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CREDAI-MCHI UNITS
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Ajay Ashar

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Ashit Shah


PRESIDENT, RAIGAD
Vilas Kothari

PRESIDENT, NAVI MUMBAI
Prakash Baviskar

Ref. No.: MCHI/PRES/17-18/232

June 21, 2018

To
The Deputy Director
Town Planning Department,
Enasa Hutment, E Block,
Azad Maidan, Mahanagar Palika Marg,
Fort, Mumbai - 400 001.


उपसंचालक, नगर रचना,
बृहन्मुंबई यांचे विधिक
21/6/18

**Subject : CREDAI-MCHI Suggestions & Objections on
Excluded Portion (EP) Draft DCPR 2034**

Dear Sir,


CREDAI-MCHI, an Association working for Real Estate Developers in MMR area. The Government of Maharashtra, published the Development Control and Promotion Regulations for Greater Mumbai 2034 as sanctioned under Sub-Section (1) of Section 31 of M. R & T.P Act, 1966 on 8th May 2018 along with Excluded Portions (EP). The Government of Maharashtra has published the Gazette copy on 23rd May 2018 and invited for suggestions and objections on the Excluded Portion (EP).

We are submitting our suggestions and objections on the Excluded Portion (EP) on Draft DCPR 2034. The reasoning/justification for all Suggestions/Objections are justified in every column.


Please take a note of the same and give us personal hearing to explain any clarifications required by the Authority to support of our suggestions.

Thanking you.

Yours faithfully,
For CREDAI-MCHI


Mayur Shah
President


Domnic Romell
Hon. Secretary


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

EP. No.	Reg. No. DCPR - 2034	Provision of development control and promotion regulations 2034	Suggested Provision	Remarks
PART I ADMINISTRATION (EP1 TO EP9)				
6	2(32)	<p><i>"Convenience shopping," means shops, each with a carpet area not exceeding 50 30 sq. 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 building with internal means of access. It includes-</i></p>	<p><i>"Convenience shopping," means shops, each with a carpet area not exceeding 50 sq. 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 building with internal means of access. It includes-</i></p>	<p>To restrict size of each shop in case of convenience shopping is not desirable considering present market rate. There are many shops which require more area to variety of items and due to the restriction of area of 30 sq.m there is tendency to amalgamate two shops illegally, which then are liable for penal action.</p>
7	2(36)	<p><i>"Demonstrable Hardship" Demonstrable hardship means plot under development/ redevelopment affected due to Nalla, Nallah/river buffer, road widening, height restriction due to statutory restriction as per these Regulations such as railway buffer, height restrictions in the vicinity of Airport, height restriction in the vicinity of defence establishments, and/or any other restrictions as per the provisions of these Regulations affecting the project, odd shape plot, rehabilitation of existing</i></p>	<p><i>"Demonstrable Hardship" Demonstrable hardship means plot under development/ redevelopment affected due to Nalla, Nallah/river buffer, road widening, height restriction due to statutory restriction as per these Regulations such as railway buffer, height restrictions in the vicinity of Airport, height restriction in the vicinity of defence establishments, , designation / provision of existing amenity/ reservation in development plan which is to be developed under AR policy and/or any other</i></p>	<p>The addition is proposed as there is tremendous hardship in the development of plot under Accommodation Reservation policy for</p>

SUGGESTION/ OBJECTION DCPR 2034

Legend - - Addition Suggested in **Blue Bold**.

Deletion Suggested in **Blue Highlight and Strikethrough**.

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EP. No.	Reg. No. DCPR - 2034	Provision of development control and promotion regulations 2034	Suggested Provision	Remarks
		<i>tenants/occupants on small size plot/s. This list is illustrative & not exhaustive.</i>	<i>restrictions as per the provisions of these Regulations affecting the project, odd shape plot, rehabilitation of existing tenants/occupants on small size plot/s. This list is illustrative & not exhaustive.</i>	reserved/ existing amenity / designated plot.
8	2(61)	<p><i>"Floor space index (FSI)" means the quotient of the ratio of the combined gross floor area of all floors total covered area on all floors combined gross floor area of all floors, excepting areas specifically exempted under these Regulations, to the gross area of the plot, viz.:</i></p> <p><i>Total covered area on all floors</i></p> <p><i>Floor Space Index (FSI) = Total covered areas on all floors/ Gross Plot area.</i></p>	<p><i>"Floor space index (FSI)" means the quotient of the ratio of the combined gross floor area of all floors total covered area on all floors combined gross floor area of all floors, excepting areas specifically exempted under these Regulations, to the gross area of the plot, viz.:</i></p> <p><i>Total covered area on all floors</i></p> <p><i>Floor Space Index (FSI) = Total covered areas on all floors/ Gross Plot area.</i></p>	The word "floors" needs to be added and word "gross" needs to be retained for clear definition on Floor Space Index
		<p>PART II DEVELOPMENT PERMISSION (EP10 TO EP18)</p>		
10	9(4)	<p><i>Exclusion from requirement of permissions:</i></p> <p><i>No permission shall be required for providing fencing, construction of compound wall along CTS/CS boundaries of land under his ownership, installation of Solar Panels having base of solar panel at height 1.8m from terrace, ensuring structural stability from the Licensed Structural Engineer.</i></p>	<p><i>Exclusion from requirement of permissions:</i></p> <p><i>No permission shall be required for providing fencing, construction of compound wall along CTS/CS boundaries of land under his ownership, installation of Solar Panels having base of solar panel at height 1.8m from terrace, ensuring structural stability from the Licensed Structural Engineer.</i></p>	<p>construction of compound wall along CTS/CS boundaries is sort of miscellaneous work and done to safeguard the property. It does not involve any FSI though it is covered under definition of development. Hence, the said correction is requested to be</p>

SUGGESTION/ OBJECTION DCPR 2034

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EP. No.	Reg. No. DCPR - 2034	Provision of development control and promotion regulations 2034	Suggested Provision	Remarks
				restored.
11	9(5)	<p>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.</p> <p><i>Where development has commenced as per the development permission/ 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, in respect of the said IOD as per the then Regulations.</i></p>	<p>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.</p> <p><i>Where development has commenced as per the development permission/ 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, in respect of the said IOD as per the then Regulations. Any amendment or modification to the plan shall be permitted where the owner/ developer does not propose to convert the proposal as per DCPR 2034.</i></p>	After approval of concessions for full permissible FSI the proposal becomes principally approved and in addition to that where the o/d wants to continue and complete the proposal as per DCR 1991 he should be permitted in respect of ongoing schemes.
12	9(6)(a)	<p><i>For works where development permission IOD/IOA/LOI has been issued or 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. However, the period of the development permission granted shall not exceed that specified in section 48 of the MR&TP Act, 1966 or at the option of owner/developer, the proposal can be converted as per DCPR-2034 in toto.</i></p>	<p><i>For works where IOD/IOA/LOI has been issued or where concessions have been approved but partial IOD is issued or for partially completed works, started with due permission before DCPR 2034 have come into force, the developer/owner may, at his option, continue to complete the said works in accordance with the conditions under which permission/ concessions stood granted. In such case, IOA/IOD/ CC/OC/BCC shall be processed and granted from time to time in accordance with provisions of DCR 1991, without insisting compliance to DCPR 2034. Any addition, alteration, amendments or modification involving Additional FSI/Fungible FSI/TDR/Premium FSI / Incentive FSI to the approved plan up to full</i></p>	

SUGGESTION/ OBJECTION DCPR 2034

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EP. No.	Reg. No. DCPR - 2034	Provision of development control and promotion regulations 2034	Suggested Provision	Remarks
			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 DCPR 2034.	
14	9(7)	<i>The reservations in the DP-2034 is kept for private persons/institutions then such reservation will laps and development on such plots will be allowed as per the adjoining zone of the said land as per DCPR-2034.</i>	<i>The reservations in the DP-2034 is kept for private persons/institutions then such reservation will laps^E and development on such plots will be allowed as per the adjoining zone of the said land as per DCPR-2034.</i>	Correction in spelling 'lapse'.
		PART III LAND USES AND MANNER OF DEVELOPMENT (EP19 TO EP41)		
22	13(6)	<i>Provided that no such shifting of designation/reservation shall be permissible (a) if the reservation proposed to be relocated is in parts; (b) beyond 200 m. of the location in the DP; (c) beyond the same holding of the owner in which such reservation is located; (d) unless the alternative location and size at least similar to the location and size of the DP as regards to access. (e) Balance part of the reservation shall have sufficient area and proper access.</i>	<i>Provided that no such shifting of designation/reservation shall be permissible (a) if the reservation proposed to be relocated is in parts; (b) beyond 200 m. of the location in the DP; (c) beyond the same holding of the owner in which such reservation is located; (d) unless the alternative location and size at least similar to the location and size of the DP as regards to access. (e) Balance part of the reservation shall have sufficient insufficient area and proper improper access.</i>	Suggested for better provision of development of DP reservation.
24	14(B)	<i>Such conversion shall be subject payment of the premium at the rate of 20% of Annual Schedule of Rates (ASR rate) of developed land (for FSI 1) and subject to the following:</i>	<i>Such conversion shall be subject to payment of the premium at the rate of 20% of Annual Schedule of Rates (ASR rate) of developed land (for FSI 1) and subject to the following:</i>	Grammatical correction
24	14(B)(c)(ii)	Table <i>Developer shall have an option to provide constructed amenity as decided by the Commissioner on the plot to be handed over and</i>	Table <i>1. Developer shall have an option to provide constructed amenity as decided by the Commissioner on the plot to be handed over and</i>	What is permitted in new proposal is requested to be

SUGGESTION/ OBJECTION DCPR 2034

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EP. No.	Reg. No. DCPR - 2034	Provision of development control and promotion regulations 2034	Suggested Provision	Remarks
		<p><i>Commissioner shall give due regard to amenity deficits in the ward. In such cases, BUA in lieu of cost of construction of built up amenity to be handed over shall be as per the provisions of Regulation number 17(1) note 1(d).</i></p>	<p><i>Commissioner shall give due regard to amenity deficits in the ward. In such cases, BUA in lieu of cost of construction of built up amenity to be handed over shall be as per the provisions of Regulation number 17(1) note 1(d).</i></p> <p>2. Where a developer opts for conversion of the proposal of ongoing scheme under clause 6 of this DCPR and is not in position to provide the constructed amenity and/or LOS in accordance with this regulation then the same can be condoned by charging premium calculated calculated in accordance with regulation 17.</p>	<p>permitted in case of conversion of ongoing proposal to DCPR 2034.</p>
26		<p><i>EWS/LIG Housing in the form of tenements of size ranging between carpet area as decided by the Housing Department, Government of Maharashtra, from time to time shall be 27.88 25sq. m. and 42 27.88sq. 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: -</i></p>		<p>No premium shall be levied or charged under regulation no. (staircase, OSD, fungible, development cess)</p>
27	15(2)(c)(iv)	<p><i>The developer/owner shall be entitled for the BUA in lieu of cost of construction of tenements as stated below:</i></p> <p><i>BUA in lieu of cost of construction of IH = 1.50 1.25 [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</i></p> <p><i>This BUA shall be subject to maximum 40% of the BUA of IH handed</i></p>	<p><i>The developer/owner shall be entitled for the BUA in lieu of cost of construction of tenements as stated below:</i></p> <p><i>BUA in lieu of cost of construction of IH = 1.50 1.25 2.00 [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</i></p> <p><i>This BUA shall be subject to maximum 40% of the BUA of IH handed</i></p>	<p>Higher percentage is proposed so as to recover cost of construction of common amenities such as staircases, passages, lifts, parking areas, basement etc.</p>

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		over to MCGM	over to MCGM	
28	15(2) Note-3	<p>3) For arriving at number of tenements, ratio of BUA to carpet area shall be considered as 1.2 (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.</p> <p><i>“Provided that there shall be no obligation to construct IH tenements in the redevelopment project of any Co-operative Housing Society /federation of societies/ association/ condominium/ apartment owner’s association in which the carpet area of all existing individual residential tenements does not exceed 80 sq. m.</i></p> <p>Provided further that, if existing carpet area of some of the residential tenements, in Co-operative Housing Society/federation of societies/association/condominium/ apartment owners association is more than 80 sq. m, then the obligation to hand over the BUA in the form of IH tenements/plot area would be proportionate to the ratio of BUA of such tenement having carpet area more than 80 sq. m and existing BUA, otherwise required as per this Regulation considering plot area.</p>	<p>3) For arriving at number of tenements, ratio of BUA to carpet area shall be considered as 1.2 (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.</p> <p><i>“Provided that there shall be no obligation to construct IH tenements in the redevelopment project of any Co-operative Housing Society /federation of societies/ association/ condominium/ apartment owner’s association in which the carpet area of all existing individual residential tenements does not exceed 80 sq. m.</i></p> <p>Provided further that, if existing carpet area of some of the residential tenements, in Co-operative Housing Society/ federation of societies/association/condominium/ apartment owners association is more than 80 sq. m, then the obligation to hand over the BUA in the form of IH tenements/plot area would be proportionate to the ratio of BUA of such tenement having carpet area more than 80 sq. m and existing BUA, otherwise required as per this Regulation considering plot area. Such carpet area will be net useable floor area excluding area of walls</p>	Cancelled portion to be reinstated as there could be tenements with carpet area more than 80 sq.mt.
29	17(1)	Development of Reserved land for Public Purposes	Development of Reserved land for Public Purposes	As proposed by Planning Committee

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		<i>(1) For plot having reservation area 1000 2000 sq. m. or more.</i>	<i>(1) For plot having reservation area 1000 2000 sq. m. or more.</i>	and Planning Authority and to facilitate development on balance plot.
29	17(1) 17 (2)	<p><i>2) For plot having reservation area less than 1000 2000 sq. m</i></p> <p><i>i) (a) The owner may exercise the option to construct BUA equivalent to 'X'% of Basic (zo nal) 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 as per 1) above.</i></p> <p><i>Or</i></p> <p><i>b) 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 subject to payment of premium at the rate as specified in this regulation note no. 23(i) below table 5 or at the rate as decided by Government and amended time to time, for the optional non handing over Y% of area of reserved plot and following conditions ii) and iii).</i></p>	<p><i>2) For plot having reservation area less than 1000 2000 sq. m</i></p> <p><i>i) (a) The owner may exercise the option to construct BUA equivalent to 'X'% of Basic (zo nal) 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 as per 1) above.</i></p> <p><i>Or</i></p> <p><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 subject to payment of premium at the rate as specified in this regulation note no. 23(i) below table 5 or at the rate as decided by Government and amended time to time, for the optional non handing over Y% of area of reserved plot and following conditions ii) and iii).</i></p>	For EODB.
30	17 Table-4	Reservations to be developed for the intended purposes along with permissible uses & ancillary activities. Table 4	Reservations to be developed for the intended purposes along with permissible uses & ancillary activities. Table 4	

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31		<p>Table No 5 Reservations to be developed for the intended purposes or as per Accommodation Reservation.</p> <table border="1"> <thead> <tr> <th data-bbox="451 456 513 813">Sr. No.</th> <th data-bbox="513 456 594 813">Reservation main Category</th> <th colspan="2" data-bbox="594 456 849 813">Reservation Sub category</th> <th colspan="2" data-bbox="849 456 1225 813">Users Permitted</th> <th data-bbox="1225 456 1346 813">Applicable conditions for development</th> </tr> <tr> <td></td> <td></td> <th data-bbox="594 813 701 886">Code</th> <th data-bbox="701 813 849 886">Name</th> <th data-bbox="849 813 1024 886">Permissible uses</th> <th data-bbox="1024 813 1225 886">Ancillary Activities</th> <td></td> </tr> </thead> <tbody> <tr> <td data-bbox="451 886 513 1274">15</td> <td data-bbox="513 886 594 1274">Public Open spaces</td> <td data-bbox="594 886 701 1274">ROS 1.4</td> <td data-bbox="701 886 849 1274">Playground</td> <td data-bbox="849 886 1024 1274">Playground</td> <td data-bbox="1024 886 1225 1274">Art and culture related uses, Vipassana/ yoga meditation, Watchman cabin, Gardener</td> <td data-bbox="1225 886 1346 1274">1 or 3 In case of 3, Y=70 and minimum area of reserve</td> </tr> </tbody> </table>	Sr. No.	Reservation main Category	Reservation Sub category		Users Permitted		Applicable conditions for development			Code	Name	Permissible uses	Ancillary Activities		15	Public Open spaces	ROS 1.4	Playground	Playground	Art and culture related uses, Vipassana/ yoga meditation, Watchman cabin, Gardener	1 or 3 In case of 3, Y=70 and minimum area of reserve	<p>Table No 5 Reservations to be developed for the intended purposes or as per Accommodation Reservation.</p> <table border="1"> <thead> <tr> <th data-bbox="1373 456 1435 634">Sr. No.</th> <th data-bbox="1435 456 1561 634">Reservation main Category</th> <th colspan="2" data-bbox="1561 456 1790 634">Reservation Sub category</th> <th colspan="2" data-bbox="1790 456 2099 634">Users Permitted</th> <th data-bbox="2099 456 2287 634">Applicable conditions for development</th> </tr> <tr> <td></td> <td></td> <th data-bbox="1561 634 1642 708">Code</th> <th data-bbox="1642 634 1790 708">Name</th> <th data-bbox="1790 634 1938 708">Permissible uses</th> <th data-bbox="1938 634 2099 708">Ancillary Activities</th> <td></td> </tr> </thead> <tbody> <tr> <td data-bbox="1373 708 1435 1274">15</td> <td data-bbox="1435 708 1561 1274">Public Open spaces</td> <td data-bbox="1561 708 1642 1274">ROS 1.4</td> <td data-bbox="1642 708 1790 1274">Playground</td> <td data-bbox="1790 708 1938 1274">Playground</td> <td data-bbox="1938 708 2099 1274">Art and culture related uses, Vipassana / yoga meditation, Watchman cabin, Gardener chowky, toilet block.</td> <td data-bbox="2099 708 2287 1274">1 or 3 In case of 3, Y=70 of unencumbered land and minimum area of reserved plot shall be 1000 sq. m.</td> </tr> </tbody> </table>	Sr. No.	Reservation main Category	Reservation Sub category		Users Permitted		Applicable conditions for development			Code	Name	Permissible uses	Ancillary Activities		15	Public Open spaces	ROS 1.4	Playground	Playground	Art and culture related uses, Vipassana / yoga meditation, Watchman cabin, Gardener chowky, toilet block.	1 or 3 In case of 3, Y=70 of unencumbered land and minimum area of reserved plot shall be 1000 sq. m.	To facilitate easy implementation of DP on plots which have existing / tolerated structures
Sr. No.	Reservation main Category	Reservation Sub category		Users Permitted		Applicable conditions for development																																								
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						chowky, toilet block. <i>d plot shall be 1000 sq. m.</i>	16		ROS 1.5	Garden/ Park	Garden, Parks, Botanical Garden, Children Park with Waking Track, Wooded Areas Water Body	Art and culture related uses, <i>Vipassana / yoga meditation,</i> Watchman cabin, Gardener chowky, toilet block.	1 or 3 In case of 3, Y=70 of <i>unencumbered land and minimum area of reserved plot shall be 1000 sq. m.</i>	
32	17	d)The developer/owner shall be entitled for the BUA in lieu of cost of						d)The developer/owner shall be entitled for the BUA in lieu of cost of						Higher percentage is

