 0.3 m in relation to the floor level as specified in Regulation No. 37 (20). No part of such porch shall be less than 1.5 m from the plot boundary.

(d) A balcony may be permitted as specified in Regulation No. 37(22).

(e) (i) A chajja, vertical fins cornice, weather shade,, sun-breaker; at lintel level only and Vertical fins(excluding columns) projecting not more than 1.2 m from the face of the building. No chajja, cornice, weather shade, sun-breaker etc. shall reduce the width of the required open space to less than 2.5 m further chajja, cornice, weather shade, sun breaker or other ornamental projections etc. shall be permissible up to 0.60 m in Gaothan area for the plots admeasuring upto 250 sq.m. However in case of redevelopment scheme under Regulation No. 33(7) where marginal distances are less, chajja projection maximum up to 0.45 m may be allowed.

(ii) The ornamental projection, flower beds, etc. projecting not more than 1.2 m from the face of the building. No ornamental projection, flower beds, etc. shall be permissible, which will reduce the width of the required open space to less than 2.5 m

(iii) Platform of width not more than 0.45 m and length 2.0 m at the height not less than 0.60 m above floor level for installation of Air-conditioning split unit not reducing the open spaces as per above

(f) (i) A chajja, cornice, weather shade, sun-breaker over a balcony or gallery, its projection not exceeding 0.75 m from the balcony or gallery face with a level difference of 0.6 m in relation to the floor level. However in case of redevelopment scheme under Regulation No. 33(7) where marginal distances are less, chajja projection maximum up to 0.45 m may be allowed.

(ii) The Ornamental projection, flower bed etc. over a balcony or gallery, its projection not exceeding 0.75 m. from the balcony or gallery.

(iii) Platform of width not more than 0.45 m and length 2.0 m at the height not less than 0.60 m above floor level for installation of Air-conditioning split unit not reducing the open spaces as per above.

(g) Watchman's booth not over 3 sq. m in area.

43. *Heights of Buildings*

(1) Height vis-à-vis the road width- The height of a building shall not exceed ~~two~~ **five** times the total of the existing or prescribed width of the street on which it abuts and the required front open space. The restrictions of height of the building spelt out in this Regulation shall however, cease to apply in case where the plot fronts on road having width as specified in Regulation No.19 and where front marginal open space of minimum 9m in case of abutting road having width up to 9m & 12 m in case of abutting road having width more than 12 m or more is available, provided that open spaces as on other sides are made available as required from the fire safety point of view.

Explanation- (i) "Prescribed width" here means the width prescribed in the DP or the width resulting from the prescription of a sanctioned regular line of the street under the MMC Act, whichever is larger.

(ii) If a building abuts two or more streets of different widths, it shall be deemed for the purpose of this Regulation to abut the wider street

Provided however, that restrictions on height spelt out in this Regulations shall not be applicable for reconstruction and redevelopment undertaken under Regulations 33(5), 33(6), 33(7), 33(8), 33(9), 33(10), 33(10)(A), 33(11), 33(15) and 33(20)(A) of these Regulations.

(2) Buildings intended for hazardous godowns, storage of inflammable materials or storage of explosives shall be single-storeyed structures only.

(3) The height and character of an industrial chimney in the area for which clearance of the Civil Aviation Authorities is required under these Regulations shall be prescribed by the Civil Aviation Authorities.

44. *Parking Spaces*

Wherever a property is developed or redeveloped, parking spaces at the scale laid down in these Regulations shall be provided. When additions are made to an existing building, the new parking requirement will be reckoned with reference to the additional space only and not to the whole of the building and to the area where the use is changed.

(1) General Space Requirement-

(i) Types-The parking spaces mentioned below include parking spaces in basements, parking floor, and podium or on a floor supported by stilts, or on upper floors, covered or uncovered spaces in the plot.

(ii) Size of Parking Space-The minimum sizes of parking spaces to be provided shall be as shown below-

	Type of Vehicle	Minimum size/ Area of parking space
(a)	Motor vehicle	2.5 m x 5.5 m
(b)	Scooter, Motor-cycle	3 sq. m (Least dimension shall be minimum 1.2 m)
(c)	Bicycle	1.4 sq.m
(d)	Transport Vehicle	3.75 m x 7.5 m

Note- In the case of parking spaces for motor vehicles, upto 50 per cent of the prescribed space may be of the size of 2.3 m x 4.5 m.

(iii) Marking of Parking Spaces-Parking spaces shall be paved and clearly marked for different types of vehicles.

(iv) Maneuvering and other ancillary spaces- Off-street parking space must have adequate vehicular access to a street, and the area shall be exclusive of drives, aisles and such other provisions required for adequate maneuvering of vehicles.

(v) Ramps for Basement Parking-Ramps for parking in basements shall conform to the requirements of sub-regulations (18) of Regulation 37.

(2) Quantitative Requirements-Four wheeled auto-vehicles-Parking spaces for four wheeled auto vehicles shall be provided as in Table No 21 below, any fractional space of more than half resulting from the ratios in column (3) thereof being rounded off upward to the nearest integer.

Table No: 21

Off Street Parking Spaces

Sr. No.	Occupancy	Parking Space Limited
(1)	(2)	(3)
1	(i) Residential	In the Island City areas, Suburbs and Extended Suburbs;

		One parking space for every. a) 4 tenements having carpet area up to 45 sq.m each. b) 2 tenements with carpet area exceeding 45 sq. m but not exceeding 60sq.m each. Provided further that in case of (a) & (b), at the option of owner/developer, may provide one parking for each tenement. c) 1 tenement with carpet area exceeding 60 sq. m but not exceeding 90 sq. m d) 1/2 tenement with carpet area exceeding 90 sq. m <u>e) At the option of the developer Car park for the larger area tenement can be provided as follows.</u> <u>a) 1/2 tenement with carpet area exceeding 90sq. m but not exceeding 180 sq. m.</u> <u>b) 1/4 tenement with carpet area exceeding 180 sq. m but not exceeding 270 sq. m.</u> <u>c) 1/6 tenement with carpet area exceeding 270 sq. m.</u> In addition to the parking spaces specified in (a), (b), (c) ~~& (d)~~ <u>& (e)</u> above, parking for visitors shall be provided to the extent of 25 per cent of the number stipulated above, subject to minimum of one. <u>In addition to the parking spaces specified in (a), (b), (c) (d) & (e) above, additional parking to the extent of 25% of the numbers calculated as above can be provided at the option of the developer without charging any premium.</u> Provided that for the redevelopment under Regulation 33(5), 33(6), 33(7), 33(9), 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 up to 45 sq.m 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 <u>The above requirement of parking would be only for the rehabilitation component of the development whereas the parking provision for the sale component of the development can be as per Sr. no. I above.</u> <u>For single user developments parking shall be calculated at 2 parking spaces for every 90 sq. m. of carpet area for the development.</u>
		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
	(ii) For five, four and three star hotels. For all starred category hotels	One parking space for every ~~75~~ 100sq. m of total floor area.
	(iii) For lodging establishments.	One parking space for every 120 sq. m of total floor area of a lodging establishment.
	iv) For Hotels	One parking space for every ~~75~~ 100sq.m of total floor area of a lodging establishment b) For hotels and eating houses, one parking space for every 30 sq. m of restaurant including hall, dining room, pantry & bar
2	Educational	One Parking space for 35 sq. m carpet area of the administrative office area and public service area.
3	Assembly and assembly halls or auditorium (including those for educational uses and hostels)	a) One parking space for 12 seats / persons. b) Without fixed seats, one parking space for every 15 sq. m of floor area. c) For canteen, bar and restaurant additional parking required under these Regulations for other permissible users as per provisions

		made herein for such purposes shall be provided.
4	Government or semipublic or private office business buildings	One parking space for every 37.5 sq. m of office space up to 1500 sq. m and for every 75 sq. m of additional space for areas exceeding 1500 sq. m in other areas.
5	Mercantile (Markets, Departmental stores, Shops and other commercial uses). (I.T. Parks)	One parking space for every 40 sq. m of floor area up to 800 sq. m and one parking space for every ~~80~~ 90sq. m of space for areas exceeding 800 sq. m provided that no parking space need to be provided for floor area up to 50 sq. m
6	Industrial	One Parking space for every 150 sq. m thereof subject to a minimum of two spaces
7	Storage	One Parking space for every 150 sq. m thereof subject to a minimum of two spaces
8	Hospitals and Medical Institutions	One parking space for every 150 sq. m of total floor area, except that it would be one parking space for every 600 sq.m of the total floor area in the case of Govt. and Municipal hospitals and Medical institutions. In addition, one parking space for ambulance parking measuring 10 m x 4 m for hospitals or medical institutions with bed strength of 100 or more.
9	Cinemas and theatres	Parking spaces equivalent to eight per cent of the total number of seats with additional parking as otherwise also required for other permissible users in conjunction with that of cinema/theatre.
10	Shopping/Convenience Shopping (not included under Mercantile Occupancy)	One parking space for every 150 sq. m of total floor area in the case of shopping user with each shop up to 20 sq. m in area and one parking space for every 50 sq. m of total floor area for shops each over 20 sq. m area.
11	Stadia and Clubs (included under Assembly Occupancy)	One parking space for every 100 seats plus additional parking as in these Regulations for occupancies like those of restaurants, etc. within such stadia or clubs

Note:

For purpose of area to be considered in the above calculations for parking shall exclude areas in the basement, stilts, podiums, service floor, plant rooms, sub. Station, D.G.Room, refuge areas, staircases, lifts and lobbies.

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(i) In gaathan/koliwada/ Adivasi pada areas and on narrow plots up to 9 m in width, the requirement of parking spaces may not be insisted upon.

(ii) The provision of parking spaces in case of redevelopment schemes under DCR33(5), 33(6), 33(7), 33(9), 33(10),33(10)(A),33(11),33(15) & 33(20)(A) where sale component is proposed in separate building or in case of non-composite building, may be allowed as per the regular development.

(3) Other vehicles- For all non-residential, assembly and non-assembly occupancies, 10 per cent additional parking spaces, subject to a minimum of two spaces shall be provided in addition to what is prescribed in these Regulations.

(4) Two wheeled motor cycle - Two wheeled motor cycle parking space one for every two residential tenements may be provided. For other occupancies, two wheeled motor cycle parking space equal to the required number of four wheeled parking spaces may be provided. If such parking for two wheeled motor cycle is proposed, the same may be distinctly shown in the plan.

(5) Transport Vehicles- In addition to the parking spaces provided for mercantile (commercial) buildings like offices, markets, departmental stores and for industrial and storage buildings, parking spaces for transport vehicles shall be provided at the rate of one space for each 2000 sq. m of floor area or part thereof exceeding the first 400 sq. m of floor area. The space shall not be less than 3.75mx 7.5 m in size and more than 6 spaces need not be insisted upon.

(6) Parking Spaces: Where to be accommodated-The parking spaces including mechanical/automated may be provided-

(a) Underneath the building, in basements, podiums, within its stilted portion, or on upper parking floors or in separate structures if exclusively used for parking.

Note:

(i) The deck parking inclusive of car lifts & passages thereto attached to a habitable floor shall be counted in FSI.

(ii) 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~~ 50% shall be allowed on payment of premium at the rate of 25% 10% of ASR of open land (for FSI 1), 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 ~~100~~ 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 effective maneuvering, passages, slopes/ramps columns, car lifts etc.

(iii) Where entire parking is proposed by mechanical/automatic means, additional parking to the extent of 10% of the required parking shall be permitted free of FSI as vehicle holding area.

(b) In the side and rear open spaces, but not in the amenity open spaces, if-

- (i.) they are unenclosed but uncovered except as provided in (d) below;
- (ii.) they do not consume more than 50 percent of the open space;
- (iii.) a minimum distance of 3 m around the building is kept free of parking for proper maneuverability of vehicles;
- (iv.) they are atleast 7.5 m from the road boundary in case of detached covered garages;
- (v.) the parking layouts meet the requirements of the Chief Fire Officer in the case of multi- storeyed, high rise and special buildings.

(c) in a residential zone, beyond the compulsory side and rear open spaces stipulated in Sr. No g of Regulation 28 of, if other conditions under sub-rule (b) above are satisfied. Here the parking space may be an unenclosed covered space.

(d) in a residential zone, with covered parking garages with open type enclosures of a size of 2.5 m x 5.5 m with a height of 2.75 m above ground level, at the rate of one covered garage for every 400 sq. m or part thereof of plot area, in side or rear open spaces, at a distance of not less than 7.5 m from any street line or the front boundary of the plot:

Provided that the same is 1.5 m from the building and the condition in (b) (v) above is complied with.

(7) Cinemas, Theatres and Assembly Halls-Subject to the provisions of sub regulation (6) above, in sites of cinemas, theatres, auditoria and assembly halls, one row of uncovered parking may be allowed in the front margin space of 12 m or more, if the clear vehicular access way is not reduced to less than 6 m

(8) Common Parking Space if the total parking space required by these Regulations is provided by a group of adjoining property owners for their mutual benefit, such use of this space may be construed as meeting the off-street parking requirements under these Regulations subject to the approval of the Commissioner. If such common parking space is proposed for a group of buildings, the owners of such buildings shall submit a parking layout thereof and also a registered undertaking stating that the area earmarked for the parking space will not be built upon.

45. Restrictions on Development in certain areas

Height and other restrictions in certain areas

(A) Funnel of Vision

(a) Preserving the view from the Phiroz shah Mehta Garden-

Notwithstanding anything contained in these Regulations, to preserve the western view from the Phiroz shah Mehta Garden on Malabar Hill, two funnels of visions have been marked on the land use(Development)plan of "D" Ward .

(i) No development will be permitted in the inner funnel of vision, and

(ii) a building within the outer funnel of vision shall not be erected or raised above Reduced Level 75.44; with reference to Town Hall Datum.

(b) Preserving the eastern and southern view of the Backbay Area, Marine Drive-

Notwithstanding anything contained in these Regulations, to preserve the eastern and southern view of the Backbay and the Marine Drive area from Kamla Nehru Park on Malabar Hill, a funnel of vision has been marked on the land use(development) plan of "D" Ward.

No building shall in this funnel of vision shall be raised or erected to the height of more than 21.35 m or such lesser height as the Commissioner may prescribe which would include the terrace, staircase or lift room, elevated water storage tank or any other building feature.

Provided that the Commissioner may, with the prior approval of the Government, permit a building more than 21.35 m high after due consideration of the contours of the area, surrounding developments and plot location, the objective being not to obstruct the view within the funnel of vision.

(c) The Commissioner may, for reasons to be recorded in writing, prescribe for any building or structure a maximum height, which may be less than that permissible otherwise under these Regulations.

(d) The height restriction as in clauses (a) and (b) above will apply only to a plot falling entirely within the lines of the funnel of vision as marked on the DP

(B) Height restrictions in the vicinity of aerodromes

(I) For structure, installations or buildings including installations in the vicinity of aerodromes,

a) The height shall be restricted to permissible top elevation as mentioned on Colour Coded Zoning Maps (CCZM) prepared by the Airport Authority of India (AAI) published on its web site.

b) For the additional height beyond that mentioned in a) above, prior NOC from AAI shall be submitted.

c) For the areas depicted in red colour on CCZM the prior NOC from AAI shall be submitted.

Note-

The height permitted by CCZM is indicated Above Mean Sea Level i.e. AMSL building height permitted i.e. Above Ground level (AGL) shall be calculated as CCZM height minus the site elevation of the plot.

Height of building (AGL)=CCZM height - site elevation.

Explanation (I) Irrespective of their distance from the aerodrome, even beyond the 20 km limit from the aerodrome reference point, no building, radio masts or similar installation exceeding 150 m in height shall be erected without the permission of the Civil Aviation Authorities.

(II) The location of a slaughter house/abattoir/butcher house or other areas for activities like depositing of garbage which may encourage the collection of high flying birds, like eagles and hawks, shall not be permitted within 10 km from the aerodrome reference point.

(C) Building sites abutting railway track boundary- Subject to the requirements of set-backs from roads and side and rear marginal open spaces under the relevant Regulations, no new construction of a building or reconstruction of an existing building shall be allowed within a distance of half the height of the said building from the railway track ~~boundary, and in any case not within a distance of 3 m from such boundary~~ buffer zone on either side of railway track

Building sites situated within 30 m from railway ~~track~~ Boundary

No Objection Certificate from the concerned railway shall be insisted upon before granting Commencement Certificate for the proposed building between the railway ~~track-Boundary~~ and the distance of 30 m from it. The development of such plot shall be carried out as per terms and conditions stipulated by the Railway Authority.

No NOC from Railway Authority will be required wherever any construction is undertaken beyond 30 m from the Railway land boundary subject to the condition that no part of building shall project within 30 m from the Railway land boundary.

The step-backs thus generated will be allowed free of FSI.

In case of existing / proposed road between proposed building and railway track, such step-back or required open space may not be insisted.

(D). Distance from electricity lines- No verandah, balcony or the like shall be constructed/reconstructed or any additions or alterations shall be made to a building on a site within the distance stated below from any overhead electric supply line:

	<u>Type of Electricity line</u>	Vertically	Horizontally
(a)	Low and medium voltage lines and service lines	2.5 m	1.2 m
(b)	High voltage lines upto and including 33,000 V.	3.7 m	2.0 m
(c)	Extra High voltage beyond 33,000 V.	3.7 m (Plus 0.3 m for Every additional 33,000 V or part thereof)	2.0 m (Plus 0.3 m for every additional 33,000 V or Part thereof)

Explanation- The minimum clearance as above shall be measured from the maximum sag for vertical clearance and maximum deflection due to wind pressure for horizontal clearance.

(E) ***Other restrictions in height-*** For the purpose of operational requirement of buildings, structures or installations or for the purpose of telecommunications or other forms of communications of the Departments of the Government of India or the State Government or public sector undertakings, the Commissioner may for reasons to be recorded in writing, restrict the height of any building in the vicinity of such buildings, structures or installation, and may also permit the prescribed heights to be exceeded for such buildings, structures or installations themselves or for any other statutory communication requirement.

(F) ***Restriction on Development of sites of existing Fuel Station-***

Notwithstanding anything contained in these regulation, in the redevelopment sites of existing filling and service station of Petrol, Diesel, Compressed Natural Gas or any other Motor Vehicle Fuel, change of use shall not be permitted.

(G) ***Structures not included in reckoning height-***

The following appurtenant structures shall not be included in reckoning the height of a building except while considering the requirement of Civil Aviation Authorities and other statutory communications requirements:

Roof tanks and their supports, ventilation/air-conditioning shafts, lift-rooms and similar service equipment, stair covers, chimneys and parapet walls, architectural features not exceeding 1.5 m in height, television antenna, booster antenna, IT Equipment and wireless transmitting and receiving towers.

46. *Signs and Outdoor Display Structures*

(1) National Building Code to apply- The display of advertising signs and outdoor display structures on buildings and land shall be in accordance with the policy of MCGM if any or otherwise it shall be in accordance with Part X-Signs and Outdoor Display Structures, National Building Code of India as amended from time to time.

(2) Residential/Commercial/Industrial Building-The following non-flashing and neon signs with illumination not exceeding 40 Watt light-

(a) One name plate with an area not exceeding 0.1sq.m for each dwelling unit/unit.

(b) For other uses permissible in the zone, one identification sign or bulletin board with an area not exceeding 10 sq. m provided the height of the sign does not exceed 1.5 m.

(c) "For sale" or "For rent" signs for real estate, not exceeding 2 sq. m in area provided they are located on the premises offered for sale or rent.

(3) No advertising sign or outdoor display structures shall be permitted on buildings of architectural, aesthetical, historical or heritage importance as may be decided by the Commissioner, or on Government buildings, save that in the case of Government buildings only such advertising signs or outdoor display structures may be permitted that relate to the activities of the said buildings and related programs.

(4) In no case, the sign/display structure erected on buildings shall exceed the height of topmost part of the Building/height prescribed by the Civil Aviation Authority

(5) No signs /display structure shall obstruct the light and ventilation of the building

PART IX URBAN SAFETY REQUIREMENTS

47. Fire Protection Requirements

(1) **General:** The planning, design and construction of any building shall be such as to ensure safety from fire. For this purpose, unless otherwise specified in these Regulations, Fire Protection Chapter, National Building Code as amended time to time shall apply.

General: The planning, design and construction of any building shall be such as to ensure safety from fire. For this purpose, unless otherwise specified in these Regulations, the provisions of the Maharashtra Fire Protection Life Safety Measures Act, 2006 Fire Protection Chapter, National Building Code as amended time to time shall apply.

Reason : Due to peculiar site condition of Mumbai city only Maharashtra Fire Safety Rules need to be followed (Suggestion - I)

For high rise and special buildings, additional provisions relating to fire protection contained in Appendix I shall also apply,

(A) For proposal under regulations 33(5), 33(6), 33(7), 33(9), 33(9)A, 33(10), 33(10A), 33(11), 33(15) 33(20)(A), 33(20)(B) and 33(22) (Suggestion - I)

In case of rehabilitation/composite buildings having height more than 32 m, at least one side other than road side, shall have clear open space of 6 m at ground level, accessible from road side.

(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 (Suggestion - I)

(Suggestion - II)

For proposal under regulations 33(5), 33(6), 33(7), 33(9), 33(9)A, 33(10), 33(10A), 33(11), 33(12), 33(15) 33(20)(A), 33(20)(B) and 33(22)

Provided further, where podium is accessible to fire fighting appliances (fire engines and other equipment) by a ramp, the above restriction shall not apply

For the proposals other than (A) above

(B) Buildings having height more than 32 m upto 70 m, at least one side, accessible from road side, shall have clear open space of 9 m at ground level.

(Suggestion - I)

a) Buildings having height more than 32 m upto 70 m, at least one side, accessible from road side, shall have clear open space of ~~9m~~ 6 m at ground level.

(a) 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 6m beyond building line so as to have clear open space of 6m beyond podium.

Provided, however, if podium /stilt is proposed it shall not extend 6m 3.60 beyond building line so as to have clear open space of 6m beyond podium. (Suggestion - I)

Provided, further, where podium is accessible to firefighting appliances (fire engines and other equipment) by a ramp, the above restriction shall not apply.

- (b) Buildings having height more than 70 m, at least two sides, accessible from road side, shall have clear open space of 9 m at ground level.

(Suggestion - I)

- b) Buildings having height more than 70 m, at least ~~one~~ ~~two~~ sides, accessible from road side, shall have clear open 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.

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~~ 6 m 3.60 beyond podium. No ramps for the podium shall be provided in these side open spaces. **(Suggestion - I)**

Provided further, where podium is accessible to fire fighting appliances (fire engines and other equipment) by a ramp, the above restriction shall not apply.

- (a) Courtyard/ramp/podium accessible to fire fighting appliances (fire engines and other equipment) shall be capable of taking the ~~point~~ load up to 10 Kg/cm². **(Suggestion - I)**

- (b) These open spaces shall be free from any obstruction & shall be motorable.

Note- The fire safety requirements shall be as per fire manual approved by Municipal Commissioner. **(Suggestion - I)**

(2) Construction Materials:

(Suggestion - I)

- a) All construction material used in stairways, corridors and façades shall be non-combustible/ ~~fire resistance~~.

- b) Materials used for interior finishes shall not have a flame spread ability rating exceeding Class I, Section 3.4.15.2 and 3.4.15.3 of Part 4 of National Building Code & amended from time to time.

(3) Exits: Every building meant for human occupancy shall be provided with exits sufficient to permit safe escape of its occupants in case of fire or other emergency for which the exits shall conform to the following:

(i) Types: Exits should be horizontal or vertical. A horizontal exit may be a door-way, a corridor, a passage-way to an internal or external stairway or to an adjoining building, a ramp, a verandah or a terrace which has access to the street or to the roof of a building. A vertical exit may be a staircase or a ramp, but not a lift.

(ii) General requirements: Exits from all the parts of the building, except those not accessible for general public use, shall-

- (a) provide continuous egress to the exterior of the building or to an exterior open space leading to the street;
- (b) be so arranged that, except in a residential building, they can be reached without having to cross another occupied unit;

- (c) be free of obstruction;
- (d) be adequately illuminated;
- (e) be clearly visible, with the routes reaching them clearly marked and signs posted to guide any person to the floor concerned;
- (f) be fitted, if necessary, with firefighting equipment suitably located but not as to obstruct the passage, clearly marked and with its location clearly indicated on both sides of the exit way;
- (g) be fitted with a fire alarm device, if it is either a high-rise, high-use or a special building so as to ensure its prompt evacuation;
- (h) remain unaffected by any alteration of any part of the building so far as their number, width, capacity and protection thereof is concerned;
- (i) be so located that the travel distance on the floor does not exceed the following limits :-

(Suggestion - I)

(i) Residential, educational and institutional: 22.5 and 33.75 m with sprinklers in passages and Corridors.

(Suggestion - I)

(ii) Assembly, starred category hotels business, mercantile, industrial, hazardous occupancies and storage buildings: 30m and 45 m with sprinklers in passages and corridors.

Assembly, starred category hotels business, mercantile, industrial, hazardous occupancies and storage buildings: 30m and 45 m with sprinklers in passages and corridors. **(Suggestion - I)**

Note- The travel distance to an exit from the dead end of a corridor shall not exceed half the distance specified above. When more than one exit is required on a floor, the exits shall be as remote from each other as possible:

Provided that, **subject to the provision under D.C. Regulation 48(5)(A)**, in case of high rise and special buildings, a minimum of two enclosed type staircases shall be provided, at least one of them opening directly to the exterior, to an interior open space or to any open place of safety. **(Suggestion - I)**

(iii) Number and width of exits

The width of an exit, stairway/corridor and exit door to be provided at each floor in occupancies of various types shall be as shown in columns 3 and 5 of Table No 22 here under. Their number shall be calculated by applying to every 100 sq.m of the plinth or covered area of the occupancy, the relevant multiplier in columns 4 and 6 of the said Table, fractions being rounded off upward to the nearest whole number.

Table No: 22**Width and Number of Exits for various Occupancies**

Serial No.	Type of Occupancy	Stairway/Corridor Minimum Multiplier width in m		Door Minimum width in m	Exit Multiplier
(1)	(2)	(3)	(4)	(5)	(6)
1	Residential Dwellings	1.2	0.145	....	0.053
	row-housing/ Duplex Flat (2 storeys)	0.75	0.213		
	Hotels	1.5	0.107		
2	Educational-				0.667
	-upto 32m high	1.5	0.333	....	
	-over 32 m high	2.0	0.250	....	
3	Institutional i.e.				
	Hospitals-				
	-upto 50 beds	1.5	.089*	....	0.044
	-over 50 beds	2.0	.067*		0.044
4	Assembly**	....	....	1.0	....
	-fixed seats or loose seats and dance floor.	2.0	0.694	....	0.926
	-no seating facilities and dining rooms	2.0	0.278	....	0.370
5	Mercantile-				
	-street floor and basement	1.5	0.222	.....	0.222
	-upper sales floors	1.5	0.111		0.111
6	Business, Industrial	1.5	.067	....	0.067
7	Storage	1.5	.022	....	0.022
8	Hazardous	1.5	.133	....	0.125
9	Malls	2.0			

(Suggestion - I)

*For the dormitory portions of homes for the aged, orphanages, mental hospitals, etc., these multipliers shall be doubled.

**The plinth or covered area shall include, in addition to the main assembly rooms or space, any occupied connecting room or space in the same storey or in the storey above or below where entrance is common to such rooms and space and they are available for use by the occupants of the assembly place.

No deductions shall be made in the gross area of the corridors, closets or other sub-divisions. All space serving the particular assembly occupancy shall be reckoned.

48. Requirements of Exits

The detailed requirements of individual exits at each floor are given below:

(1) Corridors:

- (a) Exit corridors shall be of a width not less than the total required width of exit doorways leading from them in the direction of travel to the exterior/stairway.
- (b) Where stairways discharge through corridors, the height of the corridors shall not be less than 2.4 m.
- (c) Where there is more than one staircase serving a building, there shall be at least one smoke-stop door in the space between the staircases.

(2) Doorways:

- (a) Every exit doorway shall open into an enclosed stairway, a horizontal exit or a corridor or passageway providing continuous and protected means of egress;
- (b) An exit doorway shall open outwards i.e. away from the room, but shall not obstruct the travel along any exit. No door, when opened, shall reduce the required width of a stairway or landing to less than 90 cm.
- (c) An exit door shall not open immediately upon a flight of stairs; a landing equal to at least the width of the door shall be provided in the stairway at each doorway; the level of the landing shall be the same as that of the floor which it serves.
- (d) Exit doorways shall be openable from the side which they serve, without the use of a key.

(3) Revolving doors:

- (a) Revolving doors shall not be used as required exits except in residential, Hotels business and mercantile occupancies; they shall not constitute more than half the total required door width. **(Suggestion - I)**
- (b) When revolving doors are considered as required exit ways-
 - (i) the multiplier in Table 22 shall be increased by 33 1/3 per cent, and;
 - (ii) revolving doors shall not be located at the foot of a stairway. Any stairway served by a revolving door shall discharge through a lobby or foyer.

(4) Internal stairways-

- (a) Stairways shall be constructed of non-combustible materials throughout.
- (b) Any interior staircase shall be constructed as a self-contained unit with atleast one side adjacent to an external wall and shall be completely closed.]

(c) A staircase shall not be arranged around a lift shaft unless the latter is entirely enclosed by a material of fire resistance rating as that for type of construction itself. For high rise and special buildings, the staircase location shall be to the satisfaction of the Chief Fire Officer.

(d) In high rise and special buildings, access to main staircases shall be gained through at least half-an-hour fire-resisting automatic closing doors, placed in the enclosing walls of the staircases. They shall be swing type doors opening in the direction of the escape.

(e) No living space, store or other space, involving fire risk, shall open directly into a staircase.

(f) The external exit door of a staircase enclosure at ground level shall open directly to the open space or should be accessible without passing through any door other than a door provided to form a draught lobby.

(g) In high rise and special buildings, exit signs with arrows indicating the escape route shall be provided at a height of 1.5 m from the floor level on the wall and shall be painted with fluorescent paint. All exit way signs should be flush with the wall and so designed that no mechanical damage to them can result from the moving of furniture or other heavy equipment.

(h) Where a building has a single staircase, it shall terminate at the ground floor level, and the access to the basement shall be by a separate staircase. Where the building is served by more than one staircase, one of the staircases may lead to the basement level, by either a ventilated lobby or a cut-off screen wall without opening, having a fire resistance of not less than 2 hours with discharge point at two different ends or through enclosures. It shall also be cut-off from the basement area at various basement levels by protected and ventilated lobby/lobbies. Staircase leading from basement shall be staggered at ground floor and then diverted to upper floors

(5) (A) Additional Staircase:

(a) In case of high-rise Residential buildings of 70 m or less, additional staircase shall be necessary.

Provided, however, it will not be necessary, if,

(i) Travel distance does not exceed that mentioned in sub regulation (3)(ii)(i)(i&ii) of regulation 47 and;

Suggestion – I

(i) Travel distance does not exceed that mentioned in sub regulation (3)(ii)(i)(i&ii) **(I & II)** of regulation 47 and;

(ii) If floor area on any floor does not exceeds 500 sq. m

Note: These staircases shall be of enclosed type having minimum width of 1.5m.

(b) Buildings having height 70 m or more, shall be provided with two enclosed type staircases, each having width not less than 1.5 m.

(c) Whenever two staircases are necessary, both the staircases shall open & terminate at ground floor or to any other place of safety. The staircases shall be as remote as possible from each other

- (d) Staircase leading from basement shall be staggered at ground floor and then diverted to upper floor

(Suggestion - I)

- (d) Staircase leading from basement shall be staggered partitioned at ground floor and then diverted to upper floor

- (e) The fire escape staircase and other than one required per building/wing shall be free of FSI without charging premium

(Suggestion - I)

- (e) The fire escape staircase and other than one required per building/wing shall be free of FSI without charging premium.

(B) In case of Institutional/Special Buildings, non-residential high-rise buildings minimum two staircases shall be necessary.

(Suggestion - I)

as per below 11 provided, in case of institutional / special building, non-residential High Rise building, if building height is restricted to 70.00mt. & if floor area on any floor is does not exceed 75.00 sq. mt. in that case additional Stair Case will not be insisted."

(6) Fire Escape Balcony:

- (a) For industrial buildings, a fire escape balcony not exceeding 1.5 m in width shall be provided at the periphery of every floor level and shall be connected to staircase and shall have a railing / parapet of 1.1 m height on external sides.

(b) Requirement of Fire Escape Balcony

- (i) It shall always be kept free from obstructions & no partitions shall be erected.

- (ii) It shall be provided with wall type sprinklers at every floor level.

Note: Fire Escape balcony shall be counted in FSI.

(Suggestion - I)

Note: Fire Escape balcony shall **not** be counted in FSI.

(7) Ramp:

- (a) All the requirements of sub regulation (4) of this Regulation shall apply to any ramp as they apply to a staircase
- (b) Ramps shall lead directly to outside open spaces at ground level or courtyards or other safe places.
- (c) In a high rise and special building, access to ramps from any floor shall be through a smoke-stop door.

(Suggestion - I)

(7a) Lift

- a) Walls of lift enclosures shall have a fire rating of 2 hour. Lifts shall have a vent at the top of area not less than 0.20 Sq.M.

- (b) Lift motor room shall be located preferably on top of the shaft and separated from the shaft by the floor of the room.
- (c) Landing doors in lift enclosures shall have a fire resistance of not less than 1.00 hour.
- (d) The number of lifts in one row for a lift bank shall not exceed 4 and the total number of lifts in the bank (of two rows) shall not exceed 8. A wall of 2.00 hour fire rating shall separate individual shafts in a bank.
- (e) Lift car door shall have a fire resistance rating of half an hour.
- (f) Collapsible gates shall not be permitted for lifts and shall have solid doors with fire resistance of at least 1.00 hour.
- (g) Exit from the lift lobby, if located in the core of the building, shall be through a self closing smoke stop door of half an hour fire resistance.
- (h) Lifts shall not normally communicate with the basement; if, however, lifts are in communication, the lift lobby of the basements shall be with self-closing door of half an hour fire resistance.
- (i) Grounding switch(es), at ground floor level, shall be provided on all the lifts to enable the fire service to ground the lifts.
- (j) Telephone or other communication facilities shall be provided in lift cars for building of 30.00 M in height and above. Communication system for lifts shall be connected to fire control room for the building.
- (k) Suitable arrangements such as providing slope in the floor of lift lobby shall be made to prevent water used during fire fighting, etc., at any landing from entering the lift shafts.
- (l) A sign shall be posted and maintained on every floor at or near the lift indicating that in case of fire, occupants shall use the stairs unless instructed otherwise. The sign shall also contain a plan for each floor showing the locations of the stairways. Alternate source of power supply shall be provided for all the lifts through a manually operated changeover switch.

(8) Refuge area

(Suggestion - I)

- (a) (i) The refuge area shall be preferably provided within building line at floor level.

(Suggestion - II)

- (a) (i) "4.25% to 4.50%. wherever it has appeared in the para."

- (ii) In case of high rise buildings having height more than 32 m, first refuge area shall be provided at 24 m or at 1st habitable floor, whichever is higher. Thereafter, the refuge area shall be provided at every 7th habitable floor. The refuge area shall be 4% of the habitable floor area it serves, and will be free of FSI. With the permission of Commissioner due to planning constraints it may be allowed to be exceeded up to maximum limit of 4.25%. If it exceeds 4.25%, the excess area shall be counted in FSI.

(Suggestion - I)

(ii) In case of high rise buildings having height more than 32 m, first refuge area shall be provided at 24 m or at 1st habitable floor, whichever is higher. Thereafter, the refuge area shall be provided at every 7th habitable floor. The refuge area shall be 4% of the habitable floor area it serves, and will be free of FSI. With the permission of Commissioner due to planning constraints it may be allowed to be exceeded up to maximum limit of 4.25%. If it exceeds 4.25%, the excess area shall be counted in FSI **if it is abutting to any habitable area**.

- (b) For buildings having height up to 70 m, as an alternate, Refuge areas can be provided as RCC cantilever projections at the alternate mid-landing levels of staircase, free of FSI. Each refuge area at mid-landing shall have a minimum width of 3.0 m, and minimum area of 10.0 sq. m for residential and 15 sq. m for non-residential buildings

(Suggestion - I)

(b) For buildings having height up to 70 m, as an alternate, Refuge areas can be provided as RCC cantilever projections at the alternate mid-landing levels of staircase, free of FSI. Each refuge area at mid-landing shall have a minimum width of 3.0 m, and minimum area of 10.0 sq. m for residential and 15 sq. m for non-residential buildings **Such cantilever projection can be provided within required open space under regulation 41 or 47.**

- (c) In case of buildings up to 32 m height, the terrace floor of the building shall be treated as the refuge area.

(Suggestion - I)

(8a) FIRE CHECK FLOOR

A high rise building having height more than 70.00 M, shall be provided with fire check floor (entire floor) at every 70.00 M level. Height of the fire check floor shall not be more than 1.80 M The fire check floor shall not be use for any purpose and it shall be the responsibility of the owner/occupier to maintain the same clean and free of encumbrances and encroachments at all times. Periphery of the Fire Check floor shall not be enclosed. Fire Drencher shall be provided at the periphery of the each fire check floor externally

(9) Fire Escape Chutes/ Controlled Lowering Device for evacuation-

- (A) (i) High rise building having height more than 70 m shall necessarily be provided with fire escape chute shaft/s for every wing adjacent to staircase.
- (ii) Walls of the shaft shall have 4 hours fire resistance.
- (iii) One side of the shaft shall be at external face of the building with proper ventilation.
- (iv) The dimension of the shaft shall not be less than 2.5 m x 1.5m.
- (v) The access to the fire escape chute's shaft shall be made at every floor level from lobby area or from staircase mid-landing with self-closing door having fire resistance of at least one hour.

(Suggestion - I)

(v) The access to the fire escape chute's shaft shall be made at every floor level from lobby area or **at alternate floor level** from staircase mid-landing with self-closing door having fire resistance of at least one hour.

(vi) The fire chute shall be of staggered type with landing of each section at the vertical height of not more than 21 m.

Alternatively,

- (B) For High rise building having height more than 70 m, "Controlled Lowering Device for Evacuation" or "External Evacuation System" as approved by CFO shall be provided.

49. Structural Safety and Services

(1) Structural Design:

(a) The structural design of foundations, elements made of masonry, timber, plain concrete, reinforced concrete, pre-stressed concrete and structural steel shall conform to the provisions of Part VI Structural Design Section 1- Loads, Section 2- Foundation, Section 3-Wood, Section 4-Masonry, Section 5-Concrete, Section 6-Steel, National Building Code of India and as per relevant I S code.

(b) The structural design shall comply with Indian Standard Codes of structural design for structural safety, seismic safety and against cyclone/wind storms as listed below and as amended up to date:

Table No. 62. Design and Structural stability Certification for High Rise Buildings.

Sr. No.	Building Type	Height of Building	Structural Design and Stability Certification
1.	Low Rise	Up to 30.00 M	
2.	High Rise - I	Above 30.00 M up to 70.00 M	Structural design along with structural stability certificate for the proposed building from the Structural Engineer registered with MCGM shall be submitted.
3.	High Rise - II	Above 70.00 M up to 120.00 M	In addition to one above, additional peer review of the structural design along with structural stability certificate for the proposed building shall be submitted from the Structural Engineer registered with MCGM
4.	High Rise - III	Above 120.00 M	In addition to one above, peer review of the structural design along with structural stability certificate for the proposed building, one from the structural consultant who had already designed and implemented such structures shall be submitted and one additional peer review from the Structural Engineer registered with MCGM or from institutes like IIT Bombay or VJTI.

a. Indian Standard Code of Practice for Earthquake Resistant Design IS1893,IS4326

b. Indian Standard Seismic Code of Practice for Seismic Design IS1893(Part1):2002

c. Indian Standard Code of Practice for Wind Pressure (IS:1875Part3-1987)

(2) *Structural Safety for Protection of Buildings against Natural Hazard:*

In Natural Hazard prone areas viz, Earth quake Prone areas as per IS: 1893, the cyclone prone areas as per IS: 875 Part-3 and flood prone areas as per the Flood Atlas prepared by the Central Water Commission and/or the Disaster Management Department of MCGM, development shall be regulated to ensure special protection from hazards for any type of development irrespective of use of zones.

The supervision certificate and the completion certificate of every such building shall contain a certificate recorded by the Structural Engineer and Architect/Licensed Surveyor that the norms of IS: 1893-2002 have been followed in the design and construction of buildings for making the buildings resistant to earthquake and compliance with other structural safety and fire safety requirements

(Suggestion - I)

The supervision certificate and the completion certificate of every such building shall contain a certificate recorded by the Structural Engineer and that the norms of IS: 1893-2002 have been followed in the design and construction of buildings for making the buildings resistant to earthquake and compliance with other structural safety and fire safety requirements

(3) *Quality of materials and workmanship:*

i. The quality of all materials and workmanship shall conform to accepted standards and Indian Standard Specifications and Codes as included in Part V Building Materials and Part-VII Constructional Practices and Safety, National Building Code of India.

ii. All burrow pits dug in the course of construction and repair of buildings, roads, embankments, etc., shall be deep and connected with each other in the formation of a drain directed towards the lowest level and properly stepped for discharge into a river, stream, channel or drain, and no person shall create any isolated burrow pit which is likely to cause accumulation of water that may breed mosquitoes.

iii. *Alternative materials, method of design and construction and tests:*

The provisions of these Regulations are not intended to prevent the use of any material or method of design of construction not specifically prescribed in them provided that any such alternative has been approved. Nothing in the provisions of these Regulations is intended to prevent the adoption of architectural planning and layout conceived as an integrated development scheme. The Commissioner may approve any such alternative if it conforms to the provisions of the relevant parts of the National Building Code regarding material, design and construction, and the material, method, or work offered is, for the purpose intended, at least equivalent to that prescribed in these Regulations in terms of quality, strength, compatibility, effectiveness, fire and water resistance, durability and safety.

Suggestion – II

The Site supervisor shall submit the reports along with his certificate of completion and when insisted by the Commissioner.

The structural engineer shall submit the structural stability certificate to the Commissioner as and when insisted by the Commissioner and prior to grant of his certification for building occupation. The Licensed Surveyor/Architect of the work shall submit such completion certificate and the structural stability certificate along with his submission for BCC.

(Reasons – Multiple Test Report will be very difficult to maintain and will be cumbersome on the MCGM. Hence only completion certificate should be given by the Structural Stability be given by the Structural Engineer).

Suggestion – II

as per below even externally located fire escape emergency lift shall be allowed on external face approachable from mid landing / landing / common passages abutting external work operated mechanically / / electrically

(4) Tests:

Whenever there is insufficient evidence of compliance with the provisions of these Regulations or evidence that any material or method of design or construction does not conform to the requirements of these Regulations, in order to substantiate claims for alternative materials, designs or methods of construction, the Commissioner may require tests, sufficiently in advance, as proof of compliance. These tests shall be made by an approved agency at the expense of the owner as follows:

(1) **Test Methods:** Test method shall be as specified by these Regulations for the material or design or construction in question. If there are no appropriate test methods specified in these Regulations, the Commissioner shall determine the test procedure. For methods of tests for building materials, reference shall be made to the relevant Indian standards as given in the National Building Code of India published by the Bureau of Indian Standards.

(2) **Test Results:** Copies of the results of all such tests shall be submitted to the Commissioner.

50. Building services

(1) **Electrical installation:** The planning, design and installation of electrical air-conditioning and heating work shall conform to the provisions of Part VIII Building Service Section 2- Electrical Installations. Section 3- Air-conditioning and Heating National Building Code of India.

Lifts:

(a) **Planning and design:** The planning and design of lifts including their number, type and capacity depending on the occupancy of the building, the population on each floor based on occupant load and the building height shall be in accordance with section 5- Installation of lifts and Escalators, National Building Code of India.

(b) Maintenance:

(i) The lift installation should receive regular cleaning, lubrication, adjustment and adequate servicing by authorized competent persons at such intervals as the type of equipment and frequency of service demand. In order that the lift installation is maintained at all times in a safe condition, a proper maintenance schedule shall be drawn up in consultation with the lift manufacturer and rigidly followed. A log book to record all items relating to general servicing and inspection shall be maintained. The electrical circuit diagram of the lift with the sequence of operation of different components and parts shall be kept readily available for reference by persons responsible for the maintenance and replacement, where necessary, to the satisfaction of the competent authority i.e., Lift Inspector of the Government of Maharashtra.