SUGGESTION/ OBJECTION DCPR 2034

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EP. No.	Reg. No. DCPR - 2034	Provision of development control and promotion regulations 2034	Suggested Provision	Remarks
	Table-4 Note-(1) (d)	<p>construction of built up amenity under AR as follows:</p> <p>BUA in lieu of cost of construction of built up amenity handed over under AR = 1.50 1.25 (Rate of construction per sq. m as per ASR rate /Rate of developed land per sq. m as per ASR) * BUA of constructed built up amenity handed over under AR.</p>	<p>construction of built up amenity under AR as follows:</p> <p>BUA in lieu of cost of construction of built up amenity handed over under AR = 1.50 1.25 2.00 (Rate of construction per sq. m as per ASR rate /Rate of developed land per sq. m as per ASR) * BUA of constructed built up amenity handed over under AR.</p>	<p>proposed so as to recover cost of construction of common amenities such as staircases, passages, lifts, parking areas, basement etc.</p>
32	17 Note (23)	<p><i>General conditions to allow development under above regulations:-</i></p> <p><i>General conditions to allow development under above regulations:-</i></p> <p><i>i) If the area of reservation is not adequate to construct independent building as mentioned above OR When it is not possible to handover individual plot along with public amenity, then in such cases Municipal Commissioner may allow composite building on said land subject to condition that the built up area mentioned as above may be allowed to be handed over to the Planning Authority or Appropriate Authority, as the case may be, preferably on ground floor and subject to premium at the rate of 35% and 40% of ASR of the develop land for the zonal (basic) FSI (In case of suburbs where FSI is 1 it shall be as per ASR of the developed land and in case of City it shall be 1.33 times of ASR of the developed land) for AH/R&R and for other reservations respectively or as may be decided by Government from time to time. If ground floor is utilised for parking, then on stilt/first floor with separate entry & exit from public street. In such cases, built-up area along with proportionate undivided share of land shall be handed over to the Planning Authority or Appropriate Authority, as the case may be. In such cases no</i></p>	<p><i>General conditions to allow development under above regulations:-</i></p> <p><i>i) If the area of reservation is not adequate to construct independent building as mentioned above OR When it is not possible to handover individual plot along with public amenity, then in such cases Municipal Commissioner may allow composite building on said land subject to condition that the built up area mentioned as above may be allowed to be handed over to the Planning Authority or Appropriate Authority, as the case may be, preferably on ground floor and subject to premium at the rate of 35% 15% and 40% 20% of ASR of the develop land for the zonal (basic) FSI (In case of suburbs where FSI is 1 it shall be as per ASR of the developed land and in case of City it shall be 1.33 times of ASR of the developed land) for AH/R&R and for other reservations respectively or as may be decided by Government from time to time. If ground floor is utilised for parking, then on stilt/first floor with separate entry & exit from public street. In such cases, built-up area along with proportionate undivided share of land shall be handed over to the Planning Authority or Appropriate Authority, as the case may be. In such cases no compensation of proportionate undivided land share shall be permissible.</i></p>	<p>The premium is proposed to be reduced since there are already constraints in planning due to BUA to be handed over and to have financial viability.</p> <p>When owner/ developer is paying premium for non handing over of separate plot, handing over of proportionate undivided share of land is not warranted.</p>

SUGGESTION/ OBJECTION DCPR 2034

Legend - - Addition Suggested in **Blue Bold**.

Deletion Suggested in **Blue Highlight and Strikethrough**.

Reinsertion Suggested in **Blue Highlight**

EP. No.	Reg. No. DCPR - 2034	Provision of development control and promotion regulations 2034	Suggested Provision	Remarks
		<i>compensation of proportionate undivided land share shall be permissible.</i>		
32	17 (23) Note	<p><i>viii) Once sanction is granted under this regulation, the owner /developer shall have to complete the development and hand over the developed reservation to Planning Authority within the period as specified by Planning Authority. Thereafter Planning Authority may levy penalty for any delay.]</i></p> <p><i>ix) The TDR generated of any reservations in lieu of accommodation reservation can be utilized plot in same layout belonging to the same owner subject to following conditions.</i></p>	<p><i>viii) Once sanction is granted under this regulation, the owner /developer shall have to complete the development and hand over the developed reservation to Planning Authority within the period as specified by Planning Authority Municipal Commissioner. Thereafter Planning Authority Municipal Commissioner may levy penalty for any delay.]</i></p> <p><i>ix) The TDR generated of any reservations in lieu of accommodation reservation can be utilized on any plot in same layout belonging to the same owner subject to following conditions.</i></p>	For EODB
			<p>x) Provided further that the maximum % of reserved plot to be handed over to MCGM for Sr. No.s 15 and 16 of Table 5 of these regulations shall be derived after deducting area of existing astructures/tolerated structures .</p> <p>xi) Provision of Regulations of inclusive Housing (DCPR 15), Amenity space (DCPR 14) if any shall not be applicable for development under this regulation. Moreover Regulation of required recreational open space (DCPR 27) shall not be applicable for development of reservation other than residential purpose as mentioned in sr. No 19 to 27 in table No. 5 of DCPR 17(1)</p>	<p>Suggested addition of condition no. x and xi under this regulation.</p> <p>Reference is requested to General condition Sr. No. VIII of Accommodation reservation Policy (AR Policy) dated 2/5/2016.</p>
35	17(3)(B)	<i>(2) Notwithstanding anything contained in these regulations, in case of redevelopment of plot/(s) having cessed structures/s and having reservation in the DP, the land component of the said cessed structure as per Zonal (basic) FSI shall be deemed to have been automatically deleted</i>	<i>(2) Notwithstanding anything contained in these regulations, in case of redevelopment of plot/(s) having cessed structures/s and having reservation in the DP, the land component of the said cessed structure as per Zonal (basic) FSI shall be deemed to have been automatically deleted</i>	

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EP. No.	Reg. No. DCPR - 2034	Provision of development control and promotion regulations 2034	Suggested Provision	Remarks
		<p><i>from reservation.</i></p> <p><i>The reservation area beyond the land component of cessed structures/s may be developed as per provision of Regulation 17(1) under the principle 'Accommodation Reservation' for the intended purposes. Provided that the 25% land component of noncessed structures as describe in clause 19 of Regulation 33(7) will be eligible for FSI as per Regulation 33(7) only and shall not be eligible for Zonal (basic) FSI."</i></p>	<p><i>from reservation.</i></p> <p><i>The reservation area beyond the land component of cessed structures/s may be developed as per provision of Regulation 17(1) under the principle 'Accommodation Reservation' for the intended purposes. Provided that the 25% land component of noncessed structures as describe in clause 19 of Regulation 33(7) will be eligible for FSI as per Regulation 33(7) only and shall not be eligible for Zonal (basic) FSI."</i></p>	
35	17(3) B(4)	<p><i>(4) Notwithstanding anything contained in any of these Regulations reconstruction/redevelopment of buildings of Corporation existing prior to 30.09.1969, falling under reservation contemplated in Development Plan shall be permitted as under (i) Any plot/layout having area under non-buildable/open space reservations admeasuring up to 500 sq. m shall be cleared by shifting the existing tenants from that site.</i></p> <p><i>(ii) Where the area of site having non-buildable/open space reservation/Cemetery, is more than 500 sq. m & if the land component of existing structures is more than or equal to 67%, 70% such sites may be allowed for the redevelopment subject to condition that the ground area of the land so used shall not be more than 67%, 70% of the reservation and leaving 33% 30% rendered clear thereafter for the reservation. If the land component of existing structures is less than 67%, 70% such sites may be allowed for the redevelopment subject to condition that the ground area of the land so used shall not be more than land component of existing structures and leaving balance reservation land rendered clear thereafter for the reservation.</i></p> <p><i>(iii) Existing structures on lands reserved for Municipal School (RE 1.1)/</i></p>	<p><i>(4) Notwithstanding anything contained in any of these Regulations reconstruction/redevelopment of buildings of Corporation existing prior to 30.09.1969, falling under reservation contemplated in Development Plan shall be permitted as under (i) Any plot/layout having area under non-buildable/open space reservations admeasuring up to 500 sq. m shall be cleared by shifting the existing tenants from that site.</i></p> <p><i>(ii) Where the area of site having non-buildable/open space reservation/Cemetery, is more than 500 sq. m & if the land component of existing structures is more than or equal to 67%, 70% such sites may be allowed for the redevelopment subject to condition that the ground area of the land so used shall not be more than 67%, 70% of the reservation and leaving 33% 30% rendered clear thereafter for the reservation. If the land component of existing structures is less than 67%, 70% such sites may be allowed for the redevelopment subject to condition that the ground area of the land so used shall not be more than land component of existing structures and leaving balance reservation land rendered clear thereafter for the reservation.</i></p> <p><i>(iii) Existing structures on lands reserved for Municipal School (RE 1.1)/</i></p>	So as to remove parity between private development and development on Municipal land.

SUGGESTION/ OBJECTION DCPR 2034

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EP. No.	Reg. No. DCPR - 2034	Provision of development control and promotion regulations 2034	Suggested Provision	Remarks
		<p><i>Primary and Secondary School (RE1.2) or a Higher Education (RE2.1) may be developed subject to the following:</i></p> <p><i>(a) 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, but in any case, for not less than 500 students, shall be constructed. The BUA occupied by the constructed building shall be excluded for the purpose of FSI computation. Thereafter, the land may be allowed to be redeveloped with the full permissible FSI of the plot according to this Regulation.</i></p> <p><i>(b)In the case of lands affected by 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, but in any case for not less than 800 students, shall be constructed. The BUA occupied by the constructed building shall be excluded for the purpose of FSI computation. Thereafter the land may be allowed to be redeveloped with full permissible FSI of the plot according to this Regulation.</i></p> <p><i>(iv) In case of the plot reserved for the Parking Lot, 100% 125% BUA as per Zonal (basic) FSI of such reserved area shall be constructed.</i></p> <p><i>(v) Existing structures on lands reserved for Rehabilitation & Resettlement (RR 2.1) shall be treated as sites for development of such structures and shall be allowed for redevelopment according to this Regulation. (vi) For other buildable reservations excluding (ii),(iii), (iv) & (v) above and reservations as reflected in the table no 4 of Regulation No 17(1), BUA equal to 25 percent of the area under that reservation in that</i></p>	<p><i>Primary and Secondary School (RE1.2) or a Higher Education (RE2.1) may be developed subject to the following:</i></p> <p><i>(a) 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, but in any case, for not less than 500 students, shall be constructed. The BUA occupied by the constructed building shall be excluded for the purpose of FSI computation. Thereafter, the land may be allowed to be redeveloped with the full permissible FSI of the plot according to this Regulation.</i></p> <p><i>(b)In the case of lands affected by 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, but in any case for not less than 800 students, shall be constructed. The BUA occupied by the constructed building shall be excluded for the purpose of FSI computation. Thereafter the land may be allowed to be redeveloped with full permissible FSI of the plot according to this Regulation.</i></p> <p><i>(iv) In case of the plot reserved for the Parking Lot, 100% 125% BUA as per Zonal (basic) FSI of such reserved area shall be constructed.</i></p> <p><i>(v) Existing structures on lands reserved for Rehabilitation & Resettlement (RR 2.1) shall be treated as sites for development of such structures and shall be allowed for redevelopment according to this Regulation. (vi) For other buildable reservations excluding (ii),(iii), (iv) & (v) above and reservations as reflected in the table no 4 of Regulation No 17(1), BUA equal to 25 percent of the area under that reservation in that plot, shall be constructed.</i></p>	

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		<i>plot, shall be constructed.</i>		
36	17(3)(C)	<p><i>Development of reservation in Reconstruction or redevelopment of Cluster(s) of Buildings under Cluster Development Scheme(s) under Regulation No. 33(9):</i></p> <p><i>g) Where a proposed DP Road or Regular line of street passes through the UDS area, the entire FSI admissible under this Regulation for the area of the road may be given in the same Scheme.</i></p> <p><i>The location of and the area under DP road/ existing roads falling in the UDS may be allowed to be 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 & DP Road. The existing roads may be realigned or relocated as per provisions of MMC Act.</i></p>	<p><i>Development of reservation in Reconstruction or redevelopment of Cluster(s) of Buildings under Cluster Development Scheme(s) under Regulation No. 33(9):</i></p> <p><i>g) Where a proposed DP Road or Regular line of street passes through the UDS 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 proposed DP road / DP road/ existing road falling in the UDS may be allowed to be merged or rearranged. <i>the entire FSI admissible under this Regulation for the area of the road may be given in the same Scheme</i></i></p> <p><i>The location of and the area under DP road/ existing roads falling in the UDS may be allowed to be 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 & DP Road. The existing roads may be realigned or relocated. as per provisions of MMC Act.</i></p>	
38		<p><i>(D)Development of reservation in Redevelopment for Rehabilitation of Slum Dwellers under Regulation No. 33(10)</i></p> <p><i>(a)Slums in Residential/Commercial Zone</i></p> <p><i>(1) Slums situated in lands falling under Residential/Commercial Zone</i></p>	<p><i>(D)Development of reservation in Redevelopment for Rehabilitation of Slum Dwellers under Regulation No. 33(10)</i></p> <p><i>(a)Slums in Residential/Commercial Zone</i></p> <p><i>(1) Slums situated in lands falling under Residential/Commercial Zone</i></p>	

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EP. No.	Reg. No. DCPR - 2034	Provision of development control and promotion regulations 2034	Suggested Provision	Remarks
		<p><i>and affected by the reservation in the DP shall be developed in accordance with the following provisions.</i></p> <p><i>(2)(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.</i></p> <p><i>(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% 65% of the reservation and leaving 33% 35% rendered clear thereafter for the reservation.</i></p>	<p><i>and affected by the reservation in the DP shall be developed in accordance with the following provisions.</i></p> <p><i>(2)(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.</i></p> <p><i>(ii) Where the area of site having non-buildable/open space reservation, is more than 500 sq. m such sites shall be deemed to be reserved for slum rehabilitation schemes in accordance with provisions of 33(10) and 33(11) of these regulations. 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% 65% of the reservation and leaving 33% 35% rendered clear thereafter for the reservation.</i></p>	
43	19(2)(d)	<p><i>The Municipal Commissioner shall constitute a High-Rise Committee to advise on issues related to high-rise building having height more than 120 m. in which followings persons shall be included:</i></p> <p><i>1) Practicing structural Engineer- Member</i></p> <p><i>2) Teaching structural Engineer-Member</i></p> <p><i>3) Chief Fire Officer, MCGM- Member</i></p> <p><i>4) Or any other member</i></p> <p><i>Subject to prior permission of H'ble Supreme court.</i></p>	<p><i>(3) The Municipal Commissioner shall constitute one or more High-Rise Committee(s) to advise on issues related to high-rise building having height more than 120 m. in which followings persons shall be included:</i></p> <p><i>1) Practicing structural Engineer- Member</i></p> <p><i>2) Teaching structural Engineer-Member</i></p> <p><i>3) Chief Fire Officer, MCGM- Member</i></p> <p><i>4) Or any other member</i></p> <p><i>Subject to prior permission of H'ble Supreme court.</i></p>	Suggested to entitle as point no. (3).
44	19 (2) (note)	<p><i>NOTE: - 1. Wherever feasible, the MCGM shall strive to widen all roads having width below 9 m to a minimum 9 m, after a comprehensive traffic</i></p>	<p><i>NOTE: - 1. Wherever feasible, the MCGM shall strive to widen all roads having width below 9 m to a minimum 9 m, after a comprehensive traffic</i></p>	Note 2 is proposed to be deleted.