(ii) Any accident arising out of operation or maintenance of the lifts shall be duly reported to the competent authority i.e., Lift Inspector of the Government of Maharashtra.

ELECTRICAL SAFETY AND BUILDING SERVICES

- a) The planning design and installation of electrical installations, air-conditioning and heating work, installation of lifts and escalators in a building shall be carried out in accordance with Part VIII Building Services, Section 1- Lighting and Ventilation, Section 2, Electrical and Allied Installations, Section 3, Air-conditioning and heating, Section-5, Installation of lifts and escalators, as the case may be of National Building Code of India 2005 as amended from time to time.

PART X SPECIAL PROVISIONS

51. *Parking Authority*

MCGM, in consultation with GoM, shall constitute a Parking Authority at MCGM level to plan, regulate and manage all on street parking and public parking places under the physical jurisdiction of Greater Mumbai. The constituted Parking Authority, inter alia, will fix and promulgate parking fees as well as penalties for various areas/zones in MCGM.

52. *Conservation of Heritage*

1. *Definition:*

(i) "Conservation" means all the processes of looking after a place so as to retain its historical and/or architectural and/or aesthetic and/or cultural significance and includes maintenance, preservation, restoration, reconstruction and adoption or a combination of more than one of these.

(ii) "Preservation" means and includes maintaining the fabric of a place in its existing state and retarding deterioration.

(iii) "Restoration" means and includes returning the existing fabric of a place to a known earlier state by removing accretions or by reassembling existing components.

2. *Applicability:*

This Regulation shall apply to those buildings, artefacts, structures and/or precincts of historical and/or aesthetical and/or architectural and/or cultural value as shall be notified by GoM from time to time (hereinafter referred to as Listed Heritage Buildings/Structures/Precincts).

3. *Restriction on Development/Redevelopment/Repairs, etc.:*

(i) No development or redevelopment or engineering operations or additions, alterations, repairs, renovation including the painting of buildings, replacement of special features or demolition of the whole or any part thereof or plastering of said listed/heritage buildings or listed/Heritage precincts shall be allowed except with the prior written permission of the Commissioner. The Commissioner shall act on the advice of/in consultation with the Mumbai Heritage Conservation Committee to be appointed by Government (hereinafter called MHCC).

Provided that in exceptional cases, for reasons to be recorded in writing, the Commissioner, may overrule the recommendation of the MHCC. The decision of the Municipal Commissioner shall not be subject to challenge by the MHCC.

(ii) Provided that the power to overrule the recommendations of the MHCC shall not be delegated by the Municipal Commissioner.

(iii) In relation to religious buildings in the said List, the changes, repairs, additions, alterations and renovations required on religious grounds mentioned in sacred texts or as a part of holy practices laid down in religious codes shall be treated as permissible, subject to their being in accordance and consonance with the original structure and architecture designs, aesthetics and other special features thereof. Provided that before arriving at his decision, the Commissioner shall take into consideration the recommendations of the Mumbai Heritage Conservation Committee.

(iv)(a) Provisions of this Regulation shall be applicable only in Grade I & II category of heritage Buildings for reconstruction and redevelopment undertaken under these Regulations.

(b) In case of reconstruction and redevelopment of heritage building/sites from Grade-III and precincts, special permission from the Commissioner, Municipal Corporation of Greater Mumbai may be obtained, if the height of the building to be reconstructed/redeveloped exceeds 32.0 m.

(c) Repairs to existing structures in vistas/surroundings of Grade-I structure and in precincts shall be permissible with the special permission from the Commissioner.

4. Preparation of list of Heritage Buildings and Heritage Precincts:

The said list of Heritage Buildings/Structures/Precincts to which this Regulation applies shall not form part of this Regulation for the purpose of Sections 37 & 46 of the MR&TP Act, 1966. This List may be supplemented, altered, deleted or modified from time to time by Government on receipt of proposals from the Commissioner or by the Government suo-motu, provided that objections and suggestions from the public be invited and duly considered by the Commissioner and/or by GoM before notification.

Provided that this Regulation shall not be applicable to any published draft Heritage List till notified by GoM.

5. Grant of Transferable Development Rights in case of loss of Development Rights

If any application for development of Heritage Building/s is refused under this Regulation and conditions are imposed while permitting such development which deprive the owner/lessee of any unconsumed Development Rights, the said owner/lessee shall be compensated by grant of Development Right Certificate in terms of TDR as provided in these Regulations. The extent of TDR permissible will be the difference between Zonal (basic) FSI plus area of plot and the consumed BUA of the Heritage structure. The grant of TDR shall be subject to a contract between the owner/lessee and MCGM binding the owner/lessee to conserve the heritage building in the prescribed manner as recommended by MHCC and approved by Municipal Commissioner. In such cases the potential of the plot shall be perpetually reduced to the extent of existing BUA of the Structure.

Suggestion – I

If any application for development of Heritage Building/s is refused under this Regulations and conditions are imposed while permitting such development which deprive the owner/lessee of any unconsumed Development Rights, the said owner/lessee shall be compensated by grant of Development Right Certificate in terms of TDR as provided in these Regulations. The extent of TDR permissible will be the difference between Zonal (basic) FSI plus area of plot and the consumed BUA of the Heritage structure. The grant of TDR shall be subject to a contract between the owner/lessee and MCGM binding the owner/lessee to conserve the heritage building in the prescribed manner as recommended by MHCC and approved by Municipal Commissioner. In such cases the potential of the plot shall be perpetually reduced to the extent of existing BUA of the structure.

6. Maintaining Sky-Line:

Buildings included in Listed Heritage Precincts shall maintain the sky-line in the precincts as may be existing in the surrounding area or as may be decided by the Commissioner in consultation with the MHCC so as not to diminish or destroy the value and beauty of the said listed Heritage buildings/Heritage Precincts. The development within the precincts shall be in accordance with the guidelines framed by the Commissioner in consultation with MHCC.

7. Restrictive Covenants:

Restriction existing as on date of this notification imposed under covenants, terms and conditions on the leasehold plots either by the State Government or by Mumbai Port Trust or by Municipal Corporation of Greater Mumbai shall continue to be imposed in addition to these Regulations. However in case of any conflicts with heritage preservation interest, this Regulation shall prevail.

8. Repair Fund:

Non-cessed buildings included in the said list shall be repaired by the owners/lessees of the said buildings themselves or if they are cessed buildings, those can be repaired by MHADA or by the owner or by the Co-operative Society of the owners and/or occupiers of the building. With a view to give monetary help for such repairs, a separate fund may be created, which would be kept at the disposal of the Commissioner, who may consult Heritage Conservation Committee while disbursement of such funds. Provisions for such a fund may be made through District Planning and Development Council Budget.

9. Development Plan Reservation:

If there are any DP Reservations on listed heritage structure and due to development of such site if adversely affects its character, then Municipal Commissioner on recommendation of MHCC shall initiate the process of modification/deletion of such reservation following due procedure.

10. Grading of the Listed Buildings/Listed Precincts:

In the last column of the said list of Heritage Building, Heritage precincts, "Grades" such as I, II, or III have been indicated. The meaning of these Grades and basic guidelines for development permissions are as follows:

Grade – I	Grade – II	Grade – III
A. Definition – Heritage Grade – I comprises buildings, and precincts of National or historical importance, embodying Excellence in architectural style, design, technology and material usage; they may be associated with a great historical event, personality, movement or institution. They have been and are the prime landmarks of the City.	A. Definition – Heritage Grade – II comprises building/ precincts, of Regional or local importance, possessing Special architectural or aesthetical merit or cultural or historical value, though of a lower order than that of Heritage Grade - I. They are local landmarks contributing to the image and identity of the city. They may be the work of Master craftsmen or may be models of proportion and ornamentation, or designed to suit particular climate. Heritage Grade – II buildings within the premises (open space/ compound) of which independent/separate additional building(s)/structure(s) may be permitted to be constructed, owing to the availability of adequate surrounding open space and unconsumed FSI, have been assigned Grade- IIB. The remaining Grade- II buildings have been assigned Grade –IIA.	A. Definition – Heritage Grade –III Comprises buildings and precincts of importance for townscape, they evoke architectural aesthetic or sociological interest though not as much as in Heritage Grade – II. These contribute to determine the character of the locality, and can be representative of a life style or a particular community or region and may also be distinguished by setting on a street line or special character of the façade and uniformity of height, width and scale.
B. Objective– Heritage Grade – I richly deserves Careful preservation.	B. Objective— Heritage Grade – II deserves intelligent conservation.	B. Objective — Heritage Grade -III Deserves protection of unique features and attributes.

C. Scope for Changes – No interventions would be permitted either on the exterior or interior unless it is necessary in the interest of strengthening and prolonging the life of the buildings or precincts or any part or features thereof. For this purpose, absolutely essential and Minimum changes would be allowed and they must be in accordance with the original.	Scope for development --- Grade - II A: In addition to the scope for development permissible for Grade –I, internal changes, and adaptive reuse may be generally allowed. In certain circumstances, extension of a Grade – IIA heritage building may also be allowed; provided that such extension shall be in harmony with (and shall not detract from) the Grade - II A heritage building concerned or precinct, especially in terms of height and/or façade. External changes too may be permitted, subject to strict scrutiny. Care should be taken to ensure the conservation of all special aspects/ features of Grade – II A building concerned. Grade –II(B): In addition to above, additional building(s) in the same plot or compound may, in certain circumstances, be allowed; provided that, such additional building(s) shall be in harmony with (and shall not detract from) the Grade-II(B) heritage building(s) or precinct, especially in terms of height and/or façade and such building shall be termed as Grade-II (B).	External and internal changes and adaptive reuse would generally be allowed. Changes can include extensions / additional buildings in the same plot or compound provided that extension / additional building is in harmony with and does not detract from the existing heritage building / precincts especially in terms of height and/or facade. Reconstruction may be allowed when the building is structurally weak or unsafe or when it has been affected by accidental fire or any other calamity or if reconstruction is required to consume the permissible FSI and no option other than reconstruction is available. Reconstruction/ Redevelopment may also be allowed with The special permission from the Commissioner, Municipal Corporation of Greater Mumbai, if the height of the building to be reconstructed/ redeveloped exceeds 32.0 m. Reconstruction may be allowed in those buildings being repaired / reconstructed by MHADA. However, unless absolutely essential, nothing should spoil or destroy any special features or attributes for which it is placed in the Heritage List.

D. Procedure Development Permission for the changes would be given by the Planning Authority	Development permission would be given by the Commissioner in consultation with the MHCC.	Development permission would be given by the Commissioner but in consonance with guidelines which are to be laid down by Government in Consultation with MHCC or as per this Regulation.
E. Vistas/ Surrounding Development - All the development in the areas surrounding Heritage Grade – I within 100 m periphery or as may be delineated on plan shall be regulated and controlled, ensuring that it does not mar the grandeur of or views from Heritage Grade – I.		

53. Under Ground Public Utility/Conveniences/Amenity Provision

Subject to the conditions as may be prescribed by the Commissioner, MCGM, Sewage Treatment Plant, storage and allied facilities as per design and specification and at location as may be considered necessary by the Commissioner for treatment of sewage/effluent, water pumping station and storage facility, Electric Substation/Distribution/Receiving Station, underground parking and shopping shall be allowed below existing or proposed DP Roads and below lands reserved for Playground/Gardens/Parks and Public Open Spaces both existing and proposed and to be used at one or two levels below the ground. Provided no such uses will be allowed below the following.

Oval Maidan, Cross Maidan, Azad Maidan, Shivaji Park, all parade grounds, Nare Park, Jambhori Maidan, Five Gardens and Recreational Ground opposite Scottish School, Dadar, Cadell Road (Veer Sawarkar Marg) situated to the north of Hinduja Hospital.

And provided further that the area to the extent of 10 m along the road side below the surface within the boundary of the aforesaid Maidans/Parks/Gardens/Public Open Spaces may be used for the purpose of ingress and egress to the underground area.

54. Uses Permissible below Flyovers:

Following uses may be permitted below the flyovers:

- (1) Garden, park, Promenades
- (2) Electricity Distribution Stations;
- (3) Municipal chowkies, road depot, municipal store, public toilet;
- (4) Police chowky, RTO vehicle chowky, pay and park facility/bus stands/taxi stands/auto-rickshaw stand;
- (5) Homeless shelters, welfare centres for street children/activities centers for destitute

- (6) BEST street light chowky, BEST electricity bill & cash collection centre, BEST relief shelter with toilet block for bus operation staff.

Provided further that the plantation/green space of width not less than 1.0 m shall be developed all along the edge of carriageway below the flyover or central median with width not more than width of pillar, except the accesses wherever necessary or as may be required by the Commissioner.

55. *Alignment of Metro/Mono/Elevated Corridors/Corridors of Mass and Rapid Transport System*

Any alignment modifications introduced in Metro/Mono/Elevated Corridors/Corridors of Mass Rapid Transport System, including BRTS, by the Appropriate Authority and sanctioned by Government shall stand automatically amended on the Development Plan as modified.

Furthermore, any new "Transport Corridor" such as Metro/Mono/Elevated Corridors/Corridors of Mass Rapid Transit System, including BRTS, proposed by Appropriate Authority and sanctioned by Government, shall stand automatically added on to Development Plan.

56. *Lands allotted to Forest Department*

Land allotted to Forest Department may be used for the designated purpose and related forest activity, including resettlement of the original inhabitants of the forest (adiwasis) to satisfy a larger environmental purpose.

PART XI MISCELLANEOUS PROVISIONS

57 Temporary Constructions

The Commissioner may grant permission for temporary construction of a period not exceeding six month at a time and in the aggregate, not exceeding a period of three years. Such permission may be given by him for the construction of the following, namely:

- (a) Structures for protection from the rain or covering of the terraces during the monsoon only;
- (b) Pandals for fairs, ceremonies, religious functions, etc;
- (c) Structures for godowns /storage of construction materials within the site;
- (d) Temporary site offices and watchmen chowkies and labourer hutments within the site only during the phase of construction of the main building;
- (e) Structure for exhibitions/circuses, etc;
- (f) For factories in industrial lands, structures within the site for storage of machinery before installation;
- (g) Structures for ancillary works for quarrying operations in conforming zones;
- (h) Milk booths and telephone booths;
- (i) Transit accommodation for persons to be rehabilitated in a new construction;
- (j) Structures for educational and medical facilities within the site of the proposed building during the phase of planning and constructing the said permanent buildings;
- (k) On site Ready Mix Concrete (RMC) plant for the use at site under development/construction.

(Suggestion - I)

(l) Show flats and sales office.

(m) Labour hutment during construction.

(n) Creche

Provided that temporary construction for structures, etc. mentioned at (iii), (iv), (vi), (ix), (x) ~~and~~ (xi) (xii) and (xiii) may be permitted to be continued temporarily by the Commissioner but in any case not beyond completion of construction of the main structure or building, and that structure in (viii) may be continued on annual renewable basis by the Commissioner beyond a period of three years.

(Suggestion - II)

“(xii) after para (xi) (xii) / construction of sample flat. Show flat as par of marketing promotion may be allowed”

▲ **58. Common Antenna for Television Transmission Reception/ Telecommunication/ Digital Communication:-**

▲ In every Building the provision for

▲ (1) Installation of common Television Transmission Reception/Antenna, and Ducting for telecommunication lines and optical fiber cable for Digital Data communication /transmission shall be made

▲ (2) Ducting for laying of piped gas connection in the surrounding of building.

▲ **59. Special Purpose NOCs**

▲ Wherever necessary, special purpose NOCs shall be required to be submitted for the development of plot/s depending upon the location & type of work as specified in these Regulations. Observance of requirements of these and all other NOCs shall be the responsibility of Owner/Developer/Project Proponent. The Commissioner may grant permissions/approvals for development based on an undertaking by the Owner/Developer/Project Proponent that he shall comply with all the requirements of special NOCs, Laws, and Regulations that are applicable from time to time. The illustrative list of special purpose NOC's is mentioned in Appendix III

▲ **60. Repairs to Existing Building**

▲ The structural/extensive repairs to the existing buildings, which have been constructed with the approval from the competent authority or were in existence prior to 17.04.1964 in respect of residential structures and 01.04.1962 in respect of non-residential structures and which are in need of structural/extensive repairs, may be allowed without change in footprint/planning. Under the guise of repairs, addition/alterations/vertical & horizontal extension to the existing structures shall not be permissible. The structural /extensive repairs to the existing buildings may be allowed as described in Appendix IV.

PART- XII ENVIRONMENTAL SUSTAINABILITY

61. *Public Sanitary Convenience (PSC) Blocks/Toilets*

With the approval of the Commissioner, PSC blocks may be constructed, maintained and made available for general public use on Municipal/Govt plots, which are reserved/designated for public purpose in the following manner:

- i) The location of PSC blocks shall be such that the same are accessible for general public use.
- ii) The toilets shall be maintained by the user of the plot or as decided by the Commissioner.
- iii) On plots having non-buildable/POS reservation/designation and having area more than 4,000 sq. m, 2 toilets and 2 urinals each for ladies and gents may be constructed.
- iv) On plots having non-buildable/POS reservation/designation and having area less than 4,000 sq. m, 1 toilet and 2 urinals each for ladies and gents may be constructed.
- v) On plots having buildable reservation/designation, and having area more than 4,000 sq. m and abutting to Public Street, 1 toilet and 2 urinals each for ladies and gents may be constructed. The PSC so proposed shall have access directly from the public street and shall be located in such a way that, it shall not cause nuisance to the occupants of the plot and same shall have to be maintained as decided by the Commissioner in hygienic condition. The BUA of toilet block shall be counted in BUA of the reservation to be handed over to Appropriate Authority.
- vi) Construction of such PSC may be allowed touching the plot boundary and accessible from Public Street. The joint open space between the structure of primary user and the structure for PSC shall not be less than required front open space for structure of primary user or 3 m whichever is higher.
- vii) The PSC to the extent specified shall be permissible free of FSI.
- viii) Availability of PSC shall be displayed in such a way that it is clearly seen from Public Street.
- ix) Substation can be provided above PSC as per the requirement of Electric Supply Company subject to NOC from CFO.

62. *Rain Water Harvesting (RWH)*

Suggestion – I

Rain water harvesting tanks causes mosquito breeding due to stagnant water in the storage tank when no rain water flows in. Hence this condition to be deleted.

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General: The Rain Water Harvesting (RWH) arrangement shall be provided in case of Development /Redevelopment of plots having area of 500 sq. m and more. It shall have one or more RWH structures having a minimum total capacity as detailed in schedule below;

Suggestion - I

General: The Rain Water Harvesting (RWH) arrangement shall be provided in case of Development /Redevelopment of plots having area of 500 sq. m 4000 SqMts and more. It shall have

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Provided that the professional on record shall certify that the RWH System /Structures have been constructed as per the specification or of specifications different from those in Schedule, subject to the minimum capacity of RWH System being ensured in each case.

The owner/society of every building shall ensure that the RWH structure/system is maintained in good condition for storage of water for non potable purposes or recharge of ground water at all times.

SCHEDULE

RWH in a building site includes storage or recharging into ground of rain water falling on the terrace or on any paved or unpaved surface within the building site.

1) The following systems may be adopted for harvesting the rain water drawn from terrace and the paved surface.

(i) Open well of a minimum diameter of 1 m and minimum depth of 6 m into which rain water may be channeled, after filtration for removing silt and floating material. The well shall be provided with ventilating covers. The water from the open well may be used for non potable domestic purposes such as washing, flushing and for watering the garden.

(i) Open well of a minimum diameter of 1 m 0.30M and minimum depth of 6 m 2.0m @ every 6Mts in the SWD into which rain water may be channeled, after filtration for removing silt and floating material. The well shall be provided with ventilating covers. The water from the open well may be used for non potable domestic purposes such as washing, flushing and for watering the garden.

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(ii) RWH for recharge of ground water may be done through a borewell around which a pit of one meter width may be excavated up to a depth of at least 3 m and refilled with stone aggregate and sand. The filtered rain water may be channeled to the refilled pit for recharging the bore well.

(iii) An impervious surface/underground storage tank of required capacity may be constructed in the open space and the rain water may be channeled to the storage tank. The storage tank shall always be provided with ventilating covers and shall have draw-off taps suitably placed so that the rain water may be drawn off for domestic washing, gardening and such other purposes. The storage tanks shall be provided with an overflow.

(iv) The surplus rain water after storage may be recharged into ground through percolation pits or trenches or combination of pits and trenches. Depending on the

geomorphological and topographical condition, the pits may be of the size of 1.20 m width x 1.20 m length x 2.00 m to 2.50 m depth. The trenches can be of 0.60 m width x 2.00 to 6.00 m length x 1.50 to 2.00 m depth. Terrace water shall be channeled to pits or trenches. Such pits or trenches shall be back filled with filter media comprising the following materials.

- a) 40 mm stone aggregate as bottom layer upto 50% of the depth;
- b) 20 mm stone aggregate as lower middle layer upto 20% of the depth;
- c) Coarse sand as upper middle layer upto 20% of the depth;
- d) A thin layer of fine sand as top layer;
- e) Top 10% of the pits/ trenches will be empty and a splash is to be provided in this portion in such a way that roof top water falls on the splash pad.
- f) Brick masonry wall is to be constructed on the exposed surface of pits/ trenches and the cement mortar plastered.

The depth of wall below ground shall be such that the wall prevents loose soil entering into pits/trenches. The projection of the wall above ground shall be at least 15 cm.

- g) Perforated concrete slabs shall be provided on the pits/trenches.

- (v) If the open space surrounding the building is not paved, the top layer up to a sufficient depth shall be removed and refilled with coarse sand to allow percolation of rain water into ground.

Suggestion - I

- (vi) For effective drainage of rain water, the roof of building shall be so constructed or framed as to permit effective drainage of the rain water therefrom by means of rain water pipes. Such pipes shall be so arranged, joined and fixed as to ensure that the rain water is carried away from the building without causing dampness in any part of the walls or foundation of the building or those of adjacent buildings.

2. The terrace shall be connected to the open well/bore well/storage tank/recharge pit/ trench by means of HDPE/PVC pipes through filter media. A valve system shall be provided to enable drain away the first washings from roof or terrace catchment, as they would contain undesirable dirt. The mouths of all pipes and openings shall be covered with mosquito (insect) proof wire net. For the efficient discharge of rain water, there shall be at least two rain water pipes of 100 mm dia. for a roof area of 100 sq. m.
3. RWH structures shall be so sited as not to endanger the stability of building or earthwork. The structures shall be designed such that no dampness is caused in any part of the walls or foundation of the building or those of an adjacent building.

63. Special Provisions; for installation of Solar Water Heating (SWH) Systems.

Solar Water Heating (SWH) Systems shall be installed in the buildings for Hospitals, Hotels, Guest Houses, Police/Army Barracks, Canteens, Laboratories and Research Institutions, Hostels of Schools and Colleges and other Institutions.

Solar Water Heating (SWH) Systems shall be installed in the buildings for Hospitals, Hotels, Guest Houses, Police/Army Barracks, Canteens, Laboratories and Research

1. The SWH systems shall be mandatory in hospitals and hotels, where the hot water requirement is of continuous nature. In these buildings, the system shall be provided with auxiliary electrical back-up.
2. The use of SWH system is recommended in the following type of buildings in Govt/Semi-Govt and Institutional buildings where the hot water requirement may not be continuous/permanent:
 - 1) Guest House
 - 2) Police/Army barracks
 - 3) Canteens
 - 4) Laboratory and Research Institutions where hot water is needed
 - 5) Hostels of Schools and Colleges and other Institutes.
3. The use of SWH system may be allowed in any other building.

The installation of the electrical backup in all such water heating systems shall be optional depending on the nature of requirement of hot water.

It is suggested that SWH systems of the capacity of about 100 liters per day on thermosyphon with necessary electrical back-up be installed at residential buildings like hostels.

In order to facilitate the installation of the SWH systems, the new buildings of aforesaid types shall have the following provisions.

- 1) All such buildings where SWH systems are to be installed will have open sunny roof area available for installation of SWH system.
- 2) The roof loading adopted in the design of such building should be at least 50 kg/sq. m for the installation of SWH system.
- 3) SWH systems can also be integrated with the building design. These can either be put on the parapet or could be integrated with the south facing, vertical wall of the building. The best inclination of the solar energy collector for regular use throughout the year is equal to the local Latitude of the place. The solar energy collector should be facing south. However, for only winter use, the optimum inclination of the solar energy collector would be Latitude+15 degrees of the south.
- 4) All the new buildings of aforesaid types to be constructed shall have an installed hot water line from the roof top and also insulated distribution pipelines to each of the points where hot water is required in the building.
- 5) The capacity of the SWH system to be installed on the building shall be decided on the basis of the average occupancy of the buildings. The norms for hospitals, hotels and other buildings are given below:

Sr. No.	Type of Building	Per capita capacity recommended (litres per day).
1	Hospitals	100
2	Hotels	150

3	Hostels & other such buildings	25
4	Canteen	As required
5	Laboratory & Research Institutions	As required.
6	Other buildings	As required.

6) An open area of 3 sq. m would be required for installation of a solar energy collector which supplies about 100 liters of water per day. At least 60 per cent of the roof area may be utilised for installation of the system.

7) The specification for the SWH system laid down by the Ministry of Non-Conventional Energy Sources can be followed. Flat plate Collector conforming to IS 12933 shall be used in all such solar water heating systems.

Note : 1. The Commissioner may add to the list of buildings mentioned above on which installation of SWH systems can be made mandatory.

2. The Commissioner may insist on installation of solar energy collectors on the terraces of the buildings for harnessing solar energy for purposes other than water heating as well.

3. The construction of SWH system shall be in conformity with IS 12976.

Suggestion-1

[Reason:- Solar water heating should not be made mandatory due to lack of enough space due to multiple services like cooling towers, O.H.T. & L.M.R. etc. on terrace of the building for solar water heating panels especially in Towers, terrace space is not sufficient for entire building].

Earlier criteria was
4000 sq.mt.

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64. Waste (Grey) Water Recycling and Reuse

(1) Development/redevelopment of the plots which attract requirements/provisions of Notifications of Ministry of Environment and Forest (MoEF), Government of India, issued from time to time, shall have the provision for recycling and reuse of waste water.

Provision of recycling and reuse of waste water system may also be permissible in any development other than mentioned above. The professional on record shall certify the detailed scheme for the recycle and reuse of waste water.

The Waste Water Recycling System shall include the following:

- i) Waste water other than from water closet shall be recycled.
- ii) The system shall not constitute a nuisance of foul gases and/or cause public hazard due to its installation and operation.
- iii) The waste water recycling system shall be designed considering the anticipated occupancy load and seasonal fluctuations in discharge.
- iv) Separating of Waste Water:
 - (a) The waste water shall be recycled by installing recycling plant.

(b) Separate plumbing network shall be installed to collect waste water from kitchens, bath rooms, washing machines and dish washers leading to recycling plant with separate underground and overhead tanks provided for this purpose.

(c) The entire connecting network shall be painted in purple blue color.

(d) Recycled Waste Water system shall be maintained in good condition and shall comply with the requirements of Maharashtra Pollution Control Board (MPCB), if any.

(2) Reuse of Waste Water:

- i) The treated waste water shall be used only for gardening, toilet flushing, landscape, irrigation, cooling towers, car washing, etc. and in no case for drinking, bathing, or washing clothes and utensils.
- ii) The output water quality shall conform to the standards of non-potable water as may be prescribed by the MPCB.
- iii) A clause must be included by the owner/developer in the purchase agreement with the purchaser, owner of the premises/organization or society of the occupiers or the society of purchasers stating that recycled waste water system has been provided in the development and shall have to be maintained in good condition as per the requirements of MPCB, if any.

65. Sewage Treatment Plant (STP) & Disposal

Development/redevelopment of the plots which attract requirements/provisions of relevant Notification of Ministry of Environment and Forest (MoEF), Government of India issued from time to time, shall be provided with Sewage Treatment Plant (STP) and disposal system.

Provision of STP and disposal system may also be permissible in any development other than mentioned above. The professional on record shall certify the detailed scheme for the STP and disposal system.

STP shall comply with the following:

- a) STP structure shall be of compact design & completely covered.
- b) There shall not be any foul odour around the STP area or in the ambient environment.
- c) STP shall not require continuous monitoring and operation and shall work well with inconsistent inflow.
- d) Treated water quality shall be of non-potable standards and can be reused for gardening, toilet flushing, landscape, irrigation, cooling towers, car washing, etc. but in no case for drinking, bathing, or washing clothes and utensils.
- e) Treated water shall be environmentally safe to dispose of in Land or Water.
- f) A clause must be included by the owner/developer in the purchase agreement with the purchaser, owner of the premises/organization or society of the occupiers or the society of purchasers stating that, STP has been provided in the development and shall have to be maintained in good condition as per the requirement of the Maharashtra Pollution Control Board (MPCB).

66. Solid Waste Segregation

All buildings shall be provided with separate coloured bins to collect dry waste (paper, plastic, metal, glass, etc.) and wet waste (organic waste). Dedicated space shall be allocated for collecting waste before transferring waste for recycling/disposal separately.

Separate bins shall be provided for safe disposal of hazardous waste (batteries, e-waste, lamps, medical waste, etc.) as provided in hazardous waste management guidelines prescribed by the Ministry of Environment and Forest (MoEF), Government of India.

Provision for treating the wet waste in situ will have to be made and a clause must be included by the owner/developer in the purchase agreement with the purchaser, owner of the premises/organization or society of the occupiers or the society of purchasers stating that, wet waste will be treated in situ and shall have to be maintained in operational condition as per the requirement of MCGM if any.

The planning design, construction and installation of Solid Waste Management System shall be as per the National Building Code of India, Part 9 Plumbing Services, Section 1- Water Supply, Drainage and Sanitation (Including Solid Waste Management) Paragraph 6.

67. Tree Plantation Provisions for Landscaping

- i) The development in any plot of land shall be such as to preserve, as far as practicable, the existing trees. Where trees are required to be felled, twice the number of trees shall be planted for every tree to be felled.
- ii) Every plot of land shall have at least
 - (a) at the rate of 5 trees per 100 sq. m or part thereof of the said recreational space, to be grown within the entire plot.
 - (b) at the rate of 1 tree per 80 sq. m or part thereof to be grown in a plot for which a sub-division or layout is not necessary.
- iii) Trees shall be planted taking care that they shall not obstruct the maneuvering of firefighting vehicles during an emergency.

Suggestion - 1

(c) Potted trees shall be allowed subject to 10% of total tree plantation should be on virgin land.

(d)MCGM shall take deposit for trees which can not be planted.

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68. Coastal Regulation Zone (CRZ)

Notwithstanding anything contained in these Regulations, any development within CRZ areas shall be governed by the amended Coastal Regulation Zone Notification No.S.O.19 (E), dated 6th Jan, 2011 Ministry of Environment and Forest (MoEF), Government of India as amended from time to time, wherever applicable.

69. Environment Impact Assessment (EIA)

This Regulation shall be applicable to developments as specified in provisions of amended Environmental Impact Assessment Notification No.S.O.1533 dated 14.09.2006 as amended from time to time. The compliance of conditions of NOC/Remarks shall be the responsibility of the owner/developer/project proponent.

70. *Energy Efficient Buildings*

Owner/Developer/Project proponent at his option may opt for the certification of Indian Green Building code (IGBC)/Energy Conservation Building Conservation Code (ECBC). The provisions of appliances/fitting as per IGBC/ECBC shall be as per direction of GOI/GOM if any from time to time.

Suggestion : I

Incentive to be given to the extent of 10% of additional FSI complying norms as regards to Energy Efficient Building.

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APPENDIX- I

(Regulation 47)

Additional Fire protection Requirements for High Rise and special Building:-

1. General

In addition to the provisions of fire Protection, the Maharashtra Fire Preventive & Life Safety Measures Act, 2006 ~~fire Protection, National Building code of India~~ National Building code of India, the Chief Fire Officer may insist on suitable provisions in, high rise and special buildings or premises from the fire safety and fire- fighting point of view depending on their occupancy and height.

Construction:-

(1) Building materials:-

(i) Load bearing elements of construction and elements of construction for which the required fire resistance is one hour or more shall be of non- combustible material. Interior finish materials (wall paneling, floor coverings etc.) may be permitted of materials having their rating for flame spread and smoke developed not exceeding a very low flame spread limit in accordance with IS: 1642,1960 (Class I) Ceiling linings shall be non-combustible or of plasterboard.

(ii) Stairways and corridors shall not contain combustible materials.

(2) Structural members such as supports and load bearing walls shall have fire resistance rating of 3 hour, transoms and ceilings at least 2 hours.

(1) Internal walls and partitions separating corridors from areas on floors that are used for any purpose other than circulation shall have a fire resistance of not less than one hour. There shall be no openings in such walls other than for doors or delivery hatches with fire resistance not less than half an hour. Fire sections (fire walls) sub- dividing the building to prevent fire spread, shall have a fire resistance, rating not less than two hours.

(2) Facades excluding windows and doors shall consist of non-combustible building materials. The minimum distance between the top of the opening on a lower floor and the sill of that on the floor above it shall be 0.9 m., so that the fire would have to travel at least 0.9 m. between storeys.

3. Staircase enclosures:-

(1) The internal enclosing walls of staircase shall be of brick or R.C.C. construction with a fire resistance of not less than two hours. All enclosed staircases shall be reached via a ventilated lobby and shall have access through self-closing doors of at least half an hour fire resistance. These shall be single swing doors opening in

the direction of the escape. The door shall be fitted with check section door closers. The floor landing of staircases shall not form part of common corridor.

- (2) The staircase enclosures on the external wall of a building shall be ventilated to the atmosphere at each landing or mid- landing.
- (3) A permanent vent at the top equal to 5 per cent of the cross sectional area of the enclosure and open able sashes at each landing level with area not less than 0.5 sq. m. on the external wall shall be provided. The roof of the shaft shall be at least 1 m. above the surrounding roof. There shall be no glazing or glass bricks in any internal enclosing wall of a staircase. If the staircase is in the core of the building and cannot be ventilated at each landing, a positive pressure of 5 mm. water gauge by an electrically operated blower shall be maintained.
- (4) The mechanism for pressuring the staircase shaft shall be so installed that it operates automatically and also manually when the automatic fire alarm operates.

4. Lift enclosures:-

1. The walls enclosing the lift shafts shall have a fire resistance of not less than two hours. Shafts shall have permanent vents at the top not less than 1800 m. m. (0.2 sq. m.) in clear area. Lifts motor rooms should preferably be sited at the top of the shaft and shall be separated from lift shafts by the enclosing wall of the shaft or by the floor of the motor rooms.
2. Landing doors in lift enclosures shall open into the ventilated or pressurised corridor/lobby and shall have fire resistance of not less than one hour.
3. The number of lifts in one lift bank shall not exceed four. The shaft for the fire lift in a lift bank shall be separated from each other by a brick masonry or R.C.C. wall of fire resistance of not less than two hours. Lift car doors shall have fire resistance of not less than one hour.
4. If the lift shaft and lift lobby are in the core of the building, a positive pressure of not less than 2.5 mm. and not more than 3 mm. water gauge by an electrically operated bower shall be maintained in the lift lobby and positive pressure of not less than 5 mm. water gauge shall be maintained in the lift shaft. The mechanism for pressuring the lift shaft and lift lobby shall be so installed that they shall operate automatically and also manually when the detector & automatic fire alarm operates. The mechanism shall have facilities to operate manually.
5. Exit from the lift lobby, if located in the core of the building, shall be through a self-closing smoke stop door of a half-hour fire resistance.
6. The lift machine room shall be separate and no other machinery shall be installed therein.

7. ~~Lifts shall not normally communicate with the basement. However, one of the~~ In case of lifts communicating with ~~may be permitted to reach~~ the basement level, ~~provided~~ the lift lobby at each basement level ~~should be~~ is pressurized and separated from the rest of the basement areas, by a smoke-actuated fire resisting door of two hours fire resistance. These doors can also be kept in hold- open position by an electro-magnetic device to be linked with a smoke detector.

The door shall be fitted with check section door closers. The floor landing of staircases shall not form part of common corridor.

5. External windows.

The area of the open able external windows on a floor shall be not less than 2 1/2 per cent of the floor area. The locks for these windows shall be fitted with budget lock of the carriage key type (which can be opened with the point of a fireman's' axe).

6. Fire lifts

The following provisions shall be made for a fire lift.-

- a. To enable fire services personnel to reach the upper floors with minimum delay, one or more of the lifts shall be so designed as to be available for the exclusive use of such personnel in an emergency and be directly accessible to every dwelling/lettable floor space of each floor.
- b. The lift shall have a floor area of not less than 1.4 sq. m. with a minimum dimension of 1.12 m. It shall have a loading capacity of not less than 545 kg. (8 persons lift) with automatic closing doors.
- c. There shall be an alternate electric supply from a generator of an adequate capacity apart from the electric supply in the building and the cables shall run in a route safe from fire, i.e. within the lift shaft. In case of failure of normal electric supply, it shall automatically trip over to alternate supply. For apartment buildings, this change over of supply could be done through a manually operated change-over switch.
- d. The operation of a fire lift shall be by a simple toggle or two button switch situated in a glass fronted box adjacent to the lift at the entrance level. When the switch is on, landing call-points will become inoperative and the lift will be on care control only or on priority control device. When the switch is off, the lift will return to normal working. This lift can be used by the occupants in normal times.
- e. The words 'FIRE LIFT' shall be conspicuously displayed in fluorescent paint on the lift landing doors at each floor level.
- f. Collapsible gates shall not be permitted for lifts; the lifts shall have solid doors with fire resistance of at least one hour.
- g. The speed of the fire lift shall be such that it can reach the top floor from ground level within one minute.

7) Basements:-

- (1) Each basement shall be separately ventilated. Vents with cross sectional area (aggregate) not less than 2.5 percent of the floor area spread evenly around the perimeter of the basement shall be provided in the form of grills or breakable stall boards lights or pavement lights or by way of shafts. Alternatively, a system of air inlets shall be provided at basement floor level and smoke outlets at basement ceiling level. Inlets and outlets may be terminated at ground level with stall boards or pavement lights as before but ducts to convey fresh air to the basement floor level shall have to be laid. Stall boards and pavement lights should be in position easily accessible to the Fire Brigade personal and rescue teams and clearly marked 'SMOKE OUTLET' or AIR INLET' with an indication of area served at or near the opening.
- (2) The staircase of basements shall (a) be of enclosed type having fire resistance of not less than two hours; (b) be situated at periphery of the basement to be entered at ground level only from the open air and in such a position that smoke from any fire in the basement shall not enter any exit serving the ground and upper storeys of the building; and (c) communicate with basement through a lobby provided with fire-resisting self-closing doors of one hour fire resistance. If the travel distance exceeds ~~18.50 m~~ **the values mentioned in sub regulation (3)(ii)(i)&(ii) of regulation 47**, additional staircases at proper places shall be provided.
- (3) Intake ducts may serve all basement levels but each basement and basement compartment shall have separate smoke outlet duct or ducts.
- (4) Mechanical extractors for smoke-venting system from lower basement levels shall also be provided. The system shall be of such design as to operate on actuation of heat sensitive detectors or sprinklers if installed and shall have a considerably higher performance than the standard units. The system should also have an arrangement to start it manually and shall be designed to function at a temperature not less than 550⁰C.
- (5) Kitchens working ~~on~~ **on** gas fuel shall not be permitted in basements.

8) Floor space division (fire sections)

The floor space division on floors and in basements shall be as per provisions of N.B.C.

9) Service ducts.

- (1) Service ducts shall be enclosed by walls having a fire resistance of not less than two hours. Doors for inspection or access shall also have a fire resistance of not less than two hours.
- (2) If the cross sectional area of a duct exceeds 1 sq. m it shall be sealed where it passes a floor with non-combustible light material. The seal within the duct

May be pierced for any service pipe or ventilated trunk and shall fit as closely as possible around any such pipe or trunk.

- (3) A permanent vent shall be provided at the top of the service shaft of cross-sectional area not less than 460 sq. cm or 6.25 cm. for each 900 sq. cm of the area of the shaft, whichever is more.

10. Refuse chutes and refuse chambers.

(1) Hoppers under refuse chutes shall be situated in a well ventilated position and the chutes shall be continued upwards with an outlet above roof level and with an enclosure wall of non-combustible material with fire resistance of not less than two hours. The hoppers shall not be located within the staircase enclosure.

(2) Inspection panels and hopper (charging station) opening shall be fitted with light fitting, metal doors, covers, having a fire resistance of not less than one hour. Flap doors/covers i.e. push-in or lift-up type shall not be permitted.

(3) Refuse chutes shall not be provided in staircase walls and air conditioning shafts, etc.

(4) Refuse chambers shall have walls and floors or roofs constructed of non-combustible and impervious material and shall have a fire resistance of not less than two hours. They shall be located at a safe distance from exit routes.

11 Building services

(1) Electrical Services

- a) The electric distribution cables wiring shall be laid in a separate duct. The duct shall be sealed at every floor with non-combustible materials having the same fire resistance as that of the duct.
- b) Water mains, telephone lines, inter-com lines, gas pipes or any other service line shall not be laid in the duct for electric cables.
- c) Separate circuits for water pumps, lifts, staircase and corridor lighting and blowers for the pressurizing system shall be provided directly from the main switch gear panel and these circuits shall be laid in separate conduit pipes so that a fire in one circuit will not affect the others. Master switches controlling essential services circuits shall be clearly labelled.
- d) The inspection panel doors and any other opening in the shaft shall be provided with air-tight fire doors having a fire resistance of not less than two hours.

- e) High, Medium and low voltage wiring running in shafts, and within a false ceiling, shall run in metal conduits.
- f) An independent and well ventilated service room shall be provided on the ground floor with direct access from outside or from the corridor for the purpose of termination of electric supply from the licensees' service and alternative supply cables. The doors provided for the service room shall have fire resistance of not less than two hours.
- g) If the licensees agree to provide meters on upper floors, the licensees' cables shall be segregated from consumers' cables' by a partition in the duct. Meter rooms on upper floors shall not open into staircase enclosures and shall be **adequately** ventilated **directly to open air outside**.
- h) PVC cables should have an additional sheathing or protection provided by compounds sprayed on after installation.

(i) Sizes & areas of electrical shafts for various heights of the building allowed free of F.S.I., as mentioned below:

SIZES& AREA OF ELECTRICAL SHAFTS FOR VARIOUS HEIHGTS OF BLDGS.

<u>Heights of the Bldg.</u>	<u>Size & Area of Electrical Shafts</u>
<u>Upto 15 MT. Height</u>	<u>1.50 x 1.20 = 2.80 m²</u>
<u>Above 15 MT. Height & upto 32 MT.Height</u>	<u>2.50 x 1.35 = 3.50 m²</u>
<u>Above 32 MT. Height & upto 70 MT. Heights</u>	<u>3.50 x 2.75 = 10.00 m²</u>
<u>Above 70 MT. Height & upto 120 MT. Heights</u>	<u>3.90 x 3.50 = 14.00 m²</u>
<u>Above 120 MT. Height</u>	<u>3.90 x 3.50 x 2 Nos. = 28.30</u>

h)i)

(2) Town gas/L.P. Gas supply pipes

These pipes shall be run in shafts exclusively for this purpose and shall be on external walls, away from the staircases. There shall be no inter- connection between these shafts and the rest of the floors, Gas meters shall be housed in a suitable constructed metal cupboard located in a well-ventilated space at ground level.

Shaft exclusively for L.P.Gas Supply Pipes per flat of size 1.00 M x 0.75 M admeasuring 0.75 sq. mtrs. located on external walls away from the staircase allowed free of F.S.I.

(3) Staircase and Corridor Lightings

- (a) The staircase and corridor lighting shall be on separate circuits and shall be independently connected so that they could be operated by one switch installation on the ground floor easily accessible to fire-fighting staff at any time irrespective of the position of individual control of light points, if any.