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EP. No.	Reg. No. DCPR - 2034	Provision of development control and promotion regulations 2034	Suggested Provision	Remarks
		<p>study and due implementation analysis and sanction as per MMC Act 1888. MCGM shall convert all roads of width less than 9 m to 9 m and above as per site condition through MR & TP Act or MMC Act.</p> <p>2. Roads excluding existing public road/Municipal road, reflected in DP shall not be treated as public Road, unless and until declared under appropriate section of MMC Act & shall not be subjected to mechanical acquisition.</p>	<p>study and due implementation analysis and sanction as per MMC Act 1888. MCGM shall convert all roads of width less than 9 m to 9 m and above as per site condition through MR & TP Act or MMC Act.</p> <p>2. Roads excluding existing public road/Municipal road, reflected in DP shall not be treated as public Road, unless and until declared under appropriate section of MMC Act & shall not be subjected to mechanical acquisition.</p>	
45	19(3)(c)	<p>In case of TP schemes access provided in TP scheme shall be considered adequate.</p> <p>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 up to 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.</p> <p>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. Regular line of street prescribed under the MMC Act, 1888 shall prevail as per Regulation No 20, even if it is not reflected in DP.</p>	<p>In case of TP schemes access provided in TP scheme shall be considered adequate.</p> <p>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 up to 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.</p> <p>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. Regular line of street prescribed under the MMC Act, 1888 shall prevail as per Regulation No 20, even if it is not reflected in DP.</p>	So as to honor the commitments of the Town Planning schemes.

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48	26 (1)(c)	<i>Layout/amalgamation/subdivision of plot (c) when the land under development admeasures 2000 sq. m or more in any zone. in 'R', 'C' & 'I' Zone, except 'G' & 'N.A.' Zone, where the development is permissible.</i>	<i>Layout/amalgamation/subdivision of plot (c) when the land under development admeasures 2000 sq. m or more in any zone. in 'R', 'C' & 'I' Zone, except 'G' & 'N.A.' Zone, where the development is permissible.</i>	Layout can be planned for any large plot of land in any zone for uses resi, com., tourism, AH, gardens, zoos, etc.
49	26 (note)	<i>Note: - If DP Road/RL is prescribed in already approved layout, then imbalance of FSI in subdivided plots because of new DP Road/RL shall be allowed. If layout is amended subsequently, then the benefit of imbalance of FSI will not be allowed prospectively.</i>	<i>Note: - If DP Road/RL is prescribed in already approved layout, then imbalance of FSI in subdivided plots because of new DP Road/RL shall be allowed. If layout is amended subsequently, then the benefit of imbalance of FSI will not be allowed prospectively.</i>	Imbalance created due to DP road/ RL cannot be denied while amending the proposal.
50	27(1)(a)	Provided further that the provisions of ROS LOS in case of the redevelopment schemes under the regulation no 33(5),33(7),33(8), 33(10) ,33(15) and 33(20) (A) may be reduced due to planning constraints, minimum of at least 8% 10% shall be maintained. Provided further that in case of redevelopment proposal under Regulation No 33(5), the existing area of ROS- LOS shall be maintained if it is more than 8 % of the layout.	Provided further that the provisions of ROS LOS in case of the redevelopment schemes under the regulation no 33(5),33(7),33(8), 33(10) ,33(15) and 33(20) (A) may be reduced due to planning constraints, minimum of at least 8% 10% shall be maintained. Provided further that in case of redevelopment proposal under Regulation No 33(5), the existing area of ROS- LOS shall be maintained if it is more than 8% 10 % of the layout.	So as to have clarity in the regulation.
52	27 (1)	<i>Unpaved strip: The area of 1.5 m. wide strip within the plot boundary shall be kept unpaved for ground water recharge and plantation of trees and it shall not be counted in required LOS:</i>	<i>Unpaved strip: The area of 1.5 m. wide strip within the plot boundary shall be kept unpaved for ground water recharge and plantation of trees and it shall not be counted in required LOS:</i>	Proposed to be deleted as LOS is to be provided as per regulations
54	27 (2) Note : 2	The minimum 60% of the required ROSLOS shall be provided exclusively on the ground and at least 50% of this shall be provided on mother earth to facilitate the percolation of waterand balance 40% of required ROSLOS may be provided on podium area extending beyond the	The minimum 60% of the required ROSLOS shall be provided exclusively on the ground and at least 50% of this shall be provided on mother earth to facilitate the percolation of waterand balance 40% of required ROSLOS may be provided on podium area extending beyond the building line. The	It will be addition to planning constraints since LOS & 1.5 m unpaved strip will be

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		<p>building line. The ROSLOS on mother earth shall not be paved and all ROSLOS shall be accessible to all the occupants of the plot/layout. Rest of the compound pavement other than stated above shall be paved with perforated paving having adequate strength, in order to facilitate percolation of rain water into the ground.</p> <p><i>The entire LOS may be provided on top most podium subject to condition that 1.5 m. unpaved distance shall be kept for planting of trees and thereafter marginal open space required as per Regulation 47(1) for the maneuvering of fire fighting engine (& other equipments) on site from where light & ventilation is derived shall be provided on two sides.</i></p>	<p>ROSLOS on mother earth shall not be paved and all ROSLOS shall be accessible to all the occupants of the plot/layout. Rest of the compound pavement other than stated above shall be paved with perforated paving having adequate strength, in order to facilitate percolation of rain water into the ground.</p> <p><i>The entire LOS may be provided on top most podium subject to condition that 1.5 m. unpaved distance shall be kept for planting of trees and thereafter marginal open space required as per Regulation 47(1) for the maneuvering of fire fighting engine (& other equipments) on site from where light & ventilation is derived shall be provided on two sides</i> fire fighting requirements are complied with.</p>	<p>required to be provided.</p>																																
		<p>PART V FLOOR SPACE INDEX (EP 55 TO EP 70)</p>																																		
55	30(A)(1)	<p>Table no. 12 Floor Space Indices in Residential, Commercial and industrial Zones</p> <table border="1" data-bbox="478 958 1311 1255"> <thead> <tr> <th>Sr. No.</th> <th>Areas</th> <th>Zone</th> <th>Road Width</th> <th>Zonal (Basic)</th> <th>Additonal FSI on payme nt of premi um</th> <th>Admiss ible TDR</th> <th>Permissi ble FSI (4+5+6)</th> </tr> <tr> <th>1</th> <th>2</th> <th>3</th> <th>3</th> <th>4</th> <th>5</th> <th>6</th> <th>7</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Island city</td> <td>Resi/</td> <td>up to 9m</td> <td>1.33</td> <td>-</td> <td>-</td> <td>1.33</td> </tr> </tbody> </table>	Sr. No.	Areas	Zone	Road Width	Zonal (Basic)	Additonal FSI on payme nt of premi um	Admiss ible TDR	Permissi ble FSI (4+5+6)	1	2	3	3	4	5	6	7	1	Island city	Resi/	up to 9m	1.33	-	-	1.33	<p>Table no. 12 Floor Space Indices in Residential, Commercial and industrial Zones</p> <table border="1" data-bbox="1411 990 2244 1255"> <thead> <tr> <th>Sr. No.</th> <th>Areas</th> <th>Zone</th> <th>Road Width</th> <th>Zonal (Basic)</th> <th>Addit ional FSI on paym ent of premi um</th> <th>Admiss ible TDR</th> <th>Permissi ble FSI (4+5+6)</th> </tr> </thead> <tbody> </tbody> </table>	Sr. No.	Areas	Zone	Road Width	Zonal (Basic)	Addit ional FSI on paym ent of premi um	Admiss ible TDR	Permissi ble FSI (4+5+6)	<p>Most of the roads in MCGM limits are having width of 9m to 13m. This is proposed as per recent government modification to regulation 34 of DCR 1991 vide notification</p>
Sr. No.	Areas	Zone	Road Width	Zonal (Basic)	Additonal FSI on payme nt of premi um	Admiss ible TDR	Permissi ble FSI (4+5+6)																													
1	2	3	3	4	5	6	7																													
1	Island city	Resi/	up to 9m	1.33	-	-	1.33																													
Sr. No.	Areas	Zone	Road Width	Zonal (Basic)	Addit ional FSI on paym ent of premi um	Admiss ible TDR	Permissi ble FSI (4+5+6)																													

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EP. No.	Reg. No. DCPR - 2034	Provision of development control and promotion regulations 2034							Suggested Provision							Remarks	
		CRZ affected areas of Erangal in P/North Ward and Gorai and Manoriin the R Ward excepting gaothan proper.							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.								
		iii The remaining area in Suburbs and Extended Suburbs	Resi/Com.	up to 9m	1.0	0.5	-	1.50	ii Areas of the village of Akse, Marve and CRZ affected areas of Erangal in P/North Ward and Gorai and Manoriin the R Ward excepting gaothan proper.	Resi/Com.	0.5	-	-	0.5			
				More than 9m to 12.20m	1.0	0.5	0.5	2.0									
				More than 12.20m to 18.30m	1.0	0.5	0.7	2.2									
				More than 18.30m to 30m	1.0	0.5	0.7	2.4									
				More than 30m	1.0	0.5	0.7	2.5									
		III Island City	Industrial		1.0	0.5	0.5	1.0									
		IV Suburbs and Extended Suburbs	Industrial		1.0	0.5	0.5	1.0									
						-	-	2.0*									
						-	-	2.0*									
											up to Less than 9m	1.0	0.5	-	1.50		
											More than On 9m to 12.20m	1.0	0.5	0.5	2.0		
											More than 12.20m 9.00 m & above up to 18.30m	1.0	0.5	0.7	2.2		
											12.00 m up to 18.30m						
											More than	1.0	0.5	0.7	2.4		

SUGGESTION/ OBJECTION DCPR 2034

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EP. No.	Reg. No. DCPR - 2034	Provision of development control and promotion regulations 2034	Suggested Provision	Remarks
		<p>form of TDR as per these Regulations.</p> <p>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.</p> <p>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.</p> <p>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.</p> <p>In such cases, no additional FSI on payment of premium/TDR shall be allowed to be utilized on remainder /balance plot.</p>	<p>(inclusive housing), 16, and 17 as per regulation 32(1) Table 12(A) 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.</p> <p>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. In case of AR as per Regulation 17 of these regulations, 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(7)(A), 33(8), 33(9), 33(9)(A), 33(9)(B), 33(10), 33(10) (A), 33(20)(A), 33(21).</p>	
59	30(A)(6)	<p>Provided further that of the admissible TDR as per column 6 of the Table 12 of this regulation, utilization of minimum 20% of admissible TDR generated from slum redevelopment scheme, shall be compulsory, but shall not exceed 50% of the admissible TDR as per column 6</p>	<p>Provided further that of the admissible TDR as per column 6 of the Table 12 of this regulation, utilization of minimum 20% of admissible TDR generated from slum redevelopment scheme, shall be compulsory. but shall not exceed 50% of the admissible TDR as per column 6.</p>	Should be left to market forces and availability of TDR.
62	30(B)	<p>2. Minimum tenement density shall be 200 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.</p>	<p>2. Minimum tenement density shall be 200 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.</p>	Such other development may include projects under PMAY/ permanent

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EP. No.	Reg. No. DCPR - 2034	Provision of development control and promotion regulations 2034	Suggested Provision	Remarks
		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.	3. Minimum tenement density for Rehabilitation and Resettlement/affordable housing plots/ <i>such other developments</i>, shall be 325 per ha for FSI 1.00 and shall be appropriately increased/reduced proportionate to FSI 1.00.	transit camp.
63	30(C)(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 development rights/BUA and shall be also entitled for the additional FSI as per relevant regulations.	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 development rights/BUA based on the gross plot area considered at that time and shall be also entitled for the additional FSI as per relevant regulations.	For incentivizing redevelopment schemes
64	30(C)(b)	Provided that if the development is proposed to the extent of protected built-up area only as per a) and b) above, 9 m. road width shall consider adequate. However, if development is proposed with more area than protected as per regulation then, the restrictions as per regulation 19(2) shall be applicable	Provided that if the development is proposed to the extent of protected built-up area only as per a) and b) above, 9 m. existing road width shall be considered adequate subject to fire fighting requirement. However, if development is proposed with more area than protected as per regulation then, the restrictions as per regulation 19(2) shall be applicable.	There may be existing authorized/ tolerated buildings on road width lesser than 9m . Hence, same may be allowed to be developed with existing BUA subject to fire fighting requirement without insisting 9m access road.
68	31(3)	Provided that in case of redevelopment under regulation 33(5),33(6), 33(7), 33(7)(A),33(7)(B), 33(8),33(9), 33(9)(B), 33(20), and 33(10) excluding clause No.3.11 of the Regulation the fungible compensatory FSI area admissible on rehabilitation component shall be granted without charging premium.	Provided that in case of redevelopment under regulation 33(5),33(6), 33(7), 33(7)(A),33(7)(B), 33(8),33(9), 33(9)(B), 33(20), and 33(10) excluding clause No.3.11 of the Regulation the fungible compensatory FSI area admissible on rehabilitation component shall be granted without charging premium.	Fungible Compensatory FSI area is allowed equivalent to the existing built up area

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		<p><i>In case of redevelopment under regulation 33(5), 33(6) & 33(7)(B) of the Regulation the fungible compensatory FSI area admissible on existing BUA shall be granted without charging premium.</i></p> <p>Provided further that redevelopment under Regulation No. 33(5) and for redevelopment proposal of existing buildings in suburbs and extended suburbs by availing TDR/Additional FSI on payment of Premium, the fungible compensatory FSI area admissible on FSI consumed in existing structure shall be granted without charging premium.</p> <p>Provided further that such fungible compensatory FSI area for rehabilitation component shall not be used for free sale component and shall be used to give additional area over and above eligible area to the existing tenants/occupants. Fungible compensatory area admissible to one rehabilitation tenement cannot be utilized for another rehabilitation tenement.</p>	<p><i>In case of redevelopment under regulation 33(5), 33(6) & 33(7)(B) of the Regulation the fungible compensatory FSI area admissible on existing BUA shall be granted without charging premium.</i></p> <p>Provided further that redevelopment under Regulation No. 33(5) and for redevelopment proposal of existing buildings in suburbs and extended suburbs by availing TDR/Additional FSI on payment of Premium, the fungible compensatory FSI area admissible on FSI consumed in existing structure shall be granted without charging premium.</p> <p>Provided further that such fungible compensatory FSI unless consent is obtained from occupant area for rehabilitation component shall not be used for free sale component and shall be used to give additional area over and above eligible area to the existing tenants/occupants. Fungible compensatory area admissible to one rehabilitation tenement cannot be utilized for another rehabilitation tenement.</p>	<p>which is very miniscule. Moreover, there is no rationale for charging premium for Fungible Compensatory FSI area in respect of rehabilitation component under DC Regulation 33(5) as the existing built up area is substantially increased in the DCPR 33(5) by the Government and as such the Fungible Compensatory FSI on the rehabilitation component prescribed by the Government must be granted without charging any premium as is the case in respect of 33(7)(A), 33(8), 33(9) 33(9)(B)</p>

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				and 33(10).
69	31(3) Note:(c)	The deficiency in open space created due to utilization of fungible compensatory area shall be condoned by charging premium at 25% of normal premium.	The deficiency in open space created due to utilization of fungible compensatory area shall be condoned by charging premium at 25% 10% of normal premium.	Since, premium for fungible compensatory area at the rate of 60% RR is proposed to be recovered, the deficiency created due to utilization of the same shall be charged at par with slum TDR/ additional FSI on payment of premium. Also, it will help to reduce cost of real estate.
70	32(2.0)	<p>viii) Unreserved accessible plot not falling in NDZ/NA and if owner willing to offer the land and the Municipal Commissioner, MCGM needed the said land for public purpose shall be deemed to be a reservation and eligible for TDR under this regulation.</p> <p>ix) The TDR of lands owned by Central Govt. and it's undertakings under reservations shall be granted to the Central Govt. and it's undertakings. However, it will not be eligible to the lands under reservations which are granted on lease at concessional rates by the Central Govt. and State</p>	<p>viii) Unreserved accessible plot not falling in NDZ SDZ/NA and if owner willing to offer the land and the Municipal Commissioner, MCGM needed the said land for public purpose shall be deemed to be a reservation and eligible for TDR under this regulation.</p> <p>ix) The TDR of lands owned by Central Govt./ State Govt. and it's undertakings under reservations shall be granted to the Central Govt. and it's undertakings. However, it will not be eligible to the lands under reservations which are granted on lease at concessional rates by the</p>	