- (b) Staircase and corridor lighting shall also be connected to alternate supply as defined in sub-Regulations (4). However, for assembly and institutional buildings less than 32 m. when the alternate source of supply may be provided by battery continuously trickle-charged from the electric mains.
- (c) Double throw switches should be installed to ensure that the lighting in the staircase and the corridor do not get connected to two sources of supply simultaneously. A double throw switch shall be installed in the service room to terminate the stand- by-supply.
- (d) Emergency lights shall be provided in the staircase/corridors for multistoried high rise and special buildings.

(4) Alternate source of electric supply

A stand-by electric generator shall be installed to supply power to staircase and corridor lighting circuits, fire lifts, the stand- by fire pump, pressurization fans and blowers, smoke extraction and damper systems in case of failure of normal electric supply. The generator shall be capable of taking starting current of all the machine and circuits stated above simultaneously. If the stand-by pumps are driven by diesel engine, the generator supply need not be connected to the stand by pump.

(5) Transformer room

- (a) If transformers are housed in basement, they shall be necessarily in the first basement in a separate fire resisting room of four house rating, at the periphery of the basement. The rooms shall be protected by carbon dioxide or BCF fixed installation system to protect transformers. The entrance to the room shall be provided with a steel doors of two hours fire rating. A curb (sili) of a suitable height shall be provided with at the entrance in order to prevent the flow of oil from a ruptured transformer into other parts of the basement. Direct access to the transformer room shall be provided preferably from outside. The switch gears shall be housed in a separate room separated from the transformer bays by a fire resisting wall with fire resistance of not less than four hours.
- (b) If housed in basement, the transformer shall be protected by an automatic high pressure water spray system (emulsifying).
- (c) Transformers housed at ground floor level shall be cut-off from the other portion of the premises by fire resisting walls of four hours' fire resistance. /separate structure
- (d) They shall not be housed on upper floors except stilt at upper level & podium if dry type.
- (e) A tank of RCC construction of capacity capable of accommodating the entire oil of the transformers shall be provided at lower level, to collect the oil from the catch-pit in an emergency. The pipe connecting the catch-pit to the tank shall be of non- combustible construction and shall be provided with a flame- arrester.

(f) Air-conditioning

- (a) Escape routes like staircases, common corridors, lift lobbies etc. shall not be used as return air passages.
- (b) The ducting shall be constructed of substantial gauge metal in accordance with IS-655-1963 Metal Air Ducts (Revised).

- (c) Wherever the ducts pass through fire-walls or floors, the opening around the ducts shall be sealed with fire- resisting materials such as asbestos rope or vermiculite concrete glass wool.
- (d) As far as possible, metallic ducts shall be used even for the return air instead of space above the false ceiling.
- (e) The materials used for insulating the duct system (inside or outside) shall be of non-combustible materials such as glass wool, spun glass with neoprene facing.
- (f) Area more than **compartment size as per NBC 750 sq. m** on the individual floor shall be segregated by a fire-wall and automatic fire dampers for isolation shall be provided where the ducts pass through fire walls. The fire dampers shall be capable of operating manually.
- (g) Air ducts serving floor areas, corridor etc. shall not pass through the staircase enclosure.
- (h) The air handling units shall as far as possible be separate for each floor and air ducts for every floor shall be separate and in no way interconnected with the ducting of any other floors.
- (i) Automatic fire dampers shall be provided at the inlet of the fresh air duct and the re-turn air duct of each compartment on every floor. They shall be so arranged as to close by gravity in the direction of the air movement and to remain tightly closed upon operation of a smoke detector.
- (j) If the air handling unit serves more than one floor, the requirements given above shall be compiled with an addition to the conditions given below :-
 - I) Proper arrangements by way of automatic fire dampers working on smoke detectors for isolating all ducting at every floor from the main riser shall be made.
 - ii) When the automatic fire alarm operates, the respective air handling units of the air-conditioning system shall automatically be switched off.
- (k) The air filters of the air-handling units shall be of non-combustible materials.
- (l) The air handling unit room shall not be used for storage of any combustible materials.
- (m) Inspection panels should be provided in main trunking to facilitate the cleaning of the duct of accumulated dust and to obtain access for maintenance of fire dampers.

(n) No combustible material shall be fixed nearer than 15 cm. to any duct unless such duct is properly enclosed and protected with non-combustible material (glass wool) or spun glass with neoprene facing enclosed and wrapped with aluminum sheeting) at least 3.2 mm. thick and which does not readily conduct heat.

(o) Materials used for false ceilings, runners and suspenders shall be of non-combustible type.

2. Boiler room

Boiler and boiler rooms shall conform to the Indian Boilers Act. The following additional aspects should be taken into account in the location of boiler/boiler room:

(a) Boilers shall not be allowed in a lower basement but may be allowed in basements at first level and away from the escape routes.

(b) The boilers shall be installed in a fire- resisting room of 4 hours' fire resistance rating situated on the periphery of the basement. Catch-pitch shall be provided at the low level.

(c) Entry to this room shall be provided with a composite door of two hours fire resistance.

(d) The boiler room shall be provided with fresh air inlets and smoke exhausts directly to the atmosphere.

(e) The furnace oil tank for the boiler, if located in the adjoining room, shall be separated by-fire resisting walls 4 hours rating. The entrance to this room shall be provided with double composite doors. A kerb of suitable height shall be provided at the entrance in order to prevent the flow of oil into the boiler room in case of tank rupture.

(f) Foam inlets shall be provided on the external walls of the building near the ground level to enable the fire services to use foam in case of fire.

12. 8 Provision of First Aid and Fire-fighting Appliances

(1) First-aid firefighting equipment shall be provided on all floors including basements, lift rooms, etc. in accordance with IS: 2217- 1963 Recommendations for providing First-Aid Fire Fighting Arrangements in Public Buildings.

(2) The firefighting appliances shall be distributed over the building in accordance with IS: 2190- 1971 Code of Practice for Selection, Installation and Maintenance of Portable First-Aid Fire Appliances.

13. Fixed Fire-Fighting Installations

- (1) Buildings shall be protected by wet riser, wet riser- cum- down corner, automatic sprinkler, installation, high pressure water spray or foam generating system as prescribed in sub-Regulations (2) to (6) below :-
- (2) The wet riser/riser-cum-down comers' installation with capacity of water storage tanks and fire pumps shall conform to the requirements specified in Table hereunder.

Table**Firefighting installation requirements:-**

Sr. No.	Type of the building occupancy	Requirements				
		Water Supply			Pump Capacity	
		Type of Installation	Undergro und Static Tank	Terrace Tank	Near the underground Static Tank	Terrace Level
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1	Residential buildings below 32 m. in height	Nil	Nil	Nil	Nil	Nil
2	Residential buildings- (a) Above 32 m. and not exceeding 70 m. (if plot area is less than 600 sq. m) with shopping/comme rcial up to two upper floor	Wet riser-cum-down comer.	50,000 litres	30000 litres	2400 litres per minute giving a pressure not less than 3.2 kg/cm2 at the topmost hydrant.	900 litres per minute giving a pressure not less than 3.2 kg/cm2 at the topmost hydrant.
	(b) Above 32 m. and not exceeding 70 m. (if plot area is more than 600 sq. m) with shopping/comme rcial up to two upper floor	Wet riser cum-down comer.	1,50,000 litres	30,000 litres	2,400 litres per minute giving a pressure not less than 3.2 kg/cm2 at the topmost hydrant.	900 litres per minute giving a pressure not less than 3.2 kg/cm2 at the topmost hydrant.

	(c) Exceeding 70 m.	Wet riser cum down corner	3,00,000 litres	50,000 litres	2800 litres per minute giving pressure not less than 3.2 kg/cm ² at the top most hydrant.	900 litres per minute giving pressure not less than 3.2 kg/cm ² at the top most hydrant.
(3)	Non-residential /Special type buildings-					
	(a) Upto 15 m. in height.	Nil	50,000 litres	Nil	Nil	Nil
	(b) Above 15 m. but not exceeding 32 m. in height except educational buildings.	Wet riser-cum-down corner.	1,00,000 litres	20,000 litres	1400 litres per minute giving a pressure not less than 3.2 kg/cm ² at the topmost hydrant	900 litres per minute giving a pressure not less than 3.2 kg/cm ² at the top hydrant.
	(c) Above 32 m. but not exceeding 70 m. in height except educational buildings. (If area of plot is less than 600 sq. m)	Wet riser-cum-down corner	1,00,000 litres	30,000 litres	2400 litres per minute giving a pressure not less than 3.2 kg/cm ² at the topmost hydrant.	900 litres per minute giving a pressure not less than 3.2 kg/cm ² at the top hydrant.
	(d) Above 32 m. but not exceeding 70 m. (If area of plot is more than 600 sq. m)	Wet riser-cum-down corner.	1,50,000 litres	30,00 litres	2400 litres per minute giving a pressure not less than 3.2 kg/cm ² at the topmost hydrant.	900 litres per minute giving a pressure not less than 3.2 kg/cm ² at the top hydrant.
	e) Above 70 m. in height buildings. (If area of plot is more than 600 sq. m)	Wet riser-cum-down corner.	3,00,000 litres.	50,000 litres	2800 litres per minute giving a pressure not less than 3.2 kg/cm ² at the topmost hydrant.	900 litres per minute giving a pressure not less than 3.2 kg/cm ² at the top hydrant.

Note:

1. Any of the above categories may incorporate an automatic sprinkle/a drencher system, if the risk is such that it requires such protective methods.

2. A minimum of two hydrants shall be provided within a courtyard.

2 Wet riser-cum- down corner is an arrangement for firefighting within the building by means of vertical rising mains of not less than 10 cm. Internal dia, with hydrant and hose reel on each floor landing connected to an overhead water/storage tank for firefighting purpose through a booster pump, check valve and a non-return valve near the tank end and a fire pump, gate and non-return valve over the underground static tank. A fire service inlet at ground level filled with a non- return valve shall also be provided to the rising main for charging it by a fire service pump in case of failure of static fire pumps over the underground static tanks.

1. The performance of pumps specified above shall be at R.P.M. not exceeding 2,000.

2. The above quantities of water shall be exclusively for firefighting and shall not be utilised for domestic/or other use. The layout of underground static water tank shall be as per the requirement of CFO/CFO manual.

3. The size of the riser in the non- residential buildings over 32 m. high shall be 15 cm. (internal dia.) with twin hydrant outlets and hose reel on each floor.

4. A facility to boost water pressure in the riser directly from the mobile pump shall also be provided to the wet riser system with suitable fire service inlets (collecting head with two 63 mm inlets for 10 cm rising main and four 63 mm inlets with check valves for 15 cm. Dia rising main) and a non- return valve and a gate valve.

5. Hose Reel-The Internal diameter of rubber hose for the hose reel shall be a minimum of 19 mm. A shut-off branch with a nozzle of 4.8 mm. size shall be provided.

9. CFO shall have discretionary powers to make any changes in above table as per type of occupancy and hazard analysis.

5.

(3) Wet Riser Installation

They shall conform to IS: 3644-1966 Code of Practice for Installations of Internal Fire Hydrants in high-rise buildings. In addition, the wet-riser shall be designed for zonal distribution ensuring that unduly high pressure does not develop in risers and hose pipes.

In addition to wet-riser, wet riser-cum-down corner, first aid hose reels shall be installed on the floors of buildings above 32 m. and shall conform to IS :884- 1969 Specifications for First Aid Hose Reel for Fire Fighting (Fixed Installation). The first aid hose reel shall be connected to one of the female couplings of twin couplings of landing valves directly to the wet riser in the case of single outlet of the wet riser installations by means of adapter :-

- (i) Static Water Storage Tank:- A satisfactory supply of water for the purpose of firefighting shall always be available in the form of an underground static storage tank with capacity specified for each building with arrangements of replenishment by main or alternative source of supply at 1,000 liters per minute. The static storage water supply should easily be accessible to fire engines. Provision of suitable number of manholes shall be made available for immersion, repairs and inspection of suction hose etc. The covering slab shall be able to withstand a vehicular load of 18 tonnes. The domestic suction tank connected to the static water storage tank shall have an overflow capable of discharging 2250 litres per minute to a visible drain point from which by a separate conduit the overflow shall be conveyed to a storm water drain.
- (ii) To prevent stagnation of water in the static water storage tank, the suction tank of the domestic water supply shall be fed only through an overflow arrangement to maintain the level therein at the minimum specified capacity.
- (iii) The static water storage tank shall be provided with a fire brigade collecting breaching with four 63 mm. Dia. (two of 63 mm. dia. for pump with capacity 1,400 liters/minute) instantaneous male inlets arranged in a valve box at a suitable point at street level and connected to the static tank by a suitable fixed pipe of not less than 15 cm dia. to discharge water into the tank when required at a rate of 2250 litres per minute.
- (iv) Automatic Sprinklers: - Auto-sprinklers shall be installed:-in accordance with provisions of NBC, amended up to date.
 - ~~a) in basements used as car parks except in apartment buildings and residential hotels if the area exceeds 500 sq. m.~~
 - ~~b) in basements of high rise buildings used as car parks and for permissible essential services ancillary to a particular occupancy.~~
 - ~~c) In any rooms or other compartment of a building exceeding 500 sq. m.~~
 - ~~d) In department stores or shops in an area exceeding total of 750 sq. m.~~
 - ~~e) In all non domestic floors of mixed occupancy considered to constitute a hazard and not provided with staircase independent of the remainder of a building;~~

- ~~f) In godowns and warehouses as considered necessary;~~
~~g) In dressing rooms, scenery decks, stages, and stage basements of theatres.~~

(1) Automatic High Pressure Water Spray (emulsifying):- This system shall be provided for protection of indoor transformers of a substation in a basement area.

(2) Foam Generating System:- This system shall be provided for protection of boiler rooms with ancillary, storage of furnace oils in a basement.

(3) Carbon-dioxide (Co2) Fire Extinguishing System:- Fixed Co2 fire extinguishing installation shall be provided as per IS : 6382-1971 Code of Practice for Design and Installation of Fixed Co2 Fire Extinguishing System on premises where water or foam cannot be used for extinguishing fire because of the special nature of the contents of the buildings/areas to be protected. Where possible, BCF installation may be provided instead of Co2 installation.

14. Fire Alarm System:-

All buildings mentioned below shall be equipped with fire alarm systems as given below:-

- (i) ***Special buildings above 15 m. in height and Business and Industrial buildings above 32 m in height-***
 - (a) Such buildings shall be equipped with a manually- operated electrical fire alarm system with one or more call boxes located at each floor. The call boxes shall be so located that one or other of them shall be accessible to all occupants of the floor without having to travel more than 30 m.
 - (b) The call boxes shall be of the 'break-glass' type without any moving parts where the call is transmitted automatically to the control room without any other action on the part of the person operating the call box.
 - (c) All call boxes shall be wired in a closed circuit to a control panel in the control room located as given in this rule so that the floor number where the call box is actuated is clearly indicated on the control panel. The circuit shall also include one or more batteries with a capacity of 48 hours normal working at full load. The battery shall be arranged to be continuously trickle- charged from the electric mains. The circuit may be connected to an alternate source of electric supply.
 - (d) The call boxes shall be arranged to sound one or more sounders so as to ensure that all the occupants of the building are warned whenever any call box is actuated.

- (e) The call boxes shall be so installed that they do not obstruct the exit-ways and yet their location can easily be noticed from either direction. The base of the call box be at a height of 1 m. from the floor level.

(ii) All other buildings exceeding 32 m. height excluding those mentioned in clause (i) above:-

These buildings shall, in addition to the manually operated electrical fire alarm system, be equipped with an automatic fire alarm system. The latter shall be in addition to any automatic fire-extinguishing system installed in any particular occupancy in accordance with these rules. The detectors for the automatic fire alarm shall conform to the relevant IS Specification Heat Smoke Sensitive Type Fire Detector and the system shall be installed in accordance with IS : 2189- 1976 Code of Practice for Automatic Fire Alarm System of any other relevant Indian Standard, prescribed from time to time.

Provided that, no automatic detector shall be required in any room or portion of a building which is equipped with an approved installation of automatic sprinklers.

15. Lightning Protection of Buildings

The lightning protection systems for buildings shall be in accordance with the provisions of Part III, National Building Code of India amended up to date.

16. Control Room

For all buildings mentioned in clause no 14 above except residential buildings, there shall be a control room (will be allowed free of FSI) on the entrance floor of the building with communication system (suitable public address system) to all floor planers along with the details of firefighting equipment and installations shall be maintained in the control room. The control room shall also have facilities to detect a fire on any floor through indicator boards connecting fire detecting and alarm systems on all floors. The staff in-charge of the control room shall be responsible for the maintenance of the various services and firefighting equipment and installations. Control room shall be manned round the clock.

17. Fire drills and fire orders

Fire notices/orders shall be prepared indicating the requirements of firefighting and evacuation of the building in the event of fire or other emergency. Occupants shall be thoroughly familiarised with their contents and action needed in the event of an emergency. Such notices should be displayed prominently.

Location of Refuge Area:-

I) Manner of providing refuge area:-

- a) The refuge area shall be so located that it shall preferably face the access road/s or otherwise face the wider open space on the side of the building perpendicular to the main access road.
- b) The cantilevered Refuge area on cantilever will be permissible at the mid-landing of the staircase only. All other refuge areas shall be within the building line only.
- c) The cantilevered refuge area shall necessarily be of RCC type.
- d) The refuge area shall be provided with railing / parapet of 1.20 m.
- e) R.C.C. covering shall be provided above the topmost cantilever refuge area.
- f) The refuge area shall have a door which shall be painted or fixed with a sign in luminous paint mentioning "REFUGE AREA"
- g) The lift/s shall not be permitted to open into the refuge areas.
- h) The refuge area provided within building line shall be accessible from common passage/ staircase.

ii) Use of refuge area:-

- a) The refuge area shall be earmarked exclusively for the use of occupants as temporary shelter and for the use of Fire Brigade Department or any other organization dealing with fire or other emergencies when occur in the building and also for exercises/drills if conducted by the Fire Brigade Department.
- b) The refuge areas shall not be allowed to be used for any other purpose and it shall be the responsibility of the owner/occupier to maintain the same clean and free of encumbrances and encroachments at all times.

iii) Facilities to be provided at refuge area:-

- a. Adequate emergency lighting facility shall be provided.
- b. Toilet may be provided within refuge area.
- c. Drinking water shall be provided.

iv) Terrace floor as a refuge floor:-

- a) The necessary facilities such as emergency lighting, drinking water etc shall be provided.
- b) The access door/s from the enclosed staircase/s to the terrace floor shall have louvers at top half portion of the door. The entrance doors to the terrace shall be painted or fixed with sign painted in luminous paint mentioning "REFUGE AREA"

18. Glass Façade

All the buildings having glass façade shall comply with fire safety requirements as per [Model Building Bye Laws/NBC fire manual approved by Municipal Commissioner in consultation with Chief Fire Officer from time to time.](#)

APPENDIX- II

[Regulations 10.1, 10(3) (iii),(iv)]

Form of Notice and first Application for development Under Sections 44,45,58,69 of the Maharashtra Regional and Town Planning Act 1966 and to erect a building under section 337/342 of the Mumbai Municipal Corporation Act, 1888.

To,

The

Municipal Corporation of Greater Mumbai,

Mumbai.

Sir,

I intend to carry out development in the site/to erect, to re-erect/to make material alteration in the building.....on/in plot No. C.S.No./C.T.S. No.....of.....Division/village/Town Planning Scheme No.....situated at Road/Street.....

ward.....and in accordance with section 44,45, 58,69 of the Maharashtra Regional and Town Planning Act, 1966/section 337, 342 of the Mumbai Municipal Corporation Act, 1888, and the Maharashtra Development Plan Rules, 1970.

2. I enclose the following plans and statements (Items 1 to 6) wherever applicable, in quadruplicate

, signed by (Name in block letter).....

Licensed surveyor/engineer/structural engineer/supervisor, License No.....

or architect, who has prepared the plans and designs on my behalf and copies of other statements/documents as applicable (Items 7 to 14) :-

- 1) Key Plan (Location Plan)
- 2) Site Plan
- 3) Sub-division/layout plan
- 4) Building Plan
- 5) Particulars of development in the form in Annexure-I
- 6) Ownership Title documents and ownership title submitted by Solicitor/Advocate

- 7) Attested copy of receipt for payment of building permit fee
- 8) ~~Clearance certificate of municipal tax arrears.~~ Self certification from owner / developer regarding municipal tax clearance (COMMENT: As per EODB)
- 9) No objection certificate/s, where required.
- 10) Appointment letter in favour of licensed technical personnel or architect.
- 11) Supervision memorandum of licensed technical personnel or architect.
- 12) Property register card, and city survey plan for plot in original signed by the Competent City Survey Authority not issued prior to 12 months,
- 13) Owners' affidavit regarding area of the plot.
- 14) Architect's certificate for plot area along with area calculations by triangulation method. Please approve the proposed development/construction and permit me to execute the work.

Yours faithfully,

Date:

Signature of Owner

Name of Owner (in block letters)

Address of Owner

Appendix III**Regulation NO 59***Table. List of special purpose NOCs.*

Sr. No.	Authority	Location
1	Airport	For height of buildings as per the provisions of Regulation No 45(f)
2	Police	For Construction of Religious Structures
3	Jail Authority	Required by the Competent Authority and as notified by Urban Development Department, GoM
4	Railway	If situated within ~~30 m~~ 12 m from Railway Land Boundary / Track.
5	Defence	Required by the Defence Authority around defence installation and as notified by Urban Development Department, GoM
6	MHCC	For development related to Heritage Structures and in Heritage Precincts as specified in the Regulation No 52.
7	ASI (Archeological Survey of India)	As notified by the Competent Authority
8	MHADA /MBRR Board	In case of development of lands belonging to MHADA /development in MHADA layout, Cessed Buildings
9	MCZMA	For development in areas affected by Coastal Regulation Zone
10	MoEF	For development attracting the EIA Notification
11	Highway	Plot abutting highway
12	MMRDA	In influence zone of Metro/Monorail as may be notified by the Competent Authority.
13	Estate Department of MCGM	Land of Improvement Trust
14	Collector	Government land/ NA/ ULC wherever applicable
15	Director of Industries	As specified in these Regulations

The above cited list shall stand amended through additions/deletions mandated by GoM from time to time.

Appendix IV

(Regulation 60)

Repairs to existing Building

(1) Repairs to be carried out can be categorized as detailed below:

Partial repairs- The repairs to the extent of 75% of BUA will be termed as partial repairs. The partial repairs shall be allowed with the permission of the Commissioner.