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		<i>Govt.</i>	<i>Central Govt. and State Govt.</i>																					
70	32(3.0) (v)	<i>v) If the compensation in the form of FSI / or by any means has already been granted to the owner</i>	<i>v) If the full compensation in the form of FSI / or by any means has already been granted to the owner.</i>	As per MCGM procedure FSII of the reserved land within the layout is being granted in stages. Hence, this will allow to utilize FSI as per DCPR 2034 of the transitional cases also.																				
70	32(4.0) (4.1.1)	<table border="1"> <thead> <tr> <th>Sr. No.</th> <th>Instances</th> <th>Extent of TDR</th> <th>Remarks/ conditions</th> </tr> </thead> <tbody> <tr> <td rowspan="2">1</td> <td rowspan="2">a) If entire plot of land reserved for public purpose in the DP and land is transferred in the name of MCGM/ Appropriate Authority.</td> <td>Area under reservation Mumbai City area (island city)</td> <td>Entitlement for TDR/ DR 2.5 times the area of surrendered land. (Maximum 2.5)</td> </tr> <tr> <td>Mumbai Suburban/ Extended Suburban</td> <td>2 times the area of surrendered land. (Maximum 2.00)</td> </tr> </tbody> </table>	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 transferred in the name of MCGM/ Appropriate Authority.	Area under reservation Mumbai City area (island city)	Entitlement for TDR/ DR 2.5 times the area of surrendered land. (Maximum 2.5)	Mumbai Suburban/ Extended Suburban	2 times the area of surrendered land. (Maximum 2.00)	<p>Table 12A</p> <table border="1"> <thead> <tr> <th>Sr. No.</th> <th>Instances</th> <th>Extent of TDR</th> <th>Remarks/ conditions</th> </tr> </thead> <tbody> <tr> <td rowspan="2">1</td> <td rowspan="2">a) If entire plot of land reserved for public purpose in the DP as also required as per Reg. 14, 15 and land is transferred</td> <td>Area under reservation Mumbai City area (island city)</td> <td>Entitlement for TDR/ DR 2.5 times the area of surrendered land. (Maximum 2.5)</td> </tr> <tr> <td>Mumbai Suburban/ Extended Suburban</td> <td>2 times the area of surrendered land. (Maximum 2.00)</td> </tr> </tbody> </table>	Sr. No.	Instances	Extent of TDR	Remarks/ conditions	1	a) If entire plot of land reserved for public purpose in the DP as also required as per Reg. 14, 15 and land is transferred	Area under reservation Mumbai City area (island city)	Entitlement for TDR/ DR 2.5 times the area of surrendered land. (Maximum 2.5)	Mumbai Suburban/ Extended Suburban	2 times the area of surrendered land. (Maximum 2.00)	To have parity in compensation at par with reserved lands in DP.
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					<p><i>b) award is not declared under Section 23 of Right to Fair Compensation and Transperancy in Land Acquisition Rehabilitation and Resettlement L.A.Act 2013 or any compensation has not been paid.</i></p>				<p><i>in the name of MCGM/ Appropriate Authority.</i></p>	<p><i>availed. b) award is not declared under Section 23 of Right to Fair Compensation and Transperancy in Land Acquisition Rehabilitation and Resettlement L.A.Act 2013 or any compensation has not been paid.</i></p>	
		<p><i>c) DP Roads/ RL under MMC Act/ land under River widening, major Nalla widening transferred to in the</i></p>	<p><i>Area under reservation Mumbai City area (island city)</i></p>	<p><i>Entitlement for TDR/ DR 2.5 times the area of surrendered land. (Maximum 2.5)</i></p>	<p><i>Only if FSI benefit is not approved in the development proposal/ availed and not proposed to be utilized on remainder plot nor TDR is</i></p>		<p><i>Area under reservation Mumbai City area (island city)</i></p>	<p><i>Entitlement for TDR/ DR 2.5 times the area of surrendered land. (Maximum 2.5)</i></p>	<p><i>Only if FSI benefit is not approved in the development proposal/ availed and not proposed to be utilized on remainder plot</i></p>		
			<p><i>Mumbai Suburban/ Extended Suburban</i></p>	<p><i>2 times the area of surrendered land.</i></p>			<p><i>Mumbai Suburban/ Extended</i></p>	<p><i>2 times the area of surrendered</i></p>			

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EP. No.	Reg. No. DCPR - 2034	Provision of development control and promotion regulations 2034	Suggested Provision				Remarks					
		<table border="1"> <tr> <td data-bbox="438 334 720 407">name of MCGM</td> <td data-bbox="720 334 868 407">of</td> <td data-bbox="868 334 1016 407">(Maximum 2.00)</td> <td data-bbox="1016 334 1257 407">availed.</td> </tr> </table>	name of MCGM	of	(Maximum 2.00)	availed.	4	to in the name of MCGM	Suburban	land. (Maximum 2.00)	nor TDR is availed.	
name of MCGM	of	(Maximum 2.00)	availed.									
70	32(4.0) (4.1.1)	<p><i>Provided also that Additional / incentive Transferable Development Rights (TDR) to the extent of 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</i></p>	<p><i>Provided also that Additional / incentive Transferable Development Rights (TDR) to the extent of 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 and 5 years</i></p>	This is necessary so that Government can take proper cognizance of changes								

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EP. No.	Reg. No. DCPR - 2034	Provision of development control and promotion regulations 2034	Suggested Provision	Remarks
		<p><i>,3 and 5 years from this notification respectively.</i></p> <p><i>Provided that the quantum of Transferable Development Rights (TDR) generated for D.P. Road/ reservation in CRZ/BDP/HTHS/Low Density Zone/ Hazardous Zone/ Special Development Zone areas or in areas which have some natural or legal constraint on development etc. shall be as decided by the Government separately.</i></p>	<p><i>from this notification respectively and handover the land within 1 year to the authority.</i></p> <p><i>Provided that the quantum of Transferable Development Rights (TDR) generated for D.P. Road/ reservation in CRZ-I /BDP/HTHS/Low Density Zone/ Hazardous Zone/ Special Development Zone areas or in areas which have some natural or legal constraint on development etc. shall be as decided by the Government separately.</i></p>	<p>if any.</p>
70	32(4.0) (4.1.2)	<p><i>Provided further that such construction/erection of compound wall/fencing shall not be necessary for area under Development Plan roads. In such cases TDR equivalent to entitlement as mentioned in regulation no 4.1.1 shall be granted without any reduction.</i></p>	<p><i>Provided further that such construction/erection of compound wall/fencing shall not be necessary for area under Development Plan roads / setbacks due to road widening. In such cases TDR equivalent to entitlement as mentioned in regulation no 4.1.1 shall be granted without any reduction.</i></p>	<p>Suggested change as the area under setback is added to roads and there is no need of compound wall/ fencing.</p>
70	32(4.0) (4.1.4)	<p><i>In case of lessee, the award of Transferable Development Rights (TDR) shall be subject to lessee paying the lessor or depositing with the Planning Authority for payment to the lessor, an amount equivalent to the value of the lessors' interest to be determined by the Planning Authority on the basis of Land Acquisition Act, 1894 or the Right to Fair Compensation and Transparency in Land acquisition, Rehabilitation and Resettlement Act, 2013 against the area of land surrendered free of cost and free from all encumbrances.</i></p>	<p><i>In case of lessee, the award of Transferable Development Rights (TDR) shall be subject to lessee paying the lessor or depositing with the Planning Authority for payment to the lessor, an amount equivalent to the value of the lessors' interest to be determined by Municipal Commissioner the Planning Authority on the basis of Land Acquisition Act, 1894 or the Right to Fair Compensation and Transparency in Land acquisition, Rehabilitation and Resettlement Act, 2013 against the area of land surrendered free of cost and free from all encumbrances.</i></p>	<p>Suggested change is necessary to expedite the process as involving Planning Authority at every stage could delay process and which should be avoided for the purpose of Ease of Doing Business.</p>

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70	32(5.0) (5.2)	<i>With an application for development permission, where an owner seeks utilisation of DRC, he shall submit the DRC to the Municipal Commissioner who shall endorse thereon in writing in figures and words, the quantum of the TDR proposed to be utilised, before granting development permission. Before issuance of Occupation Certificate, the Commissioner shall endorse on the DRC, in writing in figures and words, the quantum of TDR/DRs actually used and the balance remaining if any.</i>	<i>With an application for development permission, where an owner seeks utilisation of DRC, he shall submit the DRC to the Municipal Commissioner who shall endorse thereon in writing in figures and words, the quantum of the TDR proposed to be utilised, before granting development permission. Before issuance of Occupation Certificate, the Commissioner shall endorse on the DRC, in writing in figures and words, the quantum of TDR/DRs actually used and the balance remaining if any.</i>	When an individual seeks for utilization of TDR the Municipal Commissioner endorses the DRC with the quantum of TDR proposed to be utilized. The said endorsement is necessary to be done prior to approval of plans as per the process followed at present day. This repetition of process before obtaining Occupation Certificate is not viable for approval process timeline and EODB.
70	32(5.0) (5.4) note:-	<i>i) Municipal Corporation of Greater Mumbai shall convert all roads of width less than 9.00m. to 9.00m. and above as per site conditions through MR & TP. Act or MMC Act provisions. ii) The maximum permissible TDR that can be utilised on any plot. Provided that specific area based restriction where TDR utilisation is not permissible by earlier Regulations shall remain in force except for</i>	<i>i) Municipal Corporation of Greater Mumbai shall convert all roads of width less than 9.00m. to 9.00m. and above as per site conditions through MR & TP. Act or MMC Act provisions. ii) The maximum permissible TDR that can be utilised on any plot. Provided that specific area based restriction where TDR utilisation is not permissible by earlier Regulations shall remain in force except for Gaathan/ congested</i>	The correction are proposed to have clarity in the regulation.

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		<p><i>Gaothan/ congested areas.</i></p> <p><i>Provided also that the above utilisation of TDR would be available to an existing road width of 9 mt and above so marked under the relevant Municipal Corporation Act.</i></p> <p><i>iii) Maximum permissible TDR loading as mentioned above on any plot shall be exclusive of FSI allowed for inclusive housing if any.</i></p> <p><i>iv) The priority and quantum of maximum permissible TDR loading mentioned above shall include slum TDR atleast 20 % and maximum to the extent of 50% of column no. 6 of Table No. 12 regulation 30(A). slum TDR (wherever applicable) as per this regulation and DRC generated from the vary said land and/or DRC generated from other location up to the permissible limit mention above.</i></p> <p><i>v) If a plot is situated on internal road having dead end within 50 mt. from the main road, having minimum width of 9m or more then such plot shall be treated as fronting on main road for the purpose of utilisation of TDR. Similarly if the plot derives from 9m wide internal road then such plots also eligible for the purpose for utilisation of TDR.</i></p> <p><i>vi) The relaxation premium for the use of slum TDR i.e. 10% of normal premium shall be charged while condoning deficiencies in open spaces.</i></p>	<p><i>areas.</i></p> <p><i>Provided also that the above utilisation of TDR would be available to an existing road width of 9 mt and above so marked under the relevant Municipal Corporation Act.</i></p> <p><i>iii) Maximum permissible TDR loading as mentioned above on any plot shall be exclusive of FSI allowed for inclusive housing if any.</i></p> <p><i>iv) The priority and quantum of maximum permissible TDR loading mentioned above shall include slum TDR atleast 20 % and maximum to the extent of 50% of column no. 6 of Table No. 12 regulation 30(A). slum TDR (wherever applicable) as per this regulation and DRC generated from the vary said land and/or DRC generated from other location up to the permissible limit mention above.</i></p> <p><i>v) If a plot is situated on internal road having dead end within 50 mt. from the main road, having minimum width of 9m or more, then such plot shall be treated as fronting on main road for the purpose of utilisation of TDR. Similarly if the plot derives from 9m wide internal road then such plots also eligible for the purpose for utilisation of TDR.</i></p> <p><i>vi) The relaxation premium for the use of slum TDR i.e. 10% of normal premium shall be charged while condoning deficiencies in open spaces.</i></p>	
70	32(5.0)	<i>Provided that, the restrictions of total maximum permissible built up area</i>	<i>Provided that, the restrictions of total maximum permissible built up area</i>	As Urban Renewal

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	(5.4) (5.4.2)	<i>in terms of FSI with respect to road width mentioned above shall not be applicable in cases where, the permissible FSI is more than the basic FSI in various schemes, like Slum Rehabilitation Scheme, Redevelopment of cess buildings, redevelopment of dangerous buildings, Urban Renewal Scheme, Redevelopment of MHADA buildings/Colonies, Metro Influence Zone, BRTs, TODs etc. where specific provisions which are sanctioned by the Government shall apply.</i>	<i>in terms of FSI with respect to road width mentioned above shall not be applicable in cases where, the permissible FSI is more than the basic FSI in various schemes, like Slum Rehabilitation Scheme, Redevelopment of cess buildings, redevelopment of dangerous buildings, Urban Cluster Renewal Scheme, Redevelopment of MHADA buildings/Colonies, Metro Influence Zone, BRTs, TODs etc. where specific provisions which are sanctioned by the Government shall apply.</i>	scheme nomenclature is changed to Cluster Renewal scheme the correction is suggested.
70	32(5.0) (5.4) (5.4.4)	<i>The utilisation of Transferable Development Rights (TDR) shall be permissible by considering Gross Plot Area excluding area affected by reservations or deemed reservation, if any. This principle shall also be applicable to the reservations to be developed under the provisions of Accommodation Reservation, by considering the total area of such reservation before surrender.</i>	<i>The utilisation of Transferable Development Rights (TDR) shall be permissible by considering Gross Plot Area excluding including area affected by reservations or deemed reservation, if any. This principle shall also be applicable to the reservations to be developed under the provisions of Accommodation Reservation, by considering the total area of such reservation before surrender.</i>	The change is suggested in consonance with changes proposed in permissible FSI calculations.
70	32(5.0) (5.4) (5.4.5)	<i>(a) Coastal areas and areas in Special Development Zones and areas for which the Mumbai Metropolitan Region Development Authority or Maharashtra Housing and Area Development Authority or Maharashtra Industrial Development Corporation is the Special Planning Authority</i>	<i>(a) Coastal areas CRZ – I and areas in Special Development Zones and areas for which the Mumbai Metropolitan Region Development Authority or Maharashtra Housing and Area Development Authority or Maharashtra Industrial Development Corporation is the Special Planning Authority.</i>	Correction suggested to be precise.
70	32(5.0) (5.4) (5.4.5)	<i>(d) Coastal regulation zone, except in cases where it is permissible to Utilised TDR as per CRZ Notification 2011 and subsequent amendment from time to time’.</i>	<i>(d) Coastal regulation zone - I, except in cases where it is permissible to Utilised TDR as per CRZ Notification 2011 and subsequent amendment from time to time’.</i>	
70	32(6.1)	<i>Development Rights (DRs) shall be to such extent and subject to the conditions mentioned in section-20 scheme and such conditions as the Government may prescribed. In case of non retainable land, the grant of Development Rights shall be to such extent and subject to such conditions as the Government may specify. The provisions of this Regulation shall be subject to the orders issued by the Government from time to time in this</i>	<i>Development Rights (DRs) shall be to such extent and subject to the conditions mentioned in section-20 scheme and such conditions as the Government may prescribed. In case of non retainable land, the grant of Development Rights shall be to such extent and subject to such conditions as the Government may specify. The provisions of this Regulation shall be</i>	Grammatical Correction

SUGGESTION/ OBJECTION DCPR 2034

Legend - - Addition Suggested in **Blue Bold**.

Deletion Suggested in **Blue Highlight and Strikethrough**.

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EP. No.	Reg. No. DCPR - 2034	Provision of development control and promotion regulations 2034	Suggested Provision	Remarks
		<i>regard.</i>	<i>subject to the orders issued by the Government from time to time in this regard.</i>	
70	32 (6.0) (6.7)	<i>6.7 DRC may be used on plots/land having Development Plan reservations of buildable nature, whether vacant or already developed for the same purpose, or on the lands under deemed reservations, if any, as per prevailing Regulations.</i>	<i>6.7 DRC may be used on plots/land having Development Plan reservations to be developed under Accommodation Reservation of buildable nature, whether vacant or already developed for the same purpose, or on the lands under deemed reservations, if any, as per prevailing Regulations.</i>	For clarity.
70	32 (6.0) (6.9)	<i>Infrastructure Improvement Charges- The utilizer shall pay to the Planning Authority, an infrastructure improvement charges, for a proposed quantum of TDR to be utilised, at the rate of 5% of construction cost as per the prevailing Annual Statement of Rates.</i>	<i>Infrastructure Improvement Charges- The utilizer shall pay to the Planning Authority, an infrastructure improvement charges, for a proposed quantum of TDR to be utilised, at the rate of 5% of construction cost as per the prevailing Annual Statement of Rates.</i>	Suggested to be deleted as Development cess is paid separately.
70	32(8.0)	<i>Provision of Generation of TDR from these regulations shall not be applicable where DRC has been issued prior to publication of these regulations. "However DRCs issued under the old Regulations shall be allowed to be utilised as per TDR zones of old Regulations without indexation but subject to all other conditions of these Regulations. Such utilisation shall be allowed for one year only. Provided also that old TDR purchased for utilisation on a specific plot with registered documents of sale and/or specific proposal for utilisation of such TDR pending in the ULBs prior to these regulations shall be allowed completely as per the old regulations".</i>	<i>Provision of Generation of TDR from these regulations shall not be applicable where DRC has been issued prior to publication of these regulations. "However DRCs issued under the old Regulations shall be allowed to be utilised as per TDR zones of old Regulations without indexation but subject to all other conditions of these Regulations. Such utilisation shall be allowed for one year only. After expiry of one year the DRc's issued under old regulation shall be re-issued for unutilized area in accordance with these regulations. In such cases the RR rates applicable shall be as on date of re-issue. Provided also that old TDR purchased for utilisation on a specific plot with registered documents of sale and/or specific proposal for utilisation of such TDR pending in the ULBs prior to these regulations shall be allowed completely as per the old regulations".</i>	

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		<p>PART VI ADDITIONAL FLOOR SPACE INDEX (EP71 TO EP 122)</p>		
71	33(2)	<p>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 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 <i>subject to minimum width of 13.40m except educational institutions;</i></p> <p>Provided that in the case of additional FSI allowed to the above cited institutions, except institutional buildings of <i>State</i> Govt./&MCGM, premium <i>for BUA, at the rate of 10% of the land rates as per ASR (for FSI 1)for educational institutions, at the rate of 10% of the land rates as per ASR (for FSI 1)for medical institutions, at the rate of 20% of the land rates as per ASR (for FSI 1)for the private hospital sand at the rate of 30% of the land rates as per ASR (for FSI 1)for other institutional buildings shall have to be paid, if any, beyond Zonal (basic) FSI, or as fixed by Govt.from time to time shall be equally</i></p>	<p>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 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 <i>subject to minimum width of 13.40m except educational institutions;</i></p> <p>Provided that in the case of additional FSI allowed to the above cited institutions, except institutional buildings of <i>State</i> Govt./&MCGM, premium <i>for BUA, at the rate of 10% of the land rates as per ASR (for FSI 1)for educational institutions, at the rate of 10% of the land rates as per ASR (for FSI 1)for medical institutions, at the rate of 20% of the land rates as per ASR (for FSI 1)for the private hospital sand at the rate of 30% of the land rates as per ASR (for FSI 1)for other institutional buildings shall have to be paid, if any,</i> beyond Zonal (basic) FSI, <i>or as fixed by Govt.from time to time</i> shall be equally shared between Govt. and MCGM.</p>	For clarity.

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		<p>shared between Govt. and MCGM.</p> <p>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 <i>as per the option of the owner/developer only after availing the remaining additional FSI.</i></p> <p>In regard to other Institutional Buildings covered under Regulation (2) (IV) (16 17) (g), Govt. /Municipal Commissioner may from time to time specify terms and conditions</p>	<p>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 <i>as per the option of the owner/developer only after availing the remaining additional FSI</i> and as permissible under these regulations.</p> <p>In regard to other Institutional Buildings covered under Regulation (2) (IV) (16 17) (g), Govt. /Municipal Commissioner may from time to time specify terms and conditions</p>	
74	33(3) (A)(1)	<p>The Commissioner may permit FSI up to 4 including Zonal (basic) FSI specified in Table No 12 on the gross plot area, <i>abutting a road having minimum width of 12 m</i>, 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 Private Public Partnership (PPP) project 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”).</p> <p><i>Premium shall be applicable for additional FSI except for the</i></p>	<p>1.The Commissioner may permit FSI up to 4 including Zonal (basic) FSI specified in Table No 12 on the gross plot area, <i>abutting a road having minimum width of 12 m</i>, 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 Private Public Partnership (PPP) project 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”).</p> <p><i>Premium shall be applicable for additional FSI except for the</i></p>	To enable MCGM to execute projects under PPP.

SUGGESTION/ OBJECTION DCPR 2034

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		<i>development by State Government & MCGM as decided by the Government from time to time.</i>	<i>development by State Government & MCGM as decided by the Government from time to time.</i>																																	
76	33(4)	Subject to payment of <i>premium for BUA at the rate of 30% of the land rates as per ASR (for FSI 1) oras</i> decided by Govt. from time to time <i>or else as per the provision of Regulation No 33(19)</i> , 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.	Subject to payment of <i>premium for BUA at the rate of 30% of the land rates as per ASR (for FSI 1) oras</i> decided by Govt. from time to time <i>or else as per the provision of Regulation No 33(19)</i> , 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.	Most of the roads in MCGM limits are having width of 9m to 13m. Hence, this change will help to promote hotel industry and tourism.																																
		<table border="1"> <thead> <tr> <th>Sr No</th> <th>Plot area excluding area covered under to be handed over in lieu of Reservation/Designation in the DP except affected by proposed DP roads/Sanctioned RL under MMC Act</th> <th>Minimum Road Width</th> <th>Maximum Permissible FSI</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Up to 2000sq. m</td> <td>12m</td> <td>Up to 3</td> </tr> <tr> <td>2</td> <td>Above 2000 and up to 3000 sq. m</td> <td>18m</td> <td>Up to 4</td> </tr> <tr> <td>3</td> <td>Above 3000 Sq. m</td> <td>30m</td> <td>Up to 5</td> </tr> </tbody> </table>	Sr No	Plot area excluding area covered under to be handed over in lieu of Reservation/Designation in the DP except affected by proposed DP roads/Sanctioned RL under MMC Act	Minimum Road Width	Maximum Permissible FSI	1	Up to 2000sq. m	12m	Up to 3	2	Above 2000 and up to 3000 sq. m	18m	Up to 4	3	Above 3000 Sq. m	30m	Up to 5	<table border="1"> <thead> <tr> <th>Sr No</th> <th>Plot area excluding area covered under to be handed over in lieu of Reservation/Designation in the DP except affected by proposed DP roads/Sanctioned RL under MMC Act</th> <th>Minimum Road Width</th> <th>Maximum Permissible FSI</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>Up to 2000sq. m</td> <td>12m-9m</td> <td>Up to 3</td> </tr> <tr> <td>2</td> <td>Above 2000 and up to 3000 sq. m</td> <td>18m-12m</td> <td>Up to 4</td> </tr> <tr> <td>3</td> <td>Above 3000 Sq. m</td> <td>30m-18m</td> <td>Up to 5</td> </tr> </tbody> </table>	Sr No	Plot area excluding area covered under to be handed over in lieu of Reservation/Designation in the DP except affected by proposed DP roads/Sanctioned RL under MMC Act	Minimum Road Width	Maximum Permissible FSI	1	Up to 2000sq. m	12m-9m	Up to 3	2	Above 2000 and up to 3000 sq. m	18m-12m	Up to 4	3	Above 3000 Sq. m	30m-18m	Up to 5	
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77	33(5)	B) Incentive FSI: Incentive FSI admissible against the FSI required for	B) Incentive FSI: Incentive FSI admissible against the FSI required for	As per the DCPR 2034																																

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	(2.1) (B)	<p><i>rehabilitation, as calculated in (A) above, shall be based on the ratio (hereinafter referred to as Basic Ratio) of Land Rate (LR) in Rs/sq. m. of the plot under redevelopment as per the Annual Schedule of Rates (ASR) and Rate of Construction (RC)* in Rs/sq. m applicable to the area as per the ASR and shall be as given in the Table B below:- Table B</i></p> <table border="1" data-bbox="446 630 1260 847"> <thead> <tr> <th><i>Basic Ratio (LR/RC)</i></th> <th><i>Incentive (As % of Admissible Rehabilitation Area)</i></th> </tr> </thead> <tbody> <tr> <td><i>Above 6.00</i></td> <td><i>40%</i></td> </tr> <tr> <td><i>Above 4.00 and up to 6.00</i></td> <td><i>50%</i></td> </tr> <tr> <td><i>Above 2.00 and up to 4.00</i></td> <td><i>60%</i></td> </tr> <tr> <td><i>Up to 2.00</i></td> <td><i>70%</i></td> </tr> </tbody> </table>	<i>Basic Ratio (LR/RC)</i>	<i>Incentive (As % of Admissible Rehabilitation Area)</i>	<i>Above 6.00</i>	<i>40%</i>	<i>Above 4.00 and up to 6.00</i>	<i>50%</i>	<i>Above 2.00 and up to 4.00</i>	<i>60%</i>	<i>Up to 2.00</i>	<i>70%</i>	<p><i>rehabilitation, as calculated in (A) above, shall be based on the ratio (hereinafter referred to as Basic Ratio) of Land Rate (LR) in Rs/sq. m. of the plot under redevelopment as per the Annual Schedule of Rates (ASR) and Rate of Construction (RC)* in Rs/sq. m applicable to the area as per the ASR and shall be as given in the Table B below:- Table B</i></p> <table border="1" data-bbox="1373 630 2188 1138"> <thead> <tr> <th rowspan="2"><i>Basic Ratio (LR/RC)</i></th> <th colspan="5"><i>Incentive (As % of Admissible Rehabilitation Area)</i></th> </tr> <tr> <th><i>Upto 0.4 ha</i></th> <th><i>For 0.4 ha to 1.0 ha</i></th> <th><i>For 1.0 ha to 5.0 ha</i></th> <th><i>For 5.0 ha to 10.0 ha</i></th> <th><i>For 10 ha and above</i></th> </tr> </thead> <tbody> <tr> <td><i>Above 6.00</i></td> <td>40%</td> <td>55%</td> <td>60%</td> <td>65%</td> <td>70%</td> </tr> <tr> <td><i>Above 4.00 and up to 6.00</i></td> <td>50%</td> <td>65%</td> <td>70%</td> <td>75%</td> <td>80%</td> </tr> <tr> <td><i>Above 2.00 and up to 4.00</i></td> <td>60%</td> <td>75%</td> <td>80%</td> <td>85%</td> <td>90%</td> </tr> <tr> <td><i>Up to 2.00</i></td> <td>70%</td> <td>85%</td> <td>90%</td> <td>95%</td> <td>100%</td> </tr> </tbody> </table>	<i>Basic Ratio (LR/RC)</i>	<i>Incentive (As % of Admissible Rehabilitation Area)</i>					<i>Upto 0.4 ha</i>	<i>For 0.4 ha to 1.0 ha</i>	<i>For 1.0 ha to 5.0 ha</i>	<i>For 5.0 ha to 10.0 ha</i>	<i>For 10 ha and above</i>	<i>Above 6.00</i>	40%	55%	60%	65%	70%	<i>Above 4.00 and up to 6.00</i>	50%	65%	70%	75%	80%	<i>Above 2.00 and up to 4.00</i>	60%	75%	80%	85%	90%	<i>Up to 2.00</i>	70%	85%	90%	95%	100%	<p>Notified on 8th May 2018, the Incentive Area for redevelopment under DC Regulation 33(9) offers higher incentive for rehabilitation area viz a viz the incentive offered under DCPR 33(5) notified on 8th May 2018. It is therefore submitted that the Incentive in DCPR 33(5) should be in accordance with the incentive with DCPR 33(9) as there is no rational for reducing the incentive under DCPR 33(5). It is suggested that the incentive for plots up to 0.4 ha (4000 sq.mtrs) will be as per the incentive slab</p>
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				published in the DCPR 33(5) notified on 8 th May 2018. Higher incentive has been proposed only for plots in excess of 4000 sq.mtrs in accordance with DCPR 33(9).
77	33(5) (2.1) (C)	<p>C) Sharing of the Balance FSI: <i>The FSI remaining in balance after providing for the rehabilitation and the incentive components, calculated as per (A) and (B) above respectively, shall be shared between the Cooperative Housing Society and MHADA in the form of BUA, as given in Table C below and the share of MHADA shall be handed over to MHADA free of cost.</i></p>	<p>C) Sharing of the Balance FSI: <i>The FSI remaining in balance after providing for the rehabilitation and the incentive components, calculated as per (A) and (B) above respectively, shall be shared between the Cooperative Housing Society and MHADA in the form of BUA, as given in Table C below and the share of MHADA shall be handed over to MHADA free of cost or the tenements coming to the share of MHADA can also be provided by the Promoter/Developer elsewhere within the same or any other Municipal Ward. Provided that the BUA area to be handed over to MHADA shall be as per equivalent value of BUA as per the market value (as per ASR of that year).</i></p>	<p>It is submitted that as per the provision of DCPR 33(7) and 33(9) notified on 8th May 2018, the surplus incentive area can be provided in the same ward or in the adjoining ward subject to the that the built up area to be handed over to MHADA shall be as per equivalent value of built up area as per the market value (i.e. as per ASR of that year). It is therefore</p>

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				<p>submitted that this provision is however missing in the DCPR 33(5) notified on 8th May 2018 in respect of Sharing of Balance FSI.</p> <p>It is further submitted that since the provision is linked to Market Value (ASR), the decision to allow the shifting of the surplus area in another location cannot be discretionary so as to ensure that there is certainty in decision making.</p>
77	33(5) (2.1) (C)	<p>Explanation <i>* RC is the rate of construction in respect of R.C.C. Construction, as published by the Chief Controlling Revenue Authority & Inspector General of Registration, Maharashtra State in the Annual Schedule of Rates.</i></p>	<p>Explanation <i>* RC is the rate of construction in respect of R.C.C. Construction, as published by the Chief Controlling Revenue Authority & Inspector General of Registration, Maharashtra State in the Annual Schedule of Rates.</i></p>	<p>It is submitted that as per the DCR 33(5) Notified vide Notification No. TPB 4316/CR-</p>

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		<p><i>Provided that in case of plots up to 2000 sq. m, MHADA without insisting MHADA's Share in the form of BUA, may allow additional BUA over and above existing BUA up to 3.00 FSI by charging premium at the percentage rate of ASR defined in table.</i></p> <table border="1" data-bbox="446 656 1346 873"> <thead> <tr> <th colspan="4">C1 below:-</th> </tr> <tr> <th>LR/RC ratio</th> <th>EWS/LIG</th> <th>MIG</th> <th>HIG</th> </tr> </thead> <tbody> <tr> <td>0 to 2</td> <td>40%</td> <td>60%</td> <td>80%</td> </tr> <tr> <td>2 to 4</td> <td>45%</td> <td>65%</td> <td>85%</td> </tr> <tr> <td>4 to 6</td> <td>50%</td> <td>70%</td> <td>90%</td> </tr> <tr> <td>Above 6</td> <td>55%</td> <td>75%</td> <td>95%</td> </tr> </tbody> </table>	C1 below:-				LR/RC ratio	EWS/LIG	MIG	HIG	0 to 2	40%	60%	80%	2 to 4	45%	65%	85%	4 to 6	50%	70%	90%	Above 6	55%	75%	95%	<p><i>Provided that in case of plots up to 2000 4000 sq. m, MHADA without insisting MHADA's Share in the form of BUA, may allow additional BUA over and above rehabilitation and the incentive components as calculated as per (A) and (B) above respectively existing BUA up to 3.00 FSI by charging premium at the percentage rate of ASR defined in table.</i></p> <table border="1" data-bbox="1373 656 2185 889"> <thead> <tr> <th colspan="4">C1 below:-</th> </tr> <tr> <th>LR/RC ratio</th> <th>EWS/LIG</th> <th>MIG</th> <th>HIG</th> </tr> </thead> <tbody> <tr> <td>0 to 2</td> <td>40% 30%</td> <td>60% 45%</td> <td>80% 60%</td> </tr> <tr> <td>2 to 4</td> <td>45% 40%</td> <td>65% 50%</td> <td>85% 60%</td> </tr> <tr> <td>4 to 6</td> <td>50% 45%</td> <td>70% 55%</td> <td>90% 65%</td> </tr> <tr> <td>Above 6</td> <td>55% 50%</td> <td>75% 60%</td> <td>95% 70%</td> </tr> </tbody> </table>	C1 below:-				LR/RC ratio	EWS/LIG	MIG	HIG	0 to 2	40% 30%	60% 45%	80% 60%	2 to 4	45% 40%	65% 50%	85% 60%	4 to 6	50% 45%	70% 55%	90% 65%	Above 6	55% 50%	75% 60%	95% 70%	<p>202/2016/UD-11 dated 3rd July 2017 of the DCR 1991, in case of plots up to 4000 sq.mtrs Developers were permitted to pay premium for surplus FSI and no sharing of FSI was proposed. However, in the DCPR 33(5) notified on 8th May 2018, this threshold has now been reduced to 2000 sq.mtrs. It is submitted that MHADA has received nor approved any proposals since the provision for area sharing was first proposed vide Notification dated 8th October 2013 wherein the DCR 33(5) of DCR 1991 was modified</p>
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				<p>and the concept of area sharing was first introduced. Thereafter, considering the ground reality, the Government modified the DCR 33(5) of DCR 1991 vide above notification on 3rd July 2017 and exempted plots up to 4000 sq.mtrs from the area sharing so as to promote redevelopment of MHADA colonies. It is submitted that even from the planning prospective a in plots up to 4000 sq.mtrs area sharing/provision of separate building or smaller tenement for MHADA is not</p>

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				<p>technically feasible and therefore this threshold should be increased to 4000 sq.mtrs as is existing in the DCR 33(5) of DCR 1991.</p> <p>Moreover, in the Table C-1 the premium proposed is far in excess of existing premium as per Resolution 6260 of MHADA. It is therefore submitted that the same be reduced to facilitate and incentivize redevelopment.</p> <p>Moreover the premium should not be charged on the members entitlement and the Developers incentive area as proposed in DCPR</p>

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				33(5) notified on 8 th May 2018, but only on the balance surplus area upto 3 FSI after deducting these areas.
77	33(5) (2.1) (C) Note:	<p><i>Note :The above percentage may change with prior approval of the Govt. from time to time.</i></p> <p><i>Provided further that in case of plots having area of 4000 sq. m or above which front on roads having width of 18.00 m or more, the FSI 1.00 over and above 3.00 shall be permissible in the form of Soci al Housing stock as decided by MHADA in the ratio of 1 MHADA: 0.5 Cooperative Society and it shall be handed over to MHADA on payment of cost of construction as per ASR free of cost & without any compensation.</i></p> <p><i>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 or adjoining Municipal Ward. Provided that the BUA area to be handed over to MHADA shall be as per equivalent value of BUA as per the market value (as per ASR of that year).</i></p> <p><i>Provided that in case of plots having plot area between 2000 to 4000 sq. m may allow additional BUA over and above existing BUA up to 3.00 FSI, however for this plot area over and above 2000 sq. m to 4000 sq. m the</i></p>	<p><i>Note :The above percentage may change with prior approval of the Govt. from time to time.</i></p> <p><i>Provided further that in case of plots having area of 4000 sq. m or above which front on roads having width of 18.00 m or more, MHADA shall allow additional BUA over and above rehabilitation and the incentive components as calculated as per (A) and (B) above up to 3.00 FSI by charging premium at the percentage rate of ASR defined in table C1 the additional FSI 1.00 over and above 3.00 shall be permissible in the form of Soci al Housing stock as decided by MHADA in the ratio of 1 MHADA: 0.5 Cooperative Society and it shall be handed over to MHADA on payment of cost of construction as per ASR free of cost & without any compensation.</i></p> <p><i>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 or adjoining Municipal Ward. Provided that the BUA area to be handed over to MHADA shall be as per equivalent value of BUA as per the market value (as per ASR of that year).</i></p>	<p>The proposed changes area more clarificatory in nature and are in line with MHADA’s clarification bearing No. OREE/M.M./06/2018 dated 2nd January 2018.</p> <p>The relevant provision contained in the DCPR notified on 8th May 2018 does not provide clarity and therefore the above changes are necessary.</p>