Extensive repairs- The repairs beyond 75% of BUA will be termed as extensive repairs which shall be allowed with the special permission of the Commissioner.

(2) Type of Repairs:

Category- I-The building neither affected by the road widening nor by DP Reservations.

Category-II-The buildings affected by the road widening or by reservations or by both

(3) Pre-requisites while submitting the proposal:

- (a) Notice under section 342 of MMC Act and notice under section 44/69 of MR & TP Act 1966 duly signed by owner/NOC Holder.
- (ii) NOC from M.B.R & R Board (if cessed building)
- (iii) Structural audit report/Statutory Notice issued by MCGM/MHADA
- (iv) Photographs showing condition of building as under:
 - a) Front roadside view from ground to top floor in one or more photographs as possible.
 - b) Side view elevation photographs wherever possible.
 - c) Dangerous portions proposed for repairs
 - d) Type of existing material in mode of construction
 - e) Roof photographs.
- (v) Plan showing block plan, location plan and all the details existing on site
- (vi) List of all the existing tenants/occupants signed by NOC Holder and countersigned by Architect, in case of non cessed building and list of all the existing tenants/occupants signed by Ex. Engineer M.B. R. & R Board in case of cessed building.
- (vii) Owner's consent for the proposed repairs/authority under section 499 of MMC Act where Owner's consent for proposed repairs is not possible.
- (viii) The onus of submitting authenticity of the structure for which repairs have been proposed shall entirely vest with owner/NOC holder

(4) Guidelines

- (1) The buildings which are in need of Extensive Repairs shall be preferably developed or redeveloped under the provisions of these Regulations. However if development/redevelopment is not possible due to various reasons such as size/shape of plot, disputes and other reasons, then Extensive Repair may be allowed.

(2) Except those buildings affected by setback of important roads from the point of view of their widening, in all other cases repairs will be allowed inclusive of setbacks, with registered undertaking for not claiming any compensation on account of repairs for the structure and shall handover the portion of road setback as per prevailing policy/provision, when required by MCGM. The provision of Twin column arrangement shall be insisted at the sanctioned R.L / D.P. Road so as to detach the part of the building falling within the setback as and when required by MCGM for widening of roads.

(3) When repairs are allowed in the setback/widening of the road portion only then, Standing Committee shall be intimated as per the section 297(3) of MMC Act. If a road is already widened on either side of the building which is to be taken up for repairs, such building can be taken up for repairs in conformity with (2) and (3) above, if it requires extensive repairs.

(4) Repairs may be allowed on sites under reservation, if the same is not under acquisition.

In case of reserved sites which are under acquisition, the repairs may be allowed with special permission of the Commissioner. In both the cases, registered undertaking shall be insisted upon from the NOC holder/owner stating that no compensation will be claimed on account of repairs for the structure as and when the property is acquired, and grant of permission for repairs will not in any way affect the process of acquisition and shall not be used as a tool to impede the process of acquisition.

(5) It shall be the responsibility of the owner/NOC holder to ensure that the existing tenements/existing authorised uses are maintained.

(6) No repairs to the unauthorised structure/unauthorised part of structure shall be allowed.

(7) In case of cessed properties MHADA/MBRRB may carry out repairs of buildings after obtaining remarks from MCGM as per provisions of the MHADA Act. Remarks and observations if any as stated in these guidelines shall be complied with during the course of repairs.

Notes:

1. The repairs to the non-tallying portion which forms part of common amenities such as toilet block, washing places, common passage, and staircase can be considered at Dy. Ch. E (BP)'s level.
2. In case applicant submits documentary evidence from Government Authority to prove the existence of non-tallying portion prior to 01/04/1962 for non-residential and 17/4/1964 for residential buildings, repairs can be allowed
3. In case of partial/extensive structural repairs of buildings owned by Government/Semi Government organizations/Municipal Corporation/B.E.S.T Undertaking/Government-Semi Government Undertakings, approval of the Head of department/Competent Authority of Concerned organization shall be sufficient. Structural Audit as per the requirement of MCGM and compliance thereof shall have to be observed by the concerned organization/Authority.

APPENDIX- V

MUNICIPAL CORPORATION OF GREATER MUMBAI

No. Dy.Ch.E./BP/

of

Office Of The:

Dy. Chief Engineer (B.P.)

ADVANCE POSSESSION RECEIPT

Sub:- Handing over and taking over the advance possession of plot/Area of D.P. Road/Reservation/amenity area etc. as per provisions of DCR 2034 out of Survey No./H.No., CTS No. /C.S. No./ F.P. No. of village /Division/ T.P. Scheme No. in Ward.

_____ working as Assistant Engineer in the Office of Dy. Ch.E. (B.P.)..... and _____, the owner of the said plot of land have respectively taken over on behalf of MCGM as per provisions of DCR and handed over the representative possession of the above said land respectively. The possession of the land mentioned below has been taken as required by the Deputy Superintendent Land Records as per Indian Registration Act, 1908, for the rectification in the Land Record. This possession Receipt does not mean that MCGM have taken final possession of the said land.

The final possession receipt shall be issued only after ascertaining the actual area as per provisions of DCR & joint measurement plan and physically taken over the possession of plot by MCGM and handed over by the owner. The cost of any transaction involved shall be borne by the owner or lessee.

The particulars of land considered for initial stage of representative advance possession receipt is as mentioned below-

Survey No.	H.No.	CTS No./ C.S.No./F.P.No.	Village/Division/TPS	Area Sq.Mts.	in

Conditions to be complied with before handing over final possession of the subject land.

- o The construction of compound wall with gate wherever necessary. The necessary provision of storm water drain.
- o Joint Measurement Survey with C.T.S.O
- o The Title Clearance has been certified by ~~Legal Department of MCGM~~ Advocate/ Solicitor (COMMENT: As per EODB).

- The owner/developer agreeing to rectify the defects in the works, if any, in terms of Undertaking separately given by the owner.
- Any other conditions as may deem fit and proper in the interest of general public.

On..... Day of the month of

Handed over by	Taken over by
OWNER	Sub Engineer/Assistant Engineer
Address :	Bldg. Proposal (Ward)

Disclaimer: This advance possession receipt is issued on the request of applicant and as per Provisions of Regulation No..... of DCR 2034. This advance possession receipt will not entail land owner/lessee to serve Purchase Notice under Section 49/127 of M.R. & T.P. Act, 1966 amended up to date.

APPENDIX- VI

(Final Possession Receipt from Owner to DP Department & DP Department to Estate Department)

MUNICIPAL CORPORATION OF GREATER MUMBAI

No. Ch.E./DP/ of

OFFICE OF THE:
Chief Engineer (Development Plan)
Brihanmumbai Mahanagar Palika,
Municipal Head Office,
5th floor, Annexe Building,
Mahapalika Marg,
Fort, Mumbai-400 001.

FINAL POSSESSION RECEIPT

Sub:- Handing over and taking over of D.P. Road /Reservation/Amenity area out of
Survey No. /H .No., CTS No. /C.S. No. / F.P. No.
of village /Division/ T.P. Scheme No.
in Ward.

Ref:- 1) Advance possession Receipt No. Dy.Ch. E. /BP/..... dtd.....

..... working as Assistant Engineer in the Office of Ch.E. (D.P.) and
....., the owner for the said plot of the land have respectively taken over and
handed over the possession of the above mentioned vacant land.

The particulars of land is as mentioned below-

Survey No.	H. No.	CTS No./ C.S. No./F.P. No.	Village/Division	Area in Sq. m.

The compound wall with gate wherever necessary is provided.

The necessary provision of storm water drain is made.

The area of the D P Road/Reserved land/Amenity area has been ascertained
on the basis

of Joint Measurement Survey with SLR/C.S. Office under M.R. Plan No.
..... dated with communication No.
..... dated and as per the provisions of these
Regulations.

The Title Clearance has been certified by ~~Legal Department of MCGM~~ Advocate / Solicitor
under no.

..... dated

- Any other conditions as may deem fit and proper in the interest of general public.
- The possession of above land is taken over subject to the owner/developer agreeing to rectify the defects in the works and in terms of Undertaking separately given by the owner.
- ~~Ownership of land so handed over shall be transferred in the name of MCGM in land revenue records. The cost of any transaction involved shall be borne by the owner or lessee~~

NOTE:-In case of constructed built up amenity to be handed over along with plot as per the provisions of these Regulations, then the details such as built up area of amenity, number of tenements/non-residential galas, along with requirements like number of parking with their earmarking on the occupation plans and details Occupation/Completion Certificate shall be clearly mentioned in the possession receipt.

On Day of the month of

Handed over by

Taken over by

OWNER

Sub/Asstt. Engineer Development Plan (Ward)

Address :

MUNICIPAL CORPORATION OF GREATER MUMBAI

No. Ch.E. /DP/

of

FINAL POSSESSION RECEIPT

Sub:- Handing over and taking over possession of D.P.Road/Reservation/Amenity out of Survey No./H.No., CTS No. /C.S. No./ F.P. No. of village /Division/ T.P.Scheme No. Ward.

..... working as Assistant Engineer in the Office of Ch.E.(D.P.) and, working as Assistant Engineer in the Office of Assistant Commissioner (Estates) / Ward for the said plot of the land have respectively handed over and taken over the possession of the above mentioned vacant land.

The particulars of land is as mentioned below-

Survey No.	H. No.	CTS No./ C.S. No./F.P. No.	Village/Division	Area in Sq. m.

- The compound wall with gate wherever applicable is provided.

- The necessary provision of storm water drain is made.
- The area of the D P Road/Reserved land/Amenity area has been ascertained on the basis

of Joint Measurement Survey with

SLR/C.S. Office under M.R. Plan No.

..... dated

with communication No.

..... dated

and as per the provisions of these

Regulations.

- The Title Clearance has been certified by [Legal Department of MCGM](#) under no. dated
- Any other conditions as may deem fit and proper in the interest of general public.

The possession of above land is taken over subject to the owner/developer agreeing to rectify the defects in the works and in terms of Undertaking separately given by the owner.

- ~~Ownership of land so handed over shall be transferred in the name of MCGM in land revenue records. The cost of any transaction involved shall be borne by the owner or lessee~~

NOTE:-In case of constructed built up amenity to be handed over along with plot as per the provisions of these Regulations, then the details such as built up area of amenity, number of tenements/non-residential galas, along with requirements like number of parking with their earmarking on the occupation plans and details Occupation/Completion Certificate shall be clearly mentioned in the possession receipt.

On Day of the month of

Handed over by

Taken over by

Sub/Assistant. Engineer

Sub/Assistant Engineer

Development Plan (Ward)

Assistant Commissioner (Estates) / Ward

ANNEXURE - 1

(Part of Appendix II Item 10)

Particulars of Development

- 1) (a) (i) Applicant's Full Name
 (in block letters)
 (ii) Applicant's address
 (a) Name and address of Licensed Surveyor/Engineer/Structural Engineer or Supervisor/Architect employed/Professionals on Records

 (b) No. and date of issue of license Valid up to
 2) Is the plot affected by any reservation or road lines? If so, are these correctly and clearly marked on the block plan?
 3) *(a) What is the total area of the plot according to the document? *(b) Does it tally with the Collector's record?
 *(c) What is the actual area available on site measured by the licensed surveyor/architect/engineer/supervisor or architect?
 (c) If there is any deduction in the original area of the plot on account of road lines or reservation? Please state the total area of such deductions.
 (d) If so, what is the net area?
 (e) Is the clearance under Urban Land (Ceiling and Regulations) Act, 1976 obtained? If so, what is the area allowed for development? Clearance under Urban Land (Ceiling and Regulations) Act, 1976 else an undertaking.
 *Permission will be based on the minimum of areas in (a), (c) or (f) above.
 Note.-INDICATE DETAILS ON THE SITE/BUILDING PLAN AS IN FORM 1.
 4) Are all plans as required under Regulations 10(3) enclosed?
 5) (a) Is the plot part of a city triangulation survey number, revenue survey number or hissa number or a final plot number (city survey number) of a Town Planning Schemes or a part of an approved layout?
 (b) Please state sanction number and date of sub-division/layout.
 6) (a) In what zone does the plot fall?
 (b) What is the permissible Floor Space Index of the Zone?
 (c) What is the number of tenements per net hectare permissible in the zone?
 7 (a) Is the use of every room in the proposed work marked on the plans?
 (b) Is it in accordance with the Regulations?

(c) Does the building fall in the category of-

(i) Special building as defined in Regulations 2(iv)(17)(n) ?

(ii) High rise building as defined in Regulations 2(iv)(17)(i)

8 If the work is in connection with an industry-

a) Please briefly describe the main and accessory processes.

b) Please state the maximum number of workmen and the total KW likely to be employed per shift in the factory.

c) Under what industrial classification does it fall? (Reference to relevant Regulation should be given).

d) Is the proposal for relocation of an existing industry? If so, give the name and address of the existing industry.

Note.- The permission will be based on the area which is minimum.

e) If the proposal is for the establishment of a new industry or for the expansion of an existing industry, is a copy of the "No Objection Certificate" from the Department of Industries enclosed [see Regulations No. 18(k) wherever applicable?

f) Will the building be away from the boundary of a residential or commercial zone or as per Table 18(B) in Regulations 41(4) ?

g) Is the proposal for a service industrial estate on a plot reserved for service industries or in industrial zone?

h) Nature and quantum of industrial waste/effluents and methods of disposal be stated.

9) (a) What is the average-

(i) prescribed width and

(ii) existing width of the street ?

(If the plot abuts two or more streets, information for all streets should be given).

(b) What is the height of the building-?

i.)above the average ground level of the plot

Does it comply with Regulations 43 ?

10) (a) If there are existing structures on the plot-

(i) Are they correctly marked and numbered on the site plan?

(ii) Are those proposed to be demolished immediately coloured yellow?

(iii) What is the plinth area and total floor area of all existing structures to be retained?

(Please indicate in the appended Statement 'A' with details)

(iv) What is the number of existing tenements in the structure(s) to be retained?

(b) What is the plinth area and total floor area of the proposed work or building?

(Please indicate in appended statement 'B' with details

(c) What is the number of tenements proposed?

Note.- INDICATE DETAILS OF THE BUILDING PLAN AS IN FORM 1.

(a) Please state the plinth area and total floor area, existing and proposed (i.e. totals of items 10) a) (iii) and 10(b).

b) Please state the Development Rights, if any, proposed to be used and the floor space index credit available there under.

c) Please state the overall floor space index [Item 11(a) divided by Item 3(e)] plus the floor space index available due to Development Rights.

d) Does the work consume the full floor space index of the plot, as given in item 6(b)? If not, why not?

e) Is the building proposed with setbacks on upper floors?

f) What is the total number of tenements [Item 10(a) (iv) plus Item 10(c)]?

Note.- INDICATE DETAILS ON THE BUILDING PLAN AS IN FORM 1.

(a) What is the width of the front open space? If the building abuts two or more streets, does the front open space comply with Regulations 41(1)

(b) Please state which of the sub-Regulations of Regulations 41 and/or any other Regulations is applicable for the open space?

13) Does the front open space comply with the Regulations?

14) (a) What is-

i. the width of side open space (s) ?

ii. the width of rear open space (s) ?

iii. the distance between buildings ?

b. Do they comply with Regulations 41(2)(i)(a)?

Regulations 41(6)?

(c) Are there two or more wings to the buildings?

If so, are the open spaces separate or distinct for each wing as required by Regulations 41(1)(a)

15) If the plot is narrow, which clause under Regulations 41(7)(a) or Regulations 41(7)(b), do you propose to take advantage of (whatever applicable)?

16) (a) What are the dimensions of the inner or outer chowk?

(b) (i) Does any room depend for its light and ventilation on the chowk? If so, are the dimensions as required for each wing of the buildings?

(ii) If not, is the area at least equal to square of one-fifth of the height as per Regulations 41 (8)

(17) If the height of the building is greater than 16 m. above the average ground level, is provision for lift (s) made?

If so, give the following details of the lift(s):-

(a) Details of lift

Type | Passenger Capacity | No. of lifts | Types of doors

(b) Details of fire lift.

Type | Passenger Capacity | No. of lifts | Types of doors

18) (a) Does the building fall under the purview of clause (i) or (n) of sub-Regulations (17), Regulations 2?

(b) If so, do the proposed fire protection requirements conform to those in Appendix I?

(c) If not, give reasons.

19) (a) (i) What is the requirement of parking spaces under Regulation 44(2) and (3)?

(ii) How many are proposed?

(iii) How many lock-up garages are proposed?

(b) (i) Are parking spaces for transport vehicles provided (Regulations 36(5))?

i. If so, what is the requirement?

ii. How many are proposed?

NOTE: - INDICATE DETAILS ON BUILDING PLAN AS IN FORM

20) (a) (i) What are the maximum widths of balconies?

(ii) Will they reduce the required open space to less than the provisions of the Regulation?

(iii) Do they serve as a passage to any part of the building?

(iv) What is their total area?

(v) What is the maximum width of weather-frames, sun-shades (chajja), sun-breakers, cornices, caves, or other projections?

c. (i) Are any porches/canopies proposed?

(ii) Do they comply with requirements of Regulations 42?

21) (a) What is the width of the means of access?

(b) What is its clear height?

(b) Will it be paved, drained and kept free of encroachment?

22) Is the recreational or amenity open space provided as required under Regulations 27(1), 27(2)?

(23) (a) Are any accessory buildings proposed? If so, for what purpose?

(b) What are their heights?

- (c) Are the 7.5 meters away from the street or front plot boundary and if located within the open spaces, 1.5 meters from any other boundary?
- (d) Is their area calculated in floor space Index?
- 24) (a) what is the proposed height of the compound wall?
- Is it at a junction?
- (b) Does it comply with Regulations 37(26)?
- 25) (a) (i) Is the proposal in the airport zone?
- (b) (ii) Is a "No Objection Certificate" for height and character of smoke from chimneys obtained from Civil Aviation Authorities (Attach copy).
- (c) Does the proposal fall in the category of tower-like structure vide Regulation 2(iv)(113) and 41(2)(i)(c)? If so, does it comply with the requirement thereof?
- 26) indicate provision for common conventional antenna for receipt of television transmission in residential building with more than ten tenements (Regulations 42)
- 27) Does the proposal fall in any of the areas/zones such as those of the Mumbai Metropolitan Region Development Authority/ Maharashtra Housing and Area Development Authority/Railway/Highway/Slum Authorities/Power Transmission line/Coastal Area/No Development Zone/Tourism Development Zone/Communication Authorities etc.?
- 28) (a) Does any natural water course pass through the land under development?
- (b) Is the necessary set back provided according to Regulations 18(b)?
- 29) (a) Is the plinth level proposed to be above the level of the surrounding ground level?
- (b) Will the proposed plinth level be above 27.55 m Town Hall Datum?
- (c) Is the plot proposed to be filled upto the level of the abutting road or Reduced Level (R.L.) 27.55 m Town Hall Datum, whichever is more?
- 30) The details of the materials to be used in construction with specifications are as follows:
- Roofs-----
- Floors-----
- Walls-----
- Columns-----
- Beams-----
- Any other Material-----
- 31 The number of water closets, urinals, kitchens, baths to be provided are as follows:
- Water closets | Baths | Urinals | Kitchen
- Existing-----
- Proposed-----

32) Details of the source of water to be used in the construction.

33) Distance from the sewer.

34) How much municipal land, if any, will be used for stacking building material?

35) Please explain, in detail, in what respect the proposal does not comply with these Regulations and the reasons therefore, attaching separate sheets for this information, if necessary.

I am the owner-lessee/mortgagee in possession/----- of the plot on which the work is proposed and that the statements made in this Form are true and correct.

Date:

Address: Signature of the applicant. Form of certificate be signed by the Licensed Surveyor/Engineer/Structural

Engineer/Supervisor or Architect/ Professionals on Records employed by the Applicant

I (Name) ----- have been employed by the applicant as his Licensed Surveyor/Engineer/Structural Engineer/Supervisor or Architect. I have carefully pursued his covenant or conveyance in respect of this plot and have examined the boundaries and the area of the plot and I certify that I have personally verified all the statements made by the applicant who is the owner/lessee/mortgagee in possession of the plot & possess ownership/absolute development rights as in the above Form and the attached Statements A and B and found them to be correct.

Date:

Address

Signature of Licensed Surveyor/Architect

Engineer/Structural Engineer/Supervisor

Note:- INDICATE IN BUILDING PLAN AS IN FORM II.