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		<i>social housing stock as per above Table C shall be handed over to MHADA. In this case the Social Housing Stock in situ will have to be handed over to MHADA.</i>	<i>Provided that in case of plots having plot area between 2000 to 4000 sq. m may allow additional BUA over and above existing BUA up to 3.00 FSI, however for this plot area over and above 2000 sq. m to 4000 sq. m the social housing stock as per above Table C shall be handed over to MHADA. In this case the Social Housing Stock in situ will have to be handed over to MHADA.</i>	This paragraph is required to be deleted in view of the above changes
77	33 (5) (7)	<p><i>7) a) In any Redevelopment Scheme where the Co-operative Housing Society/Developer appointed by the Co-operative Housing Society has obtained NOC from the MHADA/Mumbai Board, thereby sanctioning additional balance FSI with the consent of 51% 70% of its members and where such NOC holder has made provision for alternative permanent accommodation in the proposed building (including transit accommodation/Rent Compensation), 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 the MHAD Act. mutatis mutandis shall apply for the purpose of getting the tenements vacated from the non-co-operative members.</i></p> <p><i>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</i></p>	<p><i>7) a) In any Redevelopment Scheme where the Co-operative Housing Society/Developer appointed by the Co-operative Housing Society Federation has obtained NOC from the MHADA/Mumbai Board, thereby sanctioning additional balance FSI with the consent of 51% 70% of its members and where such NOC holder has made provision for alternative permanent accommodation in the proposed building (including transit accommodation/Rent Compensation), 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 the MHAD Act. mutatis mutandis shall apply for the purpose of getting the tenements vacated from the non-co-operative members.</i></p> <p><i>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</i></p>	<p>It is submitted that large MHADA colonies are now being redeveloped with the member societies appointing the federation to undertake the process of redevelopment.</p> <p>It is submitted that this change therefore necessary to allow redevelopment of large MHADA colonies to have the efficacy of law in the process of</p>

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		<i>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 Maharashtra Housing and Area Development Act, 1976 may be taken by MHADA.</i>	<i>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 Maharashtra Housing and Area Development Act, 1976 may be taken by MHADA.</i>	redevelopment.
	33 (5)		Notwithstanding anything contained in any rule or regulation the stamp duty payable in respect of development agreement executed between developer and/or society and/or Federation of Societies and/or MHADA and/or occupants will be in accordance with Clause (i)(b) of Article 5(h) of the Schedule of the Maharashtra Stamp Act.	Suggested addition at the summation of this regulation.
78	33 (6)	Reconstruction of buildings destroyed by fire or which have collapsed or which have been demolished under lawful order or which is being demolished voluntarily by the owner:	Reconstruction of buildings destroyed by fire or which have collapsed or which have been demolished under lawful order or which is being demolished voluntarily by the owner:	To be reinstated.
79	33 (7) (5)	(b) In case of composite redevelopment undertaken by same or different landlords or Co-operative societies of landlords and Co-operative Housing Societies (existing or proposed) of existing tenants 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% 65% 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 three or more with cessed buildings existing prior to 30/9/1969, the incentive FSI available will be 3.00 or FSI required of	(b) In case of composite redevelopment undertaken by same or different landlords or Co-operative societies of landlords and Co-operative Housing Societies (existing or proposed) of existing tenants 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% 65% 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 three or more with cessed buildings existing prior to 30/9/1969, the incentive FSI available will be 3.00 or FSI required of	It is proposed to continue the earlier provision. Jointly undertaking 6 nos. minimum of plots is a high figure for amalgamation. 3 nos. of plots minimum is also very difficult. Hence, 6 nos. of plots is proposed to be

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		<p>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.</p> <p>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.</p> <p><i>Provided further that in case of redevelopment of municipal properties under this regulation having eligible tenements more than 600 in numbers the govt. may consider higher incentive.</i></p>	<p>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.</p> <p>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.</p> <p><i>Provided further that in case of redevelopment of municipal properties under this regulation having eligible tenements more than 600 in numbers the govt. may consider higher incentive.</i></p>	replaced by 3 nos. as it was earlier done.
79	33(7)	<p>8. Relaxation in building and other requirements for rehabilitation: Notwithstanding anything contained in these Regulations, the relaxations incorporated in sub Regulation No.6 of Regulation No. 33 (10) of these Regulations except clause 6.11, 6.15, 6.16 & 6.18 shall apply. <i>The payment of premium at the rate of 25% of normal premium or at the rate of 6.25% of the land rates as per ASR (for FSI 1), whichever is more shall apply.</i></p> <p><i>Even if the amenity open space (LOS) is reduced to make the project viable a minimum of at least 10% of open space shall be maintain.</i></p>	<p>8. Relaxation in building and other requirements for rehabilitation: Notwithstanding anything contained in these Regulations, the relaxations incorporated in sub Regulation No.6 of Regulation No. 33 (10) of these Regulations except clause 6.11, 6.15, 6.16 & 6.18 shall apply. <i>The payment of premium at the rate of 25% 10% of normal premium or at the rate of 6.25% 2.5% of the land rates as per ASR (for FSI 1), whichever is more shall apply.</i></p> <p><i>Even if the amenity open space (LOS) is reduced to make the project viable a minimum of at least 10% of open space shall be maintain.</i></p>	
79	33(7)(A)	<p><i>33(7)(A) Reconstruction or redevelopment of dilapidated/unsafe existing authorized tenant occupied building in Suburbs and extended Suburbs and existing authorized non-cessed tenant occupied buildings in Mumbai City.</i></p>	<p><i>33(7)(A) Reconstruction or redevelopment of dilapidated/unsafe existing authorized tenant occupied building in Suburbs and extended Suburbs and existing authorized non-cessed tenant occupied buildings in Mumbai City.</i></p>	

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		<p><i>For reconstruction/redevelopment of existing authorized tenant-occupied buildings, which have been declared unsafe for human habitation by or are to be demolished for the same reason under a lawful order by the Municipal Corporation of Greater Mumbai and duly certified as such, undertaken by landlord/s or Cooperative Housing Societies of existing tenants, the permissible FSI prescribed under these regulations and Appendix below, shall be admissible as under: -</i></p> <p><i>a) In case of the plot consisting of only tenant occupied building, the F.S.I. shall be equal to F.S.I. required for rehabilitation of existing lawful tenant plus 50% incentive F.S.I.</i></p> <p><i>b) In case of composite development i.e. the plot consisting of tenant occupied building along with non-tenanted building such as owner occupied building/existing Co-op Housing Society buildings etc., the FSI available shall be equal to FSI required for rehabilitation of existing lawful tenant plus 50% incentive FSI plus FSI that has already authorisedly been utilized/consumed by the non-tenanted buildings/structures.</i></p>	<p><i>For reconstruction/redevelopment of existing authorized tenant-occupied buildings, which have been declared unsafe for human habitation by or are to be demolished for the same reason under a lawful order by the Municipal Corporation of Greater Mumbai and duly certified as such, undertaken by landlord/s or Cooperative Housing Societies of existing tenants, the permissible FSI prescribed under these regulations and Appendix below, shall be admissible as under: -</i></p> <p><i>a) In case of the plot consisting of only tenant occupied building, the F.S.I. shall be equal to F.S.I. required for rehabilitation of existing lawful tenant plus 50% incentive F.S.I.</i></p> <p><i>b) In case of composite development i.e. the plot consisting of tenant occupied building along with non-tenanted building such as owner occupied building/existing Co-op Housing Society buildings etc., the FSI available shall be equal to FSI required for rehabilitation of existing lawful tenant plus 50% incentive FSI plus FSI that has already authorisedly been utilized/consumed by the non-tenanted buildings/structures.</i></p> <p><i>c. 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 incentive additional FSI as stated in Sr. No a) above shall also be given on such area & such areas may be availed free of FSI by charging premium as per these Regulations.</i></p>	<p>Same should be allowed as per 33(7)(B)</p>
79	33(7)(A)	<p style="text-align: center;">Appendix</p> <p><i>1. The F.S.I. permissible for the new building shall be as given in sub-</i></p>	<p style="text-align: center;">Appendix</p> <p><i>1. The F.S.I. permissible for the new building shall be as given in sub-</i></p>	<p>As per 33(7)</p>

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		<p><i>regulation (7) (A) of Regulation No.33.</i></p> <p><i>2. (a) A new building may be permitted to be constructed in pursuance of an irrevocable written consent by not less than 70 51 per cent of the tenants of the old building.</i></p> <p><i>(b) All the tenants of the old building shall be re-accommodated in the redeveloped building.</i></p> <p><i>3. Each tenant 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) free of cost. In case of non-residential occupier the area to be given free of cost in the reconstructed building shall be equivalent to the area occupied in the old building.</i></p> <p><i>Provided that if carpet area for residential purpose exceeds 70.00 sq. m (753 sq. ft.) the cost of construction shall be paid by tenant to the developer. The cost of construction shall be as per ready reckoner rate of that year. However, the carpet area exceeding 70.00 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.).</i></p>	<p><i>regulation (7) (A) of Regulation No.33.</i></p> <p><i>2. (a) A new building may be permitted to be constructed in pursuance of an irrevocable written consent by not less than 70 51 per cent of the tenants of the old building.</i></p> <p><i>(b) All the tenants of the old building shall be re-accommodated in the redeveloped building.</i></p> <p><i>3. Each tenant 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) 120 sq. m (1292 sq. ft.) free of cost. In case of non-residential occupier the area to be given free of cost in the reconstructed building shall be equivalent to the area occupied in the old building.</i></p> <p><i>Provided that if carpet area for residential purpose exceeds 70 sq. m (753 sq. ft) 120 sq. m (1292 sq. ft.) the cost of construction shall be paid by tenant to the developer. The cost of construction shall be as per ready reckoner rate of that year. However, the carpet area exceeding exceeds 70 sq. m (753 sq. ft) 120 sq. m (1292 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.).</i></p>	
80	33 (7) (A)		<p>10. Relaxation in building and other requirements for rehabilitation: Notwithstanding anything contained in these Regulations, the relaxations incorporated in sub Regulation No.6 of Regulation No. 33 (10) of these Regulations except clause 6.11, 6.15, 6.16 & 6.18 shall apply. The payment</p>	

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			of premium at the rate of 10% of normal premium or at the rate of 2.5% of the land rates as per ASR (for FSI 1), whichever is more shall apply.	
81	33(7)(B)	<i>In case of redevelopment of existing residential housing societies excluding cessed buildings proposed by Housing societies/land lords or through their proponents where existing members are proposed to be re-accommodated on the same plot, incentive additional BUA to the extent of 15% of existing BUA or 10 sq. m per tenement whichever is more shall be permissible without premium. FSI for redevelopment of such existing residential buildings shall be as follows:</i>	<i>In case of redevelopment of existing residential housing societies excluding cessed buildings proposed by Housing societies/land lords or through their proponents where existing members are proposed to be re-accommodated on the same plot, incentive additional BUA to the extent of 15% of existing BUA or 10 sq. m per tenement / Non Residential unit whichever is more shall be permissible without premium. FSI for redevelopment of such existing residential buildings shall be as follows:</i>	It will help for smooth redevelopment as there are usually shops at ground floor in many of the residential CHS.
81	33(7)(B)		10. Relaxation in building and other requirements for rehabilitation: Notwithstanding anything contained in these Regulations, the relaxations incorporated in sub Regulation No.6 of Regulation No. 33 (10) of these Regulations except clause 6.11, 6.15, 6.16 & 6.18 shall apply. The payment of premium at the rate of 10% of normal premium or at the rate of 2.5% of the land rates as per ASR (for FSI 1), whichever is more shall apply.	Similar provisions are available vide regulation no. 33(7).
89	33(10)(VI)(1.16)(vii)	<i>(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.</i>	<i>(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.</i>	The deletion is acceptable however provisions of amendment in slum act dated 26 April 2018 should be inserted for more clarity.
90	33(10)(VIII)	<i>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</i>	<i>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</i>	This is necessary to incentivize slum

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	(3.5)	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.	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.	schemes in difficult areas to make the scheme financially viable.																																				
91	33 (10)(VI II) (3.6)	<table border="1" data-bbox="456 495 1344 966"> <thead> <tr> <th>Area of the S.R. Scheme</th> <th>Additional built-up area admissible under free sale component</th> </tr> </thead> <tbody> <tr> <td>5-acre up to 10-acres upto 1 ha</td> <td>5% NIL</td> </tr> <tr> <td>above 10-acre up to 20-acres 2 to 4 ha</td> <td>10% 5%</td> </tr> <tr> <td>above 20-acre up to 40-acres 4 ha to 8 ha</td> <td>15% 10%</td> </tr> <tr> <td>above 40-acres 8 ha to 16 ha</td> <td>20% 15%</td> </tr> <tr> <td>16 ha & above</td> <td>20% 20%</td> </tr> </tbody> </table>	Area of the S.R. Scheme	Additional built-up area admissible under free sale component	5-acre up to 10-acres upto 1 ha	5% NIL	above 10-acre up to 20-acres 2 to 4 ha	10% 5%	above 20-acre up to 40-acres 4 ha to 8 ha	15% 10%	above 40-acres 8 ha to 16 ha	20% 15%	16 ha & above	20% 20%	<p>Following provisions are required to be added, and given table be replaced by table given below,</p> <p>'Additional BUA should also be given additionally to high density slum scheme as increase number of rehabilitation tenement constrict in situ consumption of sale BUA proportionately therefore only TDR going to be financial feasible factor, thus multiple of TDR may help to support the increase cost of high density slum scheme.</p> <table border="1" data-bbox="1370 779 2136 1226"> <thead> <tr> <th>AREA OF SRS</th> <th>DENSITY</th> <th>800</th> <th>800 ABOVE</th> </tr> </thead> <tbody> <tr> <td></td> <td>Less than 800</td> <td></td> <td></td> </tr> <tr> <td>UPTO 1 HA</td> <td>5%</td> <td>10%</td> <td>20%</td> </tr> <tr> <td>UPTO 1-2 HA</td> <td>10%</td> <td>15%</td> <td>25%</td> </tr> <tr> <td>UPTO 2-4 HA</td> <td>15%</td> <td>20%</td> <td>30%</td> </tr> <tr> <td>UPTO 4-8 HA</td> <td>20%</td> <td>25%</td> <td>35%</td> </tr> </tbody> </table>	AREA OF SRS	DENSITY	800	800 ABOVE		Less than 800			UPTO 1 HA	5%	10%	20%	UPTO 1-2 HA	10%	15%	25%	UPTO 2-4 HA	15%	20%	30%	UPTO 4-8 HA	20%	25%	35%	<p>In slum plot, if density is 500/hectare, 50% footprint is consumed in rehabilitation and 50% is available for sale construction. As density increases sale construction area is constricted by increased no of rehabilitation tenements. If density is more than 1000, no footprint will be left for sale construction and only TDR in lieu of sale component can be incentive. Therefore density beyond 650 must be compensated by additional sale</p>
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SUGGESTION/ OBJECTION DCPR 2034

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EP. No.	Reg. No. DCPR - 2034	Provision of development control and promotion regulations 2034	Suggested Provision				Remarks
			UPTO 8-16 HA	25%	30%	40%	component.
			16 ABOVE	30%	35%	50%	
92	33 (10)(VI II) (3.7)	<p>3.8 Maximum FSI Permissible for consumption on the Plot: FSI that can be utilised in situ on any slum site shall be 4.3 or sum total of rehabilitation FSI plus incentive FSI whichever is more with Minimum Tenement Density of 650 500 per Net Hectare. <i>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 FSI that can be utilized insitu, will be made available in the form TDR in accordance with the provisions of Regulation no 32.</i> 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 6.6 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 herein above. In all such cases where FSI sanctioned cannot be utilized in situ <i>even after relaxation of 650 per net hectare norms by Chief Executive Officer</i> the difference between sanctioned FSI <i>and</i> that can be constructed in-situ, will be made available in the form of TDR in accordance with the provisions of Regulation No. 32.</p>	<p>.8 Maximum FSI Permissible for consumption on the Plot: FSI that can be utilised in situ on any slum site shall be 4.3 or sum total of rehabilitation FSI plus incentive FSI whichever is more with Minimum Tenement Density of 650 500 per Net Hectare. <i>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 FSI that can be utilized insitu, will be made available in the form TDR in accordance with the provisions of Regulation no 32.</i> 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 6.6 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 herein above. In all such cases where FSI sanctioned cannot be utilized in situ <i>even after relaxation of 650 per net hectare norms by Chief Executive Officer</i> the difference between sanctioned FSI <i>and</i> that can be constructed in-situ, will be made available in the form of TDR in accordance with the provisions of Regulation No. 32.</p>				The deletion is suggested for flexibility to make viable SR Scheme.

SUGGESTION/ OBJECTION DCPR 2034

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EP. No.	Reg. No. DCPR - 2034	Provision of development control and promotion regulations 2034	Suggested Provision	Remarks
		<p>32. <i>Provided that if the existing tenement density is more than 650 hectares, the CEO (SRA) after ascertaining and due verification of proposal may allow FSI consumption in-situ to be exceeded up to 4. The difference between sanctioned FSI (rehabilitation FSI plus incentive FSI) and that can be constructed in-situ, will be made available in the form of TDR in accordance with the provisions of Regulation No. 32.</i></p> <p>Provided that the aforesaid FSI shall be exclusive of the Fungible FSI compensatory area admissible under the provision of DCR 31(3).</p>	<p>32. <i>Provided that if the existing tenement density is more than 650 hectares, the CEO (SRA) after ascertaining and due verification of proposal may allow FSI consumption in-situ to be exceeded up to 4. The difference between sanctioned FSI (rehabilitation FSI plus incentive FSI) and that can be constructed in-situ, will be made available in the form of TDR in accordance with the provisions of Regulation No. 32.</i></p> <p>Provided that the aforesaid FSI shall be exclusive of the Fungible FSI compensatory area admissible under the provision of DCR 31(3).</p>	
93	33 (10) (VIII) (4) (3.11)	<p><i>c) to the slum dwellers located on private lands if the land owner pays the entire cost of tenements as determined by the Agency.</i></p> <p><i>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.</i></p>	<p><i>c) to the slum dwellers located on private lands if the land owner pays the entire cost of tenements as determined by the Agency.</i></p> <p><i>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.</i></p>	The deleted provision should be reinstated .
93	33 (10) (VIII) (4)	<p>Provided that notwithstanding anything mentioned above, project affected persons <i>under Mumbai Urban Transport Project (MUTP)</i> <i>due to any vital Public Projects undertaken by MMRDA including PAP's under Mumbai Urban Transport Project (MUTP)</i> 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</p>	<p>Provided that notwithstanding anything mentioned above, project affected persons <i>under Mumbai Urban Transport Project (MUTP)</i> <i>due to any vital Public Projects undertaken by MMRDA including PAP's under Mumbai Urban Transport Project (MUTP) , State Govt. Authority or Municipal Authorities</i> 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</p>	

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EP. No.	Reg. No. DCPR - 2034	Provision of development control and promotion regulations 2034	Suggested Provision	Remarks
		<p>from time to time.</p> <p><i>Provided further that in case of the ongoing scheme as per this provision and where the work as per tenements of size 20.90 sq. m in building for which full commencement certificate / occupation permission is issued/work competed but not occupied and where the TDR in lieu of this rehab area is already availed; in such cases at the option of owner/developer and with the approval of CEO(SRA), may convert this tenements as per this regulation (of size 25 sq. m), then the TDR for additional BUA as per size of 25 sq. m carpet area may be made permissible (while granting the additional TDR as per this regulation the quantum of the TDR already availed shall be deducted from the total admissible TDR).</i></p>	<p>under this Regulation, as amended from time to time</p> <p><i>Provided further that in case of the ongoing scheme as per this provision and where the work as per tenements of size 20.90 sq. m in building for which full commencement certificate / occupation permission is issued/work competed but not occupied and where the TDR in lieu of this rehab area is already availed; in such cases at the option of owner/developer and with the approval of CEO(SRA), may convert this tenements as per this regulation (of size 25 sq. m), then the TDR for additional BUA as per size of 25 sq. m carpet area may be made permissible (while granting the additional TDR as per this regulation the quantum of the TDR already availed shall be deducted from the total admissible TDR).</i></p>	
95	33 (10) (VIII) (3.12) (C)	<p><i>C) whenever total number of slum dwellers as certified Annexure-II of any proposed or slum rehabilitation is more than 500 but less than 650 or more than 650 / per hectare, as the case may be, such Slum Rehabilitation Scheme will be sanctioned with the FSI 4 in-situ taking into account all slum dwellers in Annexure-II so that rehabilitation slum dwellers can happen together including those declared illegible at the later stages by Competent or Appellate Authorities.</i></p> <p><i>Provided that if number of slum dwellers declared eligible finally by Competent or Appellate Authority are less than less rehab tenements so constructed under any Slum Rehabilitation Scheme then remaining tenements shall be used by Slum Rehabilitation Authority for the purpose of transit or PAP or pavement dwellers or slum dwellers from</i></p>	<p>C) Irrespective of slum dwellers held eligible whenever total number of slum dwellers as in certified Annexure-II of any proposed or slum rehabilitation scheme, is more than 500 but less than 650 or more than 650 / per hectare, as the case may be, such Slum Rehabilitation Scheme it will be sanctioned with the FSI 4 in-situ taking into account all slum dwellers in Annexure-II so that rehabilitation slum dwellers can happen together including those declared illegible at the later stages by Competent or Appellate Authorities.</p> <p><i>Provided that if number of slum dwellers declared eligible finally by</i></p>	To bring clarity to provision .

SUGGESTION/ OBJECTION DCPR 2034

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		<i>other areas and its distribution may be done as per policy decided by Government of Maharashtra.</i>	<i>Competent or Appellate Authority are less thanless rehab tenements soconstructed under any Slum Rehabilitation Schemethen remaining tenementsshall be usedby Slum Rehabilitation Authority for the purpose of transit or PAPor pavement dwellers or slum dwellers from other areas and its distributionmay be done as per policy decided by Government of Maharashtra.</i>	
96	33 (10) (VIII) (3.18)	<p>3.18 Declaration of Additional Areas as Difficult Category: The SRA may consider declaring additional areas as difficult and publish it in the Maharashtra Government Gazette, provided the following criterion/criteria are fulfilled:</p> <p>(i) Overcrowding, High density, and Unhygienic conditions, or</p> <p>(ii) To vacate land required for implementation of reservations for essential public purposes/for implementation of vital public projects, or</p> <p>(iii) Required for rehabilitation to avoid loss of human life</p> <p>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 in one contiguous area fulfilling the conditions mentioned in (i) above</p>	<p>3.18 Declaration of Additional Areas as Difficult Category: The SRA may consider declaring additional areas as difficult and publish it in the Maharashtra Government Gazette, provided the following criterion/criteria are fulfilled:</p> <p>(i) Overcrowding, High density, and Unhygienic conditions, or</p> <p>(ii) To vacate land required for implementation of reservations for essential public purposes/for implementation of vital public projects, or</p> <p>(iii) Required for rehabilitation to avoid loss of human life</p> <p>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 1 hectare in one contiguous area fulfilling the conditions mentioned in (i) above</p>	The declaration of additional area is necessary since in such areas the developer has extra burden for rehabilitating the slums.

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99	33(10) (VIII) (10)	<p>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/ CoOperative 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.</p> <p>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.</p> <p>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.</p>	<p><i>The developer shall have to pay premium equal to 40% of unearned income calculated with the rates of construction as well as sale given in ASR of the year of payment. The unearned income shall be computed by calculating valuation of sale component awarded in lieu of component for Planning Authority after deducting cost of construction of sale as well as Planning Authority's component and the cost incurred to various authorities towards statutory payments relating to Planning Authority as well as sale component. In case there is shifting of base FSI within plots in clubbing scheme, difference of land valued in ASR shall be taken into account while finalizing unearned income, and this difference shall be calculated as 100% towards premium.</i></p> <p><i>Such clubbing can be allowed for the schemes falling within the distance of 59 km.</i></p>	<p>This is necessary so as to make the scheme economically feasible to give impetus to slum re-development schemes.</p>

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EP. No.	Reg. No. DCPR - 2034	Provision of development control and promotion regulations 2034	Suggested Provision	Remarks
		<p><i>Clubbing by the same developers, holding company & subsidiary company under the provisions of Companies Act shall be permissible. However, in the case of independent companies/Firms, common directors/partners shall have more than 75% shareholding in both the companies/firms</i></p> <p><i>Note.— This provision shall not apply to the plots wherein permissible Zonal F.S.I. is less than 1.00.</i></p> <p><i>The entire rehabilitation components including Base FSI may be categorized as permanent transit component as applicable and the corresponding sale components from the additional FSI amongst two or more schemes under this regulation can be permitted to be interchanged. A developer / developers making an application under this regulation may club more than one plot belonging to single or multiple owners and offer permanent transit component on a single plot while shifting sale component as well as base FSI of the plot to other plots provided all right holders of these plots agree and make a joint application. However, clubbing shall be allowed only if it leads to an independent plot / building / wing as the case may be with permanent transit component being handed over to Planning Authority.</i></p> <p><i>The developer shall have to pay premium equal to 40% of unearned income calculated with the rates of construction as well as sale given in ASR of the year of payment. The unearned income shall be computed by</i></p>		

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		<p><i>calculating valuation of sale component awarded in lieu of component for Planning Authority after deducting cost of construction of sale as well as Planning Authority's component and the cost incurred to various authorities towards statutory payments relating to Planning Authority as well as sale component. In case there is shifting of base FSI within plots in clubbing scheme, difference of land valued in ASR shall be taken into account while finalizing unearned income, and this difference shall be calculated as 100% towards premium.</i></p> <p><i>Such clubbing can be allowed for the schemes falling within the distance of 5 km.</i></p> <p><i>Provided further that the development under this regulation and under regulation 33(11) on non-reserved plot having the zonal (basic) FSI 1 or more, shall be permissible.</i></p>																																		
102	33(11) (A)	<table border="1"> <thead> <tr> <th>Location</th> <th>Plot area excluding area to be handed over in lieu of reservation/ Designation in the DP except</th> <th>Minimum road width</th> <th>Total permissible FSI</th> <th>Zonal FSI</th> <th>Additional FSI</th> <th>% FSI for Transit tenements for SRA/ Rental Housing of total additional FSI.</th> <th>% FSI for sale component of total additional FSI</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Location	Plot area excluding area to be handed over in lieu of reservation/ Designation in the DP except	Minimum road width	Total permissible FSI	Zonal FSI	Additional FSI	% FSI for Transit tenements for SRA/ Rental Housing of total additional FSI.	% FSI for sale component of total additional FSI									<table border="1"> <thead> <tr> <th>Location</th> <th>Plot area excluding area to be handed over in lieu of reservation/ Designation in the DP except</th> <th>Minimum road width</th> <th>Total permissible FSI</th> <th>Zonal FSI</th> <th>Additional FSI</th> <th>% FSI for Transit tenements for SRA/ Rental Housing of total additional FSI.</th> <th>% FSI for sale component of total additional FSI</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Location	Plot area excluding area to be handed over in lieu of reservation/ Designation in the DP except	Minimum road width	Total permissible FSI	Zonal FSI	Additional FSI	% FSI for Transit tenements for SRA/ Rental Housing of total additional FSI.	% FSI for sale component of total additional FSI									This is necessary so as to make the scheme economically feasible to give impetus to slum re-development schemes.
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EP. No.	Reg. No. DCPR - 2034	Provision of development control and promotion regulations 2034							Suggested Provision							Remarks		
		affected by proposed DP roads/ Sanctioned RL under MMC Act.							affected by proposed DP roads/ Sanctioned RL under MMC Act.									
			1	2	3	4	5	6	7		1	2	3	4	5	6	7	
		Island City	Up to 2000 sq.m	12m	Up to 3.0	1.33	Up to 1.67	1.67 63%	1.0 37%	Island City	Up to 2000 sq.m	12m 9m	Up to 3.0	1.33	Up to 1.67	1.67 63%	1.0 37%	
			Above 2000 sq.m	18m	Up to 4.0	1.33	Up to 2.67				Above 2000 sq.m	18m 12m	Up to 4.0	1.33	Up to 2.67			
		Suburbs & Extended Suburbs	Up to 2000 sq.m	12m	Up to 3.0	1.00	Up to 1.67	1.50 50%	1.50 50%	Suburbs & Extended Suburbs	Up to 2000 sq.m	12m 9m	Up to 3.0	1.00	Up to 1.67	1.50 50%	1.50 50%	
			Above 2000 sq.m	18m	Up to 4.0	1.00	Up to 3.00				Above 2000 sq.m	18m 12m	Up to 4.0	1.00	Up to 3.00			
102	33(11) (G)	<i>The developer shall have to pay premium equal to 40% of unearned income calculated with the rates of construction as well as sale given in ASR of the year of payment. The unearned income shall be computed by calculating valuation of sale component awarded in lieu of component for Planning Authority after deducting cost of construction of sale as well as Planning Authority's component and the cost incurred to various authorities towards statutory payments relating to Planning Authority as</i>							<i>The developer shall have to pay premium equal to 40% 20% of unearned income calculated with the rates of construction as well as sale given in ASR of the year of payment. The unearned income shall be computed by calculating valuation of sale component awarded in lieu of component for Planning Authority after deducting cost of construction of sale as well as Planning Authority's component and the cost incurred to various authorities towards statutory payments relating to Planning Authority as</i>							This is necessary so as to make the scheme economically feasible to give impetus to slum re-development schemes.		

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		<p><i>well as sale component. In case there is shifting of base FSI within plots in clubbing scheme, difference of land valued in ASR shall be taken into account while finalizing unearned income, and this difference shall be calculated as 100% towards premium.</i></p> <p><i>Such clubbing can be allowed for the schemes falling within the distance of 5 km.</i></p> <p><i>The premium shall be paid to the Planning Authority in two stages 50% at the time IOA and 50% at the time of issuing C.C. for the incentive FSI. or the developer has to surrender equivalent sale FSI in form of constructed BUA to the extent of premium in the scheme to be valued at ASR rate of sale in the year of such surrender of built up area.</i></p> <p><i>Note: Out of the The total premium amount so collected under rehabilitation scheme under this these Regulation, 2/3 shall be kept in a separate account to be utilized as shelter fund for the State of Maharashtra and 1/3 shall be deposited at the Office of the Deputy Director of Town Planning, Greater Mumbai.</i></p>	<p><i>well as sale component. In case there is shifting of base FSI within plots in clubbing scheme, difference of land valued in ASR shall be taken into account while finalizing unearned income, and this difference shall be calculated as 100% towards premium.</i></p> <p><i>Such clubbing can be allowed for the schemes falling within the distance of 5 9 km.</i></p> <p><i>The premium shall be paid to the Planning Authority in two stages 50% at the time IOA and 50% at the time of issuing C.C. for the incentive FSI. or the developer has to surrender equivalent sale FSI in form of constructed BUA to the extent of premium in the scheme to be valued at ASR rate of sale in the year of such surrender of built up area.</i></p> <p>Note:</p> <p><i>a). Out of the The total premium amount so collected under rehabilitation scheme under this these Regulation, 2/3 shall be kept in a separate account to be utilized as shelter fund for the State of Maharashtra and 1/3 shall be deposited at the Office of the Deputy Director of Town Planning, Greater Mumbai.</i></p> <p>b). Relaxation in building and other requirements for rehabilitation: Notwithstanding anything contained in these Regulations, the relaxations incorporated in sub Regulation No.6 of Regulation No. 33 (10) of these Regulations except clause 6.11, 6.15, 6.16 & 6.18 shall apply. The payment of premium at the rate of 10% of normal premium of the land rates as per</p>	

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104	33 (13)	<p>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</p> <p>up to 5.0 as given in the following table, to all registered Public & Private IT/ITES Parks/ AVGC Parks/IT SEZs or IT Parks in SEZs/Stand-alone IT/ITES units in public IT Park (including IT/ITES units located in Residential/Industrial/Special Development Zone/ Green Zone or any other land-use zone in which such users are permissible), which have been approved by the Directorate of Industries, proposed to be set up or already set up under present/ previous IT/ITES policies by charging premium as per the conditions specified as detailed below this table.</p> <table border="1" data-bbox="513 834 1284 1182"> <thead> <tr> <th data-bbox="513 834 572 1182">Sr No</th> <th data-bbox="572 834 938 1182">Plot area excluding area covered under to be handed over in lieu of Reservation/Designation in the DP except affected by proposed DP roads/Sanctioned RL under MMC Act</th> <th data-bbox="938 834 1091 1182">Minimum Road Width</th> <th data-bbox="1091 834 1284 1182">Maximum Permissible FSI</th> </tr> </thead> <tbody> <tr> <td data-bbox="513 1122 572 1182">1</td> <td data-bbox="572 1122 938 1182">Up to 2000sq. m</td> <td data-bbox="938 1122 1091 1182">12m</td> <td data-bbox="1091 1122 1284 1182">Up to 3</td> </tr> </tbody> </table>	Sr No	Plot area excluding area covered under to be handed over in lieu of Reservation/Designation in the DP except affected by proposed DP roads/Sanctioned RL under MMC Act	Minimum Road Width	Maximum Permissible FSI	1	Up to 2000sq. m	12m	Up to 3	<p>ASR (for FSI 1), whichever is more shall apply.</p> <p>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</p> <p>up to 5.0 as given in the following table, to all registered Public & Private IT/ITES Parks/ AVGC Parks/IT SEZs or IT Parks in SEZs/Stand-alone IT/ITES units in public IT Park (including IT/ITES units located in Residential/Industrial/Special Development Zone/ Green Zone or any other land-use zone in which such users are permissible), which have been approved by the Directorate of Industries, proposed to be set up or already set up under present/ previous IT/ITES policies by charging premium as per the conditions specified as detailed below this table.</p> <p>Minimum road width shall be 12.00 mt.</p> <table border="1" data-bbox="1446 906 2217 1255"> <thead> <tr> <th data-bbox="1446 906 1505 1255">Sr No</th> <th data-bbox="1505 906 1870 1255">Plot area excluding area covered under to be handed over in lieu of Reservation/Designation in the DP except affected by proposed DP roads/Sanctioned RL under MMC Act</th> <th data-bbox="1870 906 2024 1255">Minimum Road Width</th> <th data-bbox="2024 906 2217 1255">Maximum Permissible FSI</th> </tr> </thead> <tbody> <tr> <td data-bbox="1446 1195 1505 1255">1</td> <td data-bbox="1505 1195 1870 1255">Up to 2000sq. m</td> <td data-bbox="1870 1195 2024 1255">12m</td> <td data-bbox="2024 1195 2217 1255">Up to 3</td> </tr> </tbody> </table>	Sr No	Plot area excluding area covered under to be handed over in lieu of Reservation/Designation in the DP except affected by proposed DP roads/Sanctioned RL under MMC Act	Minimum Road Width	Maximum Permissible FSI	1	Up to 2000sq. m	12m	Up to 3	<p>Most of the roads in MCGM limits are having width of 9m to 13m. Therefore the suggested change necessary so as to be realistic.</p>
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EP. No.	Reg. No. DCPR - 2034	Provision of development control and promotion regulations 2034				Suggested Provision				Remarks
		2	Above 2000 and up to 3000 sq.m	18m	Up to 4	2	Above 2000 and up to 3000 sq.m	18m	Up to 4	
		3	Above 3000 Sq.m	30m	Up to 5	3	Above 3000 Sq.m	30m	Up to 5	
104	33(13) (a)	<p>a) d)The additional FSI shall be granted beyond permissible FSI as per regulation 30(A)(1) upon the payment of premium. Such premium shall be recovered for the BUA at the rate of 80% of ASR for open develop land (for FSI 1) 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.</p> <p>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.</p> <p>b) e) 25% the total premium so charged shall be paid to the Govt. and remaining 75% shall be paid to the said Authority. The premium so collected shall be shared between the Planning Authority and the Government in the proportion of 50:50. The share of the Government shall be paid to the Deputy Director of Town Planning, Greater Mumbai.</p>				<p>a) d)The additional FSI shall be granted beyond permissible FSI as per regulation 30(A)(1) upon the payment of premium. Such premium shall be recovered for the BUA at the rate of 80% 30% of ASR for open develop land (for FSI 1) 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.</p> <p>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.</p> <p>b) e) 25% the total premium so charged shall be paid to the Govt. and remaining 75% shall be paid to the said Authority. The premium so collected shall be shared between the Planning Authority and the Government in the proportion of 50:50. The share of the Government shall be paid to the Deputy Director of Town Planning, Greater Mumbai.</p>				30% of ASR as per I.T policy
105	33 (13) (A) (4)	<p>At least 85% of total proposed Built-up area (excluding parking area) shall be permitted for business of Fin Tech (start-ups, incubators, and accelerators), banking, financial service including NBFC and insurance, and IT/ITES with focus on Fin Tech.</p>				<p>At least 85% 80% of total proposed Built-up area (excluding parking area) shall be permitted for business of Fin Tech (start-ups, incubators, and accelerators), banking, financial service including NBFC and insurance, and IT/ITES and 20% commercial with focus on Fin Tech.</p>				This change is proposed to make scheme viable in current market condition.
113	33(19)	Sr. No.	Plot area excluding area covered under to be	Minimum Road Width	Maximum Permissible	Sr. No.	Plot area excluding area covered under to be	Minimum Road Width	Maximum Permissible	Most of the roads in MCGM limits are