STATEMENT 'A'

(Serial No. 10(a)(iii) in ANNEXURE 1)

Existing Building to be retained

Existing Building No. (1)	Floor No. (2)	Plinth Area (3)	Total floor area of the Existing Building (4)	Use or Occupancy of floors (5)

STATEMENT 'B'

[Sr. No. 10(b) in ANNEXURE "1"]

Proposed Work/Buildings

Building No.	Floor No.	Area	Total Floor Area of proposed work	Use or Occupancy of Floors

FORM I

(Sr. No. 2, 9,10,11,19 in ANNEXURE "1")

(At right top corner of site/building plan at Ground Floor Level)

I. Area Statement

Square meter

1. Gross Area of plot

- a) Area of Reservation in plot
- b) Area of Road Set back
- c) Area of D P Road

2. Deductions for.**A. For Reservation/Road Area**

- a. Road set-back area **handed over** / to be handed over (100%) (Regulation No 16)
- b. Proposed D P road **handed over** / to be handed over (100%) (Regulation No 16)
- c. Reservation area (plot) **handed over** / to be handed over (Regulation No 17)

B. For Amenity area

- Area of amenity plot/plots **handed over** / to be handed over as per DCR 14(A)
- Area of amenity plot/plots **handed over** / to be handed over as per DCR 14(B)
- Area of amenity plot/plots **handed over** / to be handed over as per DCR 15
- Area of amenity plot/plots **handed over** / to be handed over as per DCR 35

2. Deductions for Existing Built up area to be retained if any

~~Land component of Existing BUA as per regulation under which the development was allowed.~~

3. Total deductions: [2(A) +2(B) +2(C)]

4. Balance area of plot (1 minus 3)
5. Gross Plot area under Development $[4 + 2(A) + 2(B)]$
6. Zonal (basic) FSI (1 or 1.33)
7. Permissible Built up Area as per Zonal(basic) FSI $(5 * 6)$
8. Additional Built up equal to area of land handed over as per $2(A) + 2(B)$
9. Built up Area in lieu of Cost of construction of built up amenity to be handed over
10. Built up area due to “Additional FSI on Payment of Premium” as per Table No 12 of Regulation No 30(A) subject to Regulation No 30(A)3
11. Built up area due to admissible “TDR” as per Table No 12 of Regulation No 30(A) subject to Regulation No 30(A)3
12. Permissible Built up Area $(7+8+9+10 +11)$
13. Proposed Built up Area
14. TDR generated if any as per regulation 30 (A) (i.e. $12 - 13$)
15. Fungible Built up Area as per Regulation No 31(3)
 - a) i) Permissible Fungible built up area for Rehab component without charging premium
 - ii) Fungible built up area availed for Rehab component without charging premium
 - b) i) Permissible Fungible built up area by charging premium
 - ii) Fungible built up area availed on payment of premium
16. Total Built up Area proposed including Fungible built up Area $[13 + 15(a)(ii) + 15(b)(ii)]$
17. FSI consumed on ~~Net~~ Gross Plot ~~$[13/4]$~~ $[13/5]$
 - (ii) Other Requirements
 - (A) Reservation/Designation
 - a) Name of Reservation
 - b) Area of Reservation affecting the plot
 - c) Area of Reservation land to be handed/handed over as per Regulation No.17
 - d) Built up area of Amenity to be handed over as per Regulation No.17
 - e) Area/Built up Area of Designation
 - (B) Plot area/Built up Amenity to be Handed Over as per Regulation No
 2. 14(A)
 3. 14(B)
 4. 15
 - (C) Requirement of Recreational Open Space in Layout/Plot as per Regulation No.27

(D) Tenement Statement

- (i) Proposed built up area (13 above)
- (ii) Less deduction of Non-residential area (Shop etc.)
- (iii) Area available for tenements [(i) minus (ii).]
- (iv) Tenements permissible (Density of tenements/hectare)
- (v) Total number of Tenements proposed on the plot

(E) Parking Statement

(i)_Parking required by Regulations for.-

Car

Scooter/Motor cycle

Outsiders (visitors)

(ii) Covered garage permissible

(iii) Covered garages proposed

Car

Scooter/Motor cycle

Outsider (Visitors)

(iv) Total parking provided

(F)Transport Vehicles Parking

(i) Spaces for transport vehicles parking required by Regulations

(ii) otal No. of transport vehicles parking spaces provided

Note – The Proforma is for an illustrative guidelines only .The proforma may be modified to suit the provisions of DCR under which the development is proposed.

FORM II

(At right bottom corner of plans/below Form I)

Contents of sheet

Stamp of date of receipt of plans

Stamp of approval of plans

Revision

Date

Description

Signature

Certificate of Area

Certified that I have surveyed the plot under reference on..... and that the

dimensions of the sides, etc. of the plot stated on the plan are as measured on site **by site surveyor appointed by the Owner** and the area so worked out is* square metres and tallies / **does not tally** with the area stated in the document of ownership/Town Planning Scheme records. Hence Plot area considered for development is _____ sq. m.

Signature of Licensed Surveyor/Architect/Engineer/Structural Engineer/Supervisor or Architect

Description of proposal and property

Name of owner

Job No.

Drg no. Scale Checked by

Drawn by

North Line

Signature, Name (in block letters) and
Address of Licensed
Surveyor/Engineer/Structural
Engineer/Supervisor or Architect.

*Area to be stated in figures and also in words

ANNEXURE 2

FORM OF SUPERVISION ACCEPTANCE

(By Architect/Licensed Surveyor for Building Permission)

To

The.....

Municipal Corporation of Greater
Mumbai, Mumbai

Subject: Acceptance of supervision of proposed development

Sir,

The development work of the

Full Particular of the work	
On plot bearing C.S.No./C.T.S.No./F.P.No.	
Of Division/village/T.P. Scheme No.	
Type of Development	
Road Name:	
Ward	
Name of Architect/Licensed Surveyor	

will be carried out under my supervision. All the materials (type and grade) and the workmanship of the work will generally tally with the general specifications submitted along with the plans and the work will be carried out according to the sanctioned plans. I shall be responsible for the execution of the work in all respects.

Yours faithfully,

Name of the Architect/Licensed Surveyor
License No.
Address:
Tel. No.:
Signature:
Date:

ANNEXURE 3**PLOT AREA CERTIFICATE**

(On the letter head of Architect/Licensed Surveyor)

Date: _____

To,
Executive Engineer,
Building Proposal _____ ward, M.C.G.M.

Subject: Proposed development on plot

Full Particular of the work	
On plot bearing C.S.No./C.T.S.No./F.P.No./	
Of Division/village/T.P. Scheme No.	
Ward	
Name of Owner	

Reference: Building Proposal File
No. _____

Sir,

I have submitted a proposal on behalf of my/our client Shri/M/s. _____
_____ for the proposed development on the above
referred plot. The area of the plot is _____ sq. m as per the P.R. Cards obtained
from city Survey office dated _____. In order to verify the plot area, I/We have
carried out the survey of the said plot through our staff to ascertain correctness of
the area mentioned in the Property Register Card. The said survey has been carried
out on the basis of the boundaries of the plot shown by the Owner/client.

The said area as per the survey no works out to _____ sq. m and
FSI is claimed for the plot area _____ sq. m

Thanking you,

Yours faithfully

Name of the Architect/Licensed Surveyor
Registration No.:
Address:
Tel.No.:
Signature:
Date:

ANNEXURE 4

OWNER'S PLOT AREA AFFIDAVIT

(To be typed on stamp Paper of Requisite value)

TO

The Executive Engineer,

B.P. _____ ward Mumbai.

Subject: Proposed development on property bearing C.S./C.T.S.No./ F.P.
 No. _____, Of Division/village/T.P. Scheme
 No. _____ at _____ Road in _____ ward.

Reference: Building Proposal File No./Proposal No.

I _____, possessing the right of development by virtue of conveyance/Lease/Development Agreement/Power of Attorney dated _____ for the property bearing C.S./C.T.S.No./F.P.No. _____, Of Division/village/T.P. Scheme No. _____ at _____ Road in _____ ward and having my residence/office at _____ solemnly affirm and say as under:

I have submitted the plans through my Architect/Licensed surveyor _____ having License No. _____ for development of the aforesaid property.

In order to verify the area, I have also carried out survey of the said plot through my Architect/Licensed surveyor to ascertain the correctness of the area.

I say that my Architect/Licensed Surveyor has certified the said area on the basis of the property register card duly certified by the Superintendent of Land Records and/or on the basis survey carried out as per the boundaries of the property shown by me/us.

The said area works out to _____ sq. m (in words _____ sq. m. 0 and F.S.I is claimed for the plot area _____ sq.m.

It may also be stated here that I/we do not hold /own any contiguous land with the subject land.

SOLEMNLY AFFIRMED AT MUMBAI

DATED THIS _____ DAY OF

(Name & Signature of Owner/C.A. to Owner)

BEFORE ME.

Note: To be submitted in original duly notarized.

ANNEXURE-5

SUPERVISION MEMO OF STRUCTURAL ENGINEER

(On the Letter Head of STRUCTURAL ENGINEER)

Name of Structural Engineer

LicenseNo.

Date: _____

To,

Executive Engineer,

Building Proposal _____ ward, M.C.G.M.

Subject: Proposed development work of

Building proposal No	
Full Particular of the work	
On plot bearing C.S.No./C.T.S.No./F.P.No./Of Division/ village/ T.P. Scheme No	
Type of development	
Road Name	
Ward	
Name of Architect / Licensed Surveyor	
Name of Owner	

With reference to the letter of our appointment dated _____ addressed to you, by the Owner, I hereby confirm that I have agreed to act as the Consulting Structural Engineer for the above proposal.

I further confirm that the structural design and calculations shall be in conformity with the provisions of IS Code nos. 1875, 1893 & 4326 taking into consideration the Seismic forces etc. as required by the planning authority.

Thanking you,

Yours Faithfully

Name of the Consulting Structural Engineer
Registration No
Address:
Tel. No.:
Signature:
Date:

C.C.to: 1.Owner.

2..Architect /Licensed Surveyor

ANNEXURE 6

SUPERVISION MEMO OF LICENSED PLUMBER

(On the Letter Head of Licensed Plumber)

Name of Plumber

License No.

Date_____

To,
Executive Engineer,
Building Proposal _____ ward,
M.C.G.M.

Subject: Drainage & Sanitation work of proposed development

Building proposal No	
Full Particular of the work	
Building comprising of (no of wings and floors)	
On plot bearing C.S.No./C.T.S.No./F.P.No./ Of Division/village/T.P. Scheme No	
Type of development	
Road Name:	
Ward	
Name of Architect / Licensed Surveyor	
Name of Owner	

This is in reference to the letter of appointment issued by the Owner/Developer, I hereby confirm having agreed to act as Licensed Plumber for the above proposal.

Thanking you,

Yours faithfully,

Name of the Licensed Plumber
License No.
Address:
Tel.No.:
Signature:
Date:

Copies submitted to:

- i) Architect/Licensed Surveyor
- ii) Structural Engineer
- iii) Owner/Developer

ANNEXURE 7

SUPERVISION MEMO OF LICENSED **PLUMBER SITE SUPERVISOR**

(On the Letter Head of Site Supervisor)

Name of Site Supervisor

License No.

Date

To,
Executive Engineer, Building Proposal
_____ward, M.C.G.M.
Dear Sir,

Subject: Proposed development work of

Building proposal No	
Full Particular of the work	
On plot bearing C.S.No./C.T.S.No./F.P.No./ Of Division/village/T.P. Scheme No	
Type of development	
Road Name	
Ward	
Name of Architect/ Licensed Surveyor	
Name of Owner	

With reference to the letter of my appointment dated _____ addressed to you, by the Owner, I hereby confirm that I have agreed to act as the Site Supervisor for the above proposal. I further confirm that the workmanship and material quality and material testing shall be in conformity with the provisions of IS standards and the development work shall be as per approved plans and the structural design etc.

Thanking you,

Yours Faithfully

Name of the Site Supervisor	
Registration No	
Address:	
Tel.No.:	
Signature:	
Date:	

C.C.to:1.Owner.

2.Architect /Licensed Surveyor

ANNEXURE 8

SUPERVISION MEMO OF OTHER PROFESSIONAL ON RECORD

(On the Letter Head of Professional)

To,
Executive Engineer,
Building Proposal
_____ward, M.C.G.M.
Dear Sir,

Name of Professional
License No.
Date: _____

Subject: Proposed development work of

Building proposal No	
Full Particular of the work	
On plot bearing C.S. No./C.T.S. No./F.P. No./ Of Division/village/T.P. Scheme No	
Type of development	
Road Name	
Ward	
Name of Architect /Licensed Surveyor	
Name of Owner	

With reference to the letter of my appointment dated _____ addressed to you, by the Owner, I hereby confirm that I have agreed to act as the _____ for the above proposal. I further reconfirm that the work will be carried out in conformity with the provisions of IS standards and as per requirements of Regulations ____, Annexure for Duties and Responsibilities of Professional on Record and the development work shall be as per approved plans and the structural design etc.

Thanking you,

Yours Faithfully

Name of the Professional	
Registration No	
Address:	
Tel.No.:	
Signature:	
Date:	

C.C.to:

1.Owner.

2.Architect/Licensed Surveyor

ANNEXURE 9

[Regulations 10 (3) (ix)]

Form for Supervision

To
The
Municipal Corporation of Greater Mumbai,
Mumbai.
Sir,

The development/erection/re-erection/demolition or material alteration of the building on Plot No./C.S. No./C.T.S. No. of Division/village/Town Planning Scheme No. situated at Road/Street.....ward.....will be carried out under my supervision. All the materials (type and grade) and the workmanship of the work will generally tally with the general specifications submitted along with the plans and the work will be carried out according to the sanctioned plans. I shall be responsible for the execution of the work in all respects.

Yours faithfully,

Signature of Licensed/ Surveyor/Engineer/
Structural Engineer/supervisor of Architect.

Name: (in block letters)

License No :

Address :

Date :

ANNEXURE-10
DETAILS OF THE QUALIFICATION, DUTIES, RESPONSIBILITIES AND REGISTRATION PROCESS

Sr. No	Professionals	Qualification	Registration	Duties	Responsibilities
1	Architect	The Architect must have degree in architecture from recognized college/ university and minimum of two years of experience in a practice of architecture.	Registration with the Council of Architecture , India, issued as per the provisions of the Architects Act, 1972	To design and carry outwork related to development permission as given below and to submit a) all plans/ documents/ information/ area certification & other details as specified in DCR connected with development permission; b) Work Start Notice Certificate of plinth completion. Certificate of supervision completion certificate for building with plans.	The Architect/ Licensed Surveyor shall be responsible for designing the building in conformity with these Regulations, for authentication of documents Submitted except legal documents and for ensuring that the development is carried out as per approved plans, else get amended plans approved and intimating the Authority.
2	Licensed Surveyor	The "Licensed Surveyor" shall have diploma/ degree in Civil/Construction Engineering from recognized college/ board/University or Corporate memberships (civil) of the Institution of Engineers(India) and minimum of 2 years of experience in a practice of architecture architectural field .	Registration with Municipal Corporation with the valid license issued as per the procedure adopted by MCGM		
3	Structural Engineer	The minimum qualifications for a Structural Engineer shall be Graduate in Civil Engineering of recognized	Registration with Municipal Corporation with the	To carry out work related to development permission as	The structural engineer shall be responsible for the structural

Sr. No	Professionals	Qualification	Registration	Duties	Responsibilities
		Indian or foreign university or Associate Membership in Civil Engineering Division of Institution of Engineers (India) and with minimum 3 years of experience in Structural Engineering Practice with designing and field work. The 3 years of experience shall be relaxed to 2 years in the case of post graduate degree of recognized Indian or foreign university in the branch of Structural Engineering. In case of Doctorate in Structural Engineering, the experience required would be 1 year	valid license issued as per the procedure adopted by MCGM	given below and to submit – a) All structural plans and related information connected with development permission b) structural details and calculation of all parts of buildings c) certificate of plinth completion d) Certificate of supervision and completion certificate for building with completion plans.	safety and stability of development carried out on site. He shall ensure that the development is as per the structural requirements given by him. Further, the structural design given shall match with approved plans. If he notices any difference he shall be responsible for intimating the Authority.
4	Advocate or Solicitor on Record	The Advocate or Solicitor on Record must hold a valid registration with the Bar Council of India. The Advocate or Solicitor on Record must have a minimum of three years of experience in a practice of Land related matters.	Registration with the Bar Council of India.	To render services related to development permission and to submit- a) Title Clearance Certificate for the Land Under development after	Advocate or Solicitor shall be responsible for certification of title of the land Certifying the authentication of rights of the owner/

Sr. No	Professionals	Qualification	Registration	Duties	Responsibilities
				exercising the procedure of search etc. at the time of submission of proposal, ownership for each CTS No. along with all rights on proposed development at the time of Submission of proposal. b) Details of any earlier court matters related to land at the time of submission of proposal.	developer to carry out development on the land concerned.
5	Site Supervisor	The "Site Supervisor" must hold a diploma in Civil/ Construction Engineering or any other qualification in the field of Civil Engineering recognized by the board / universities in Maharashtra The "Site Supervisor" must have a minimum of two years of experience in Supervision of building works. Note – Earlier registered site supervisor Grade II	Registered with the Municipal Corporation with the valid license issued as per the procedure adopted by MCGM.	To carry out work in accordance with the development permission and approved plans and to submit- Certificate of supervision of buildings and to carry out material testing on site and ensuring the quality of work as per	The Site Supervisor shall be responsible for the workmanship and material quality and tests of material required in development carried out on site. The failure of test results shall be intimated to MCGM. He

Sr. No	Professionals	Qualification	Registration	Duties	Responsibilities
		and Grade III with MCGM may be continued.		the specifications, NBC & relevant Code of Practice.	shall ensure that the development is as per the structural design and approved plans and If he notices any deviation he shall be responsible for intimating the Authority.
6	Licensed Plumber	The "Licensed Plumber" must hold a diploma in Civil Engineering or any other qualification in the field of Civil Engineering recognized by the board / universities in Maharashtra "Licensed Plumber must have a minimum of two years of experience in Plumbing works.	Registered with Municipal Corporation with the valid license issued as per the procedure adopted by MCGM.	To carry out plumbing work related to development permission and approved plans and to submit- a) Certificate of supervision of buildings for Plumbing & water supply and to carry out details and calculations of all parts of building w.r.t. Plumbing & bye law 4(c) according to approved development permission and b)	The Licensed Plumber shall be responsible for the workmanship and material quality and tests of material required for plumbing and water supply. The failure of test results shall be intimated to MCGM. He shall ensure that the plumbing layout proposed is as per approved plans and If he notices any deviation he shall be responsible for

Sr. No	Professionals	Qualification	Registration	Duties	Responsibilities
				Drainage Completion Certificate along with plans.	intimating the Authority.
7	Consultant for Rain Water Harvesting	The Consultant for Rain water Harvesting (RWH) must hold a Diploma/Degree in Civil Engineering- The Consultant for Rain water Harvesting on record must have a minimum of two years of experience in the field practice in RWH.		To carry out work related to Rain water Harvesting and to submit- a) Certificate & all related information connected with development permission for Rain water Harvesting; b) Details for Rain Water Harvesting system with proposal/ plans. c) Completion Certificate with respect to Rain water Harvesting for Building stating that RWH system has been installed and tested.	The Consultants for Rain Water Harvesting shall be responsible for the work of Rain Water Harvesting carried out on site as per approval. He shall ensure that the work is carried out as per approval and If he notices any deviation he shall be responsible for intimating the Authority.
8	Consultant for Grey	The Consultant for Grey water Recycle must hold a degree in		To carry out work related to Grey Water	The Consultants for Grey Water

Sr. No	Professionals	Qualification	Registration	Duties	Responsibilities
	water Recycle	Environmental/Public Health /Civil Engineering. The Consultant for Grey water Recycle on record must have a minimum of two years of experience in a field practice in gray water recycling.		Recycle and to submit- a) certificate &all related information connected with development permission for Grey water Recycling; b) Details for Grey water Recycling Plant with proposal / plans. c)Completion Certificate with respect to completion plan respect to Grey water	Recycle shall be responsible for the work of Grey Water Recycle carried out on site as per approval. He shall ensure that the work is carried out as per approval And If he notices any deviation he shall be responsible for intimating the Authority.
9	Consultant for conservation of Energy	The Consultant for Conservation of Energy must hold any valid degree in Electrical/Mechanical Engineering and must have a minimum of two years of experience in a field practice in energy conservation.		a. To submit certificate &all related information connected with Conservation of Energy; b. To submit details for Conservation of Energy Plant with proposal for implementation. c. To submit	The Consultants for Conservation of Energy shall be responsible for the work of Conservation of Energy carried out on site as per approval and the ECBC codes. He shall ensure that the work is carried out as per approval and If he notices any

Sr. No	Professionals	Qualification	Registration	Duties	Responsibilities
				Completion Certificate with completion plan with respect to Conservation of Energy for building	deviation he shall be responsible for intimating the Authority
10	Consultant for Fire Safety Measures	Fire Protection Consultant shall be a licensed agency under the Fire Prevention & Fire Safety Measures Act, 2006.	Must be registered with Director, Maharashtra Fire Services	To carry out work related to development permission with respect to Fire Safety measures and to submit- a) Certificate & all related information concerned with development permission in accordance with requirement of Fire Act 2008; b) details for fire safety measures for all parts of building Completion Certificate along with plans for building stating all fire	The consultant for fire protection shall be responsible for design and implementation of firefighting system and shall also be responsible for its implementation on site in consultation with fire department of MCGM.

Sr. No	Professionals	Qualification	Registration	Duties	Responsibilities
				safety measures as per CFO NOC has been installed and tested with completion plans.	
10	Consultant for Heating /Ventilation and Air Condition (HVAC)	HVAC Consultant shall be a graduate in Electrical Engineering and must possess minimum two years of experience in installation of HVAC		To carry out work related to HVAC system and to submit a) Certificate & all related information concerned with HVAC; b) details for HVAC for implementation. Completion Certificate along with plans with respect to HVAC installation, their testing and proper functioning.	The consultant for HVAC can be responsible for planning, designing and implementation of HVAC system as per the NBC and relevant code of practices.
11	Consultant for Solid Waste Management (SWM)	SWM Consultant shall be a graduate in Civil/Environmental Engineering or Environmental Planning and must possess minimum two years of experience in field of SWM.		To carry out work related to SWM system and to submit- a) Certificate & all related information concerned with	The consultant for SWM shall be responsible for planning, designing and implementation of SWM system as per the NBC and

Sr. No	Professionals	Qualification	Registration	Duties	Responsibilities
				SWM; b) Details for SWM for implementation regarding waste segregation, onsite treatment and disposal. c) Completion Certificate along with plans with respect to SWM system installation, their testing and proper functioning.	relevant code of practices.

ANNEXURE 11**Regulation (10)(5)(i)**

Form of sanction of development permission, building permission and Commencement certificate.

To

.....

Sir,

With reference to your application No. dated.....for Development Permission and grant of Commencement Certificate under sections 44 and 69 of the Maharashtra Regional and Town Planning Act, 1966, to carry out development and building permission under section 346 of the Mumbai Municipal Corporation Act 1888, to erect/additions /alterations to building

.....

On plot No./CS/C.T.S./F P No.....Div./village/Town Planning Scheme
 no.....situated at
 Road/street.....ward.....the Commencement certificate/building
 permit is granted on the following conditions :-

1. The land vacated in consequence of the enforcement of the set-back line/road widening line shall form part of the public street.
2. No new building or part thereof shall be occupied or allowed to be occupied or used or permitted to be used by any person until occupancy permission has been granted.
3. The commencement certificate/development permission shall remain valid for one year commencing from the date of its issue.
4. This permission does not entitle you to develop land which does not vest in you.
5.
6.

Yours faithfully,

Executive Engineer (Building Proposal)(.....Ward)

Municipal Corporation of Greater Mumbai.

Office No.

Office Stamp

Date

ANNEXURE 12

[Regulation 10(5) (i)]

Form of refusal of Development Permission, Building Permission and Commencement Certificate

To

.....

.....

.....

Sir,

With reference to your application

No.....dated.....for the grant of sanction of the development works;
the erection of a building/execution of work for Building on plot
No./C.S.No./C.T.S.No/F.P No .of.....Divn./Village/Town Planning Scheme
No.....Situating at..... Road/Street
.....Ward....., I regret to inform you that the sanction is
refused on the following grounds under Section 346 of the Mumbai Municipal Corporation Act,
1888, and under Section 45/69 of the Maharashtra Regional and Town Planning Act, 1966.

1.

2.

3.

4.

5.

6.

Yours faithfully,

Executive Engineer,(Building Proposal)(.....Ward)

Municipal Corporation of Greater Mumbai.

Office No.

Office Stamp

Date

ANNEXURE 13

[Regulations No.11(2) and Section 347(i)(a) of the Mumbai

Municipal Corporation Act, 1888]

Form of Notice for Start of Work

To

The Executive Engineer

(Building Proposal),.....Ward,

Municipal Corporation of Greater Mumbai,

Mumbai.

Sir,

The development work/erection/re-erection/demolition or material alteration in/of Building
No. on/in Plot No./C.S. No./C.T.S.No/F.P

No.....Division/Village/Town Planning Scheme No.

.....Situated at Street/Road Ward

.....will start on in accordance with your permission
No.

.....date.....

Under the supervision of

Licensed Surveyor/ Engineer /Structural Engineer/ Supervisor, or Architect License No

.....and in accordance with the plans sanctioned.

Yours faithfully,

Signature of Owner

Name of the Owner

In Block Letters

Address of Owner

Date :

ANNEXURE 14

[Regulations No.11(4)]

Form of intimation of Completion of Work upto Plinth Level

To

The Executive Engineer

(Building Proposal) Ward,

Municipal Corporation of Greater Mumbai.

Sir,

The construction upto plinth/column upto plinth level has been completed in Building No.....on/in Plot No./C.S. No./ C.T.S.No/F.P No.

Division/Village/Town Planning Scheme No.

.....Road/Street.....Ward.....in

accordance with your permission No. dated under my supervision and in accordance with the sanctioned plan.

Please check the completed work and permit me to proceed with the rest of the work.

Yours faithfully,

Signature of Licensed Surveyor/

Engineer/Structural Engineer/Supervisor or Architect

Name.....(in block letters)

Address.....

Date :

ANNEXURE 15

[Regulations No.11(4)]

Form of Approval/Disapproval of Development Work upto Plinth Level

To

.....

.....

Sir,

Please refer to your intimation No. dated regarding the completion of construction work up to plinth/columns up to plinth level in Building No.....on/in Plot No/C.S. No./C.T.S. No/F.P No. Division/Village/Town Planning Scheme No. situated at Road/Street Ward You may/may not proceed with the further work as per sanctioned plans/as the construction up to plinth level does/does not conform to the sanctioned plans.

Yours faithfully,

Executive Engineer (Building Proposal (.....Ward)

Municipal Corporation of Greater Mumbai.

Office No.

Office Stamp

Date :

ANNEXURE 16

(Regulations No.11(6) & (7))

Form for Development completion certificate

To

The executive Engineer
(Building Proposal),.....Ward,
Municipal Corporation of Greater Mumbai,

Sir,

I certify that the erection/re-erection or part/full development work in/on building/part building
No. on/in Plot No., C.S.No./C,T,S, No/F.P No.

Division/Village/Town Planning scheme No. Situating at.....

Road/Street.....Ward.....

has been supervised by me and has been completed on.....according

to the plans sanctioned (office communication No.

dated.....). The work has been completed to my best satisfaction the workmanship and all the materials (type and grade) have been used strictly in accordance with general and detailed specifications **on the basis of certificate issued by Licensed Site Supervisor and Licensed Structural Engineer**. No provisions of the Act or Development Control Regulations or no requisitions made, conditions prescribed or orders issued thereunder have been transgressed in the course of the work. I am enclosing three copies of the completion plans, one of which is cloth mounted. The building is fit for occupancy for which it has been erected/re-erected or altered, constructed and enlarged.

I have to request you to arrange for the inspection and give permission for the occupation of the building.

Yours faithfully,

Signature of Licensed surveyor/Engineer/Architect/

Structural Engineer/Site Supervisor/
Architect.

Name (In Block letters)

Address

License No.....

Date :

ANNEXURE 17**(Regulations No. 11(6))**

(See sub-section (3) of section 259-A of the Mumbai Municipal Corporation Act, 1888)

Drainage Completion Certificate

To

Assistant Engineer.....

.....

Sir,

The following work

.....(insert full particulars of the work) has been completed to my satisfaction; the workmanship and the whole of the materials used are good; and no provision of the Act or the Development control Regulations or building Bye-laws and no requisition made, condition prescribed or order issued thereunder, has been transgressed in the course of the work,

Yours faithfully,

Signature of Licensed Plumber.....

Name (in Block letters)

Address

Licence No.

Date :

ANNEXURE 18**(Regulations No. 11(6))**

(See sub-section (I) of section 353-A of the Mumbai Municipal Corporation Act, 1888)

Building completion Certificate

To

Executive Engineer.....

Sir,

The following building work (insert full particulars of the work) has been supervised by me and has been completed to my satisfaction; the workmanship's and the whole of the materials used are good; and no provision of the Act or the Regulations, Bye-laws and no requisitions made, condition prescribed or order issued thereunder, has been transgressed in the course of the work.

Yours faithfully,

Signature of Licensed Surveyor/

Engineer/Structural

Engineers/Supervisor or Architect,

Name (in block letters)_____

Address

Date :

License No.

ANNEXURE 19

(Regulations 11(6) and 11 (7))

Form of Acceptance of **Drainage** Completion Certificate

Municipal Corporation of Greater Mumbai

No.....of

To,

.....

Subject :

Reference :

Sir,

The Completion certificate submitted by you on for the above work is hereby accepted

Yours faithfully)

Executive Engineer/Asst. Engineer.....Dn.

Municipal Corporation of Greater Mumbai

Zone

Date :

Office Stamp :

No. of

Copy forwarded to

.....Dn.

The Assistant Engineer/

Executive Engineer,

Development Plan/

Chief Engineer,

Vigilance,

.....For information

Executive Engineer Zone.....

ANNEXURE 20

(Regulation 11(7))

Form for Occupancy certificate

To

.....

Sir,

The part/full development work/erection/re-erection or alteration in/of building/part building
 No. on/in Plot No.

Block No. situated at Road/

Street C.S No/C.T.S. No/F.P no. S. No.

Division/Village/Town Planning scheme No. Situating at.....

Road/Street.....Ward.....

.....

.....completed under the supervision of

Licensed surveyor/Engineer/Structural Engineer/Supervisor, Architect/License No.....

.....may be occupied on the following conditions:-

- 1)
- 2)
- 3)
- 4).....

.....

A set of certified completion plans is returned herewith.

Yours faithfully,

Executive Engineer (Building Proposal) (.....Ward)

Municipal Corporation of Gr. Mumbai.

Office No.

Office Stamp.....

Date

ANNEXURE 21**(Regulation 11(8))****Form of Indemnity for Part Occupancy Certificate**

To

.....

Municipal Corporation of Greater Mumbai

Mumbai.

Subject :

Sir,

While thanking you for letting me occupy a portion of the above building before acceptance of the Completion Certificate of the whole building for the plans approved in communication No. dated I, *indemnify the Municipal Corporation of Greater Mumbai against any risk, damage and danger which may occur to occupants and users of the said portion of the building and also undertake to take necessary security measures for their safety. This undertaking will be binding on me/us, our heirs, administrators and our assignees.

Yours faithfully,

Signature of Owner

Name of the Owner

(in block letters)

Witness

(Signature and name in block letters)

Address :

.....

Date :

*of such value as decided by the Commissioner.

ANNEXURE 22

(Regulations 11(6))

Form of Acceptance of Completion Certificate
Municipal Corporation of Greater Mumbai
No.....of

To

.....

Subject :

Reference :

Sir,

The Completion certificate submitted by you on for the above work is hereby accepted and the premises may be occupied.

Yours faithfully,

Executive Engineer/Asst. Engineer.....Dn.

Municipal Corporation of Greater Mumbai

Zone

Date :

Office Stamp :

No. of

Copy forwarded to

.....Dn.

The Assistant Engineer/

Executive Engineer,

Development Plan/

Chief Engineer,

Vigilance,

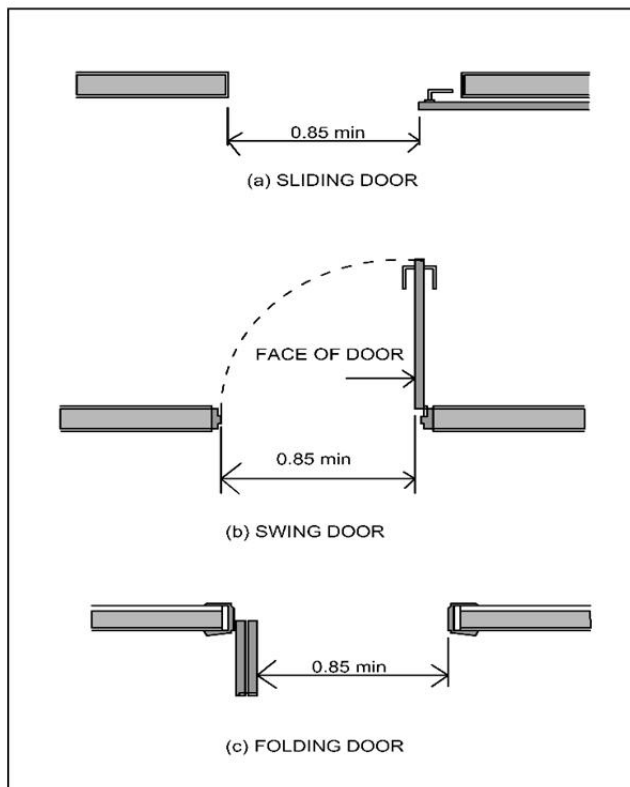
.....For information

Executive Engineer Zone.....

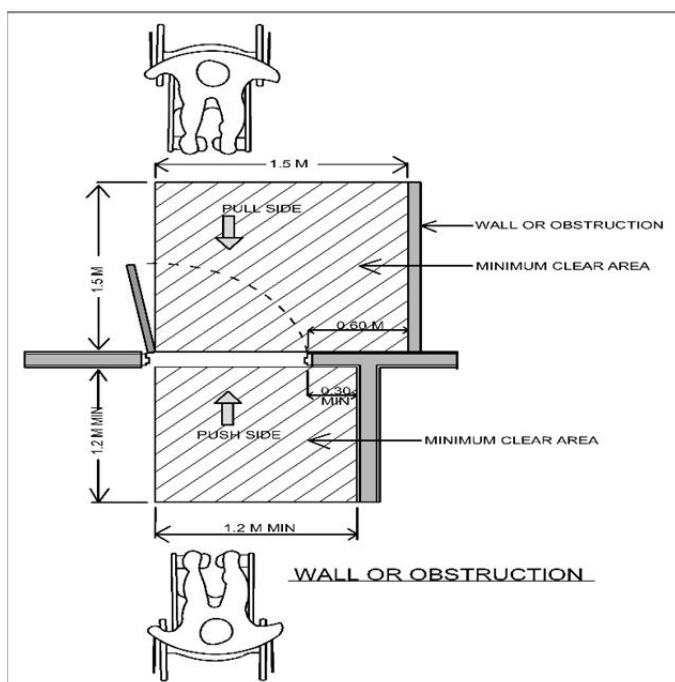
ANNEXURE 23

Sketches

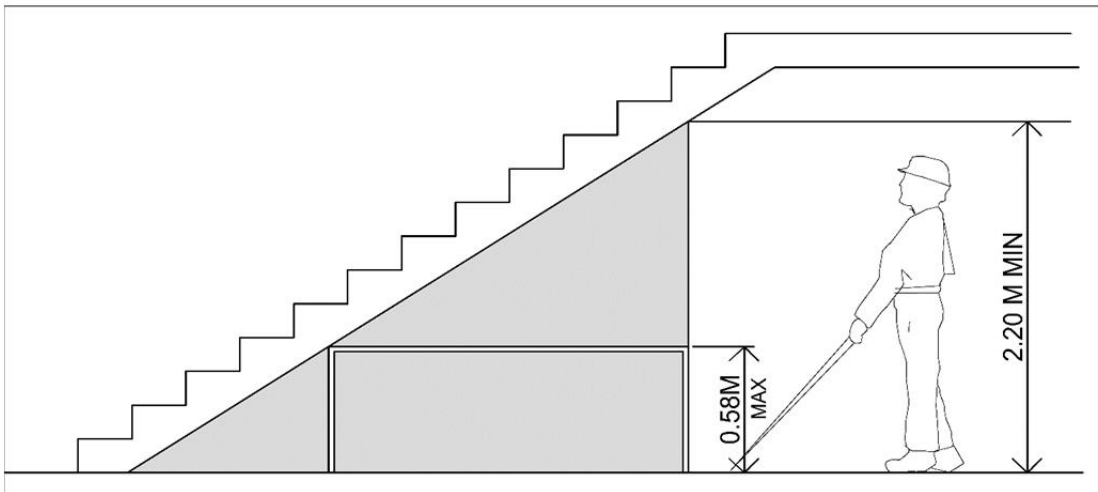
Sketch No 1



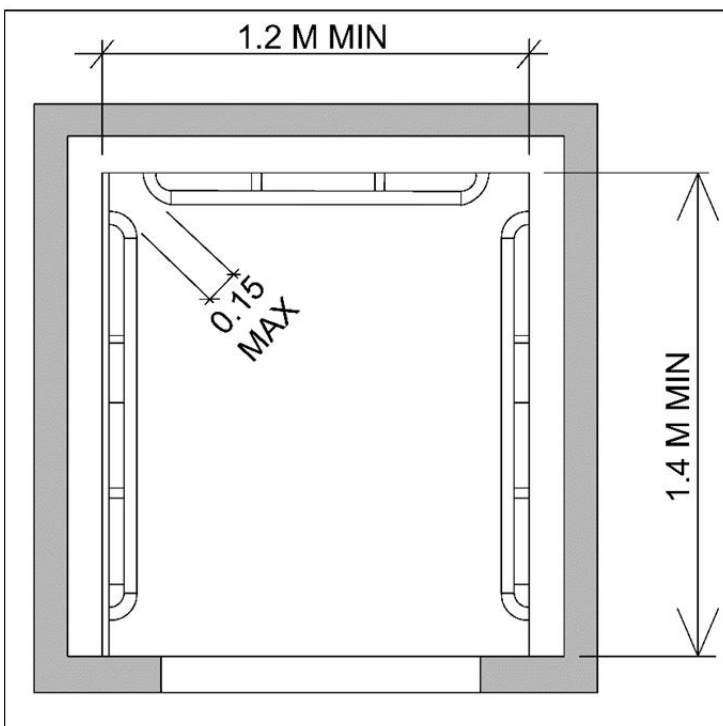
Sketch No.2



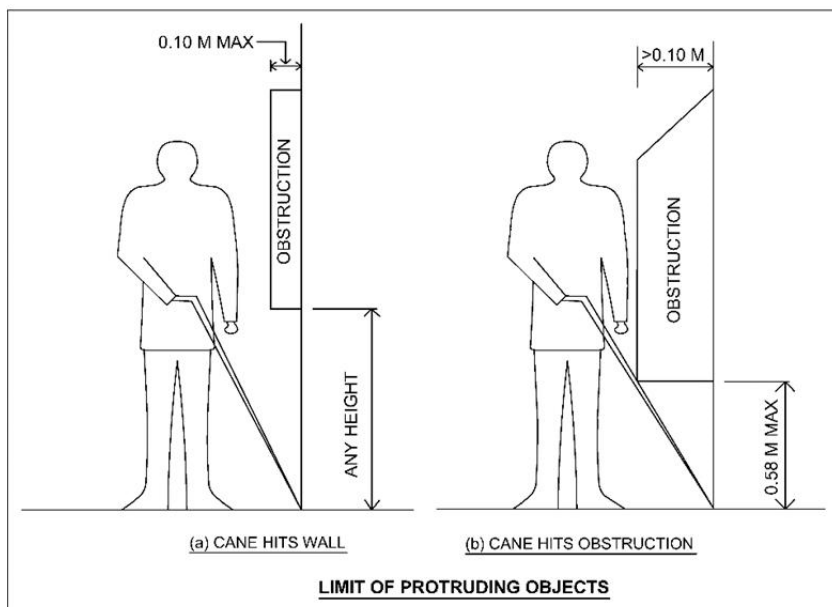
Sketch No. 3



Sketch No. 4



Sketch No 5



Sketch No. 6

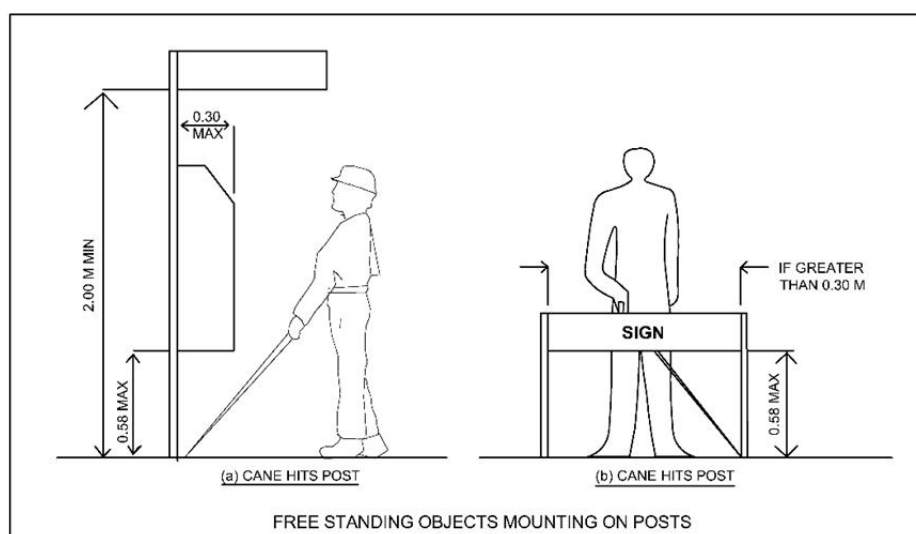
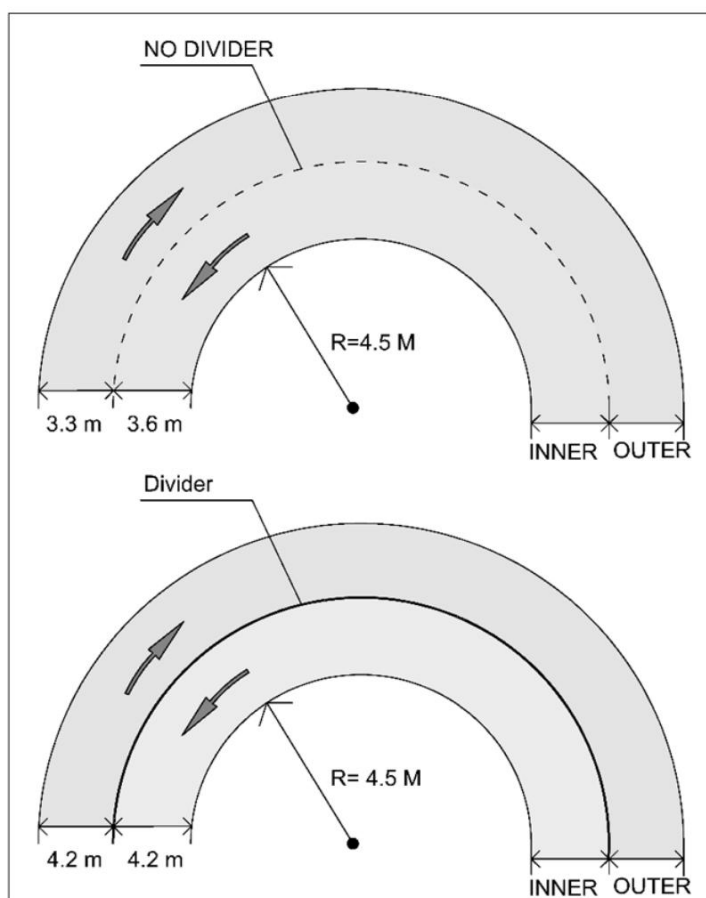
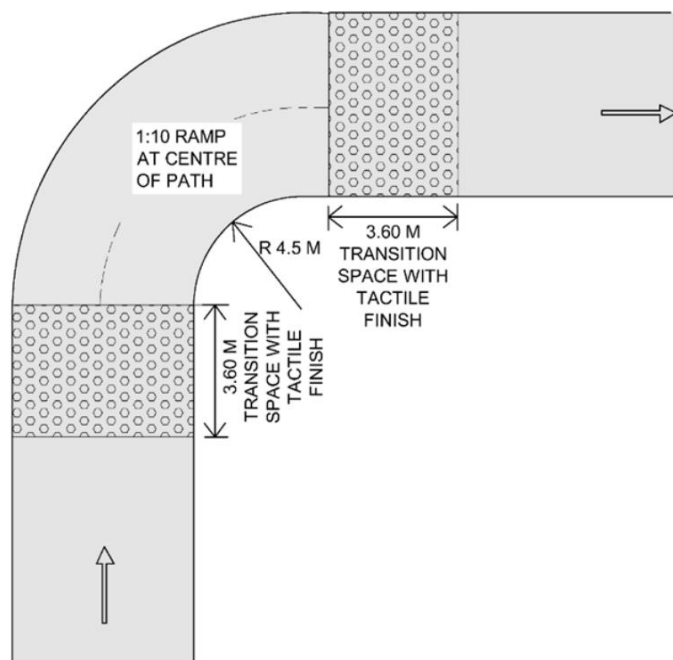


Fig 7- Illustrative example:



Note – Sketches not to scale

MUNICIPAL CORPORATION OF GREATER MUMBAI

(MCGM),

Development Plan Department

5th Floor, Annexe Building,

Municipal Head Office,

Mahapalika Marg, Fort,

Mumbai - 400 001

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