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		handed over in lieu of Reservation/ Designation in the DP except affected by proposed DP roads/ Sanction RL under MMC Act		FSI		handed over in lieu of Reservation/ Designation in the DP except affected by proposed DP roads/ Sanction RL under MMC Act		FSI		having width of 9m to 13m. Hence, the change in road width is proposed.
		1	Up to 2000 sq.m	12m	3	1	Up to 2000 sq.m	12m	3	
		2	Above 2000 and up to 3000 sq. m	18m	4	2	Above 2000 and up to 3000 sq. m	12m to 18m	4	
		3	Above 3000	30m	5	3	Above 3000	18m to 30m	5	
114	33(20) (A)	Development or redevelopment of plots earmarked/reserved for AH/R&R on the lands of MCGM/Govt./Appropriate Authority as notified by Govt. or unreserved plot of these authorities and in possession, may undertake development for AH and/or R&R for the purpose of the housing those who are displaced by projects undertaken by the Corporation/Appropriate Authority for implementation of proposals such as DP/MUTP/MUIP and other vital public projects with permissible FSI 4.0 subject to the following conditions as detailed below:				Development or redevelopment of plots earmarked/reserved for AH/R&R on the lands of MCGM/Govt./Appropriate Authority as notified by Govt. or unreserved plot of these authorities and in possession, may undertake development for AH and/or R&R for the purpose of the housing those who are displaced by projects undertaken by the Corporation/Appropriate Authority for implementation of proposals such as DP/MUTP/MUIP and other vital public projects with permissible FSI 4.0 subject to the following conditions as detailed below:				Most of the roads in MCGM limits are having width of 9m to 13m. Hence, the change in road width is proposed.
		Plot area		Minimum Road Width	Maximum Permissible FSI	Plot area		Minimum Road Width	Maximum Permissible FSI	
		Up to 2000 sq. m		12m	3.00	Up to 2000 sq. m		12m	3.00	

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116	33 (20) (B)	<p>Development of AH/R&R on private plot or plot of authority other than Govt./MCGM/Appropriate Authority.</p> <p>The permissible FSI may be allowed to be exceeded up to 4.0 when the private owner other authority proposes to develop non-reserved/non-designated private land for AH/R&R tenements and hand over the area of AH/R&R tenements free of cost to MCGM.</p> <p>(a) The FSI & distribution of additional FSI for the construction AH/R&R shall be as shown below:</p> <table border="1"> <thead> <tr> <th>Location</th> <th>Plot area excluding area to be handed over in lieu of reservation/Designation in the DP except</th> <th>Minimum road width</th> <th>Total permissible FSI</th> <th>Zonal FSI</th> <th>Additional FSI</th> <th>% FSI for Transit tenements for SRA/Rental Housing of total additional FSI.</th> <th>% FSI for sale component of total additional FSI</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Location	Plot area excluding area to be handed over in lieu of reservation/Designation in the DP except	Minimum road width	Total permissible FSI	Zonal FSI	Additional FSI	% FSI for Transit tenements for SRA/Rental Housing of total additional FSI.	% FSI for sale component of total additional FSI									<p>Development of AH/R&R on private plot or plot of authority other than Govt./MCGM/Appropriate Authority.</p> <p>The permissible FSI may be allowed to be exceeded up to 4.0 when the private owner other authority proposes to develop non-reserved/non-designated private land for AH/R&R tenements and hand over the area of AH/R&R tenements free of cost to MCGM.</p> <p>(a) The FSI & distribution of additional FSI for the construction AH/R&R shall be as shown below:</p> <table border="1"> <thead> <tr> <th>Location</th> <th>Plot area excluding area to be handed over in lieu of reservation/Designation in the DP except</th> <th>Minimum road width</th> <th>Total permissible FSI</th> <th>Zonal FSI</th> <th>Additional FSI</th> <th>% FSI for Transit tenements for SRA/Rental Housing of total additional FSI.</th> <th>% FSI for sale component of total additional FSI</th> </tr> </thead> <tbody> <tr> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> <td></td> </tr> </tbody> </table>	Location	Plot area excluding area to be handed over in lieu of reservation/Designation in the DP except	Minimum road width	Total permissible FSI	Zonal FSI	Additional FSI	% FSI for Transit tenements for SRA/Rental Housing of total additional FSI.	% FSI for sale component of total additional FSI									<p>Most of the roads in MCGM limits are having width of 9m to 13m. Hence, the change in road width is proposed.</p>
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		affected by proposed DP roads/ Sanctioned RL under MMC Act.							affected by proposed DP roads/ Sanctioned RL under MMC Act.									
		1	2	3	4	5	6	7	1	2	3	4	5	6	7			
		Island City	Up to 2000 sq.m	12m	Up to 3.0	1.33	Up to 1.67	1.67 63%	1.0 37%	Island City	Up to 2000 sq.m	12m 9m	Up to 3.0	1.33	Up to 1.67	1.67 63%	1.0 37%	
			Above 2000 sq.m	18m	Up to 4.0	1.33	Up to 2.67				Above 2000 sq.m	18m 12m	Up to 4.0	1.33	Up to 2.67			
		Suburbs & Extended Suburbs	Up to 2000 sq.m	12m	Up to 3.0	1.00	Up to 1.67	1.50 50%	1.50 50%	Suburbs & Extended Suburbs	Up to 2000 sq.m	12m 9m	Up to 3.0	1.00	Up to 1.67	1.50 50%	1.50 50%	
			Above 2000 sq.m	18m	Up to 4.0	1.00	Up to 3.00				Above 2000 sq.m	18m 12m	Up to 4.0	1.00	Up to 3.00			
117	33 (20) (B) (k)	In case of layout, 25% of Zonal (basic) FSI shall be exclusively used for the purpose of convenience shopping along layout road for use of residential occupants of layout																
118	33 (21) (A)	Sr. No.	Plot area excluding area affected by proposed DP roads/ Sanctioned RL under MMC Act	Minimum Road Width	Maximum Permissible FSI		Sr. No.	Plot area excluding area affected by proposed DP roads/ Sanctioned RL under MMC Act	Minimum Road Width	Maximum Permissible FSI								

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119	33 (21) (B)	Sr. No.	Plot area excluding area affected by proposed DP roads/ Sanctioned RL under MMC Act	Minimum Road Width	Maximum Permissible FSI	1	Up to 2000 sq. m	12m	3	2	Above 2000 and up to 3000 sq. m	18m	4	3	Above 3000 sq. m	30m	5	Sr. No.	Plot area excluding area affected by proposed DP roads/ Sanctioned RL under MMC Act	Minimum Road Width	Maximum Permissible FSI	1	Up to 2000 sq. m	12m 9.0m	3	2	Above 2000 and up to 3000 sq. m	18m 12.0m	4	3	Above 3000 sq. m	30m 18.0m	5	
		PART VII LAND USE CLARIFICATION AND USES PERMITTED (EP123 TO EP134)																																
124	34 (3) (3.2) table C	Conditions under which uses and occupancies will be permitted in Residential, Commercial & Industrial Zones				Conditions under which uses and occupancies will be permitted in Residential, Commercial & Industrial Zones				The change is proposed considering the requirement in city for Ready Mix Concrete.																								
Sr. No.	Uses and Occupancies	Conditions/ Parameters under which land uses and occupancies will be permitted in zones.		Sr. No.	Uses and Occupancies	Conditions/ Parameters under which land uses and occupancies will be permitted in zones.																												

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				R	C	I	Additional Conditions/ Parameters			R	C	I	Additional Conditions/ Parameters	
		73	Ready Mix Plant	NP	NP	P	Subject to NOC from the Environment Department of MCGM.	73	Ready Mix Plant	NP P	NP P	P	Subject to NOC from the Environment Department of MCGM.	
		PART VIII GENERAL BUILDING REQUIREMENTS (EP135 TO EP146)												
137	37 (20)	<p>Balcony: Balconies may be permitted at each floor.</p> <p>(i) 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 Balcony shall not be enclosed. Balcony shall not be permissible on ground floor.</p> <p>(ii) The balconies in existing residential buildings claimed free of FSI as per then prevailing Regulation may be enclosed on ayment of Balcony enclosure fee as decided by the Commissioner from time to time.</p>						<p>Balcony: Balconies may be permitted at each floor.</p> <p>(i) 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. Balcony shall not be enclosed. Balcony shall not be permissible on ground floor.</p> <p>(ii) The balconies in existing residential buildings claimed free of FSI as per then prevailing Regulation may be enclosed on ayment of Balcony enclosure fee as decided by the Commissioner from time to time.</p>						To retain as per section 30(1) of MR&TP Act 1966.
140	41	<p>Provided further that due to site constraint and where demonstrable hardship is caused the open spaces as specified in table A above may be allowed to be relaxed as per table B below, by commissioner by charging premium at 10% of ASR Rate of the developed</p>						<p>Provided further that due to site constraint and where demonstrable hardship is caused the open spaces as specified in table A above may be allowed to be relaxed as per table B below, by commissioner by charging premium at 10% of ASR Rate of the</p>						To be reinstated considering the old table reduces the steps for approval.

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		<table border="1"> <tr> <td data-bbox="451 337 526 574">2</td> <td data-bbox="526 337 620 574">More than 32 m & up to 70 m</td> <td data-bbox="620 337 790 574">10 m or H/6 whichever is less</td> <td data-bbox="790 337 921 574">6 m</td> <td data-bbox="921 337 1091 574">12 m or H/5 whichever is less</td> <td data-bbox="1091 337 1231 574">6 m</td> </tr> <tr> <td data-bbox="451 574 526 691">3</td> <td data-bbox="526 574 620 691">More than 70m</td> <td colspan="2" data-bbox="620 574 921 691">-----</td> <td data-bbox="921 574 1091 691">14 m or H/5 or whichever</td> <td data-bbox="1091 574 1231 691">9m</td> </tr> <tr> <td data-bbox="451 691 526 802">4</td> <td data-bbox="526 691 620 802">More than 120</td> <td colspan="2" data-bbox="620 691 921 802">-----</td> <td data-bbox="921 691 1091 802">18 m</td> <td data-bbox="1091 691 1231 802">9m</td> </tr> </table> <p data-bbox="451 802 1344 1214">Provided further that due to site constraint and where demonstrable hardship is caused the open spaces as specified in table A above may be allowed to be relaxed as per table C below, by commissioner by charging premium at 25% of ASR Rate of the developed land (for FSI 1). The premium so collected shall be used for the development of infrastructure to mitigate the strain on infrastructure caused due to such relaxation. The deficient area for the payment of premium shall not exceed the total BUA of building/s: Table C</p>	2	More than 32 m & up to 70 m	10 m or H/6 whichever is less	6 m	12 m or H/5 whichever is less	6 m	3	More than 70m	-----		14 m or H/5 or whichever	9m	4	More than 120	-----		18 m	9m	<table border="1"> <tr> <td data-bbox="1378 337 1454 574">2</td> <td data-bbox="1454 337 1548 574">More than 32 m & up to 70 m</td> <td data-bbox="1548 337 1717 574">10 m or H/6 whichever is less</td> <td data-bbox="1717 337 1849 574">6 m</td> <td data-bbox="1849 337 2018 574">12 m or H/5 whichever is less</td> <td data-bbox="2018 337 2158 574">6m</td> </tr> <tr> <td data-bbox="1378 574 1454 691">3</td> <td data-bbox="1454 574 1548 691">More than 70m</td> <td colspan="2" data-bbox="1548 574 1849 691">-----</td> <td data-bbox="1849 574 2018 691">14 m or H/5 or whichever</td> <td data-bbox="2018 574 2158 691">9m</td> </tr> <tr> <td data-bbox="1378 691 1454 802">4</td> <td data-bbox="1454 691 1548 802">More than 120</td> <td colspan="2" data-bbox="1548 691 1849 802">-----</td> <td data-bbox="1849 691 2018 802">18 m</td> <td data-bbox="2018 691 2158 802">9m</td> </tr> </table> <p data-bbox="1378 802 2284 1214">Provided further that due to site constraint and where demonstrable hardship is caused the open spaces as specified in table A above may be allowed to be relaxed as per table C below, by commissioner by charging premium at 25% of ASR Rate of the developed land (for FSI 1). The premium so collected shall be used for the development of infrastructure to mitigate the strain on infrastructure caused due to such relaxation. The deficient area for the payment of premium shall not exceed the total BUA of building/s: Table C</p>	2	More than 32 m & up to 70 m	10 m or H/6 whichever is less	6 m	12 m or H/5 whichever is less	6m	3	More than 70m	-----		14 m or H/5 or whichever	9m	4	More than 120	-----		18 m	9m	
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EP. No.	Reg. No. DCPR - 2034	Provision of development control and promotion regulations 2034					Suggested Provision					Remarks										
		Ht. of Building (H)	Side & rear marginal open space		Side & rear marginal open space			Light &	Dead wall	Light &	Dead wall	Ht. of Building (H)	Side & rear marginal open space		Side & rear marginal open space			Light &	Dead wall	Light &	Dead wall	
			Plot up to 1000 sq. m or where average width/depth of plot is less than 20 m	Plot size more than 1000 sq. m and average width/depth of plot more 20 m		Plot up to 1000 sq. m or where average width/depth of plot is less than 20 m		Plot size more than 1000 sq. m and average width/depth of plot more 20 m														
		Up to 32 m	Min - 3.6 m in case of Residential building & 4.5 m in case of commercial building subject to H/7	3.6 m	Min - 3.6 m in case of Residential building & 4.5 m in case of commercial building subject to H/6	3.6 m						Up to 32 m	Min - 3.6 m in case of Residential building & 4.5 m in case of commercial building subject to H/7	3.6 m	Min - 3.6 m in case of Residential building & 4.5 m in case of commercial building subject to H/6	3.6 m						
		More than 32 m & up to	9 m or H/7 whichever is less	6 m	12 m or H/6 whichever is less	6 m						More than 32 m & up to	9 m or H/7 whichever is less	6 m	12 m or H/6 whichever is less	6 m						

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EP. No.	Reg. No. DCPR - 2034	Provision of development control and promotion regulations 2034	Suggested Provision	Remarks																
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142	42	<p>Features permitted in open spaces Certain features may be permitted in the prescribed open spaces (except in case of high rise buildings where minimum 6 m clear marginal open space shall be observed from two side) as enumerated below:</p>	<p>Features permitted in open spaces Certain features may be permitted in the prescribed open spaces (except in case of high rise buildings where minimum 6 m clear marginal open space shall be observed from two side) as enumerated below:</p>	Reduced percentage of visitor is proposed considering present requirement in Mumbai.																
		<p>PART IX URBAN SAFETY REQUIREMENTS (EP147 TO EP148)</p>																		
147	47(B) (a)	<p>Fire Protection Requirements Buildings having height more than 32 m up to 70 m, at least one side,</p>	<p>Fire Protection Requirements Buildings having height more than 32 m up to 70 m, at least one side,</p>																	

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		<p>accessible from road side, shall have clear open space of 9 m at ground level. 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 from 2 sides beyond building line so as to have clear open space of 6m beyond podium. Provided that, if the building abuts 9 m. or more wide road then 6 m. open space from one side will be adequate. Provided, further, where podium is accessible to firefighting appliances (fire engines and other equipment) by a ramp, the above restriction shall not apply.</p>	<p>accessible from road side, shall have clear open space of 9 m at ground level. 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 from 2 3 sides beyond building line so as to have clear open space of 6m beyond podium. Provided that, if the building abuts 9 m. or more wide road then 6 m. open space from one side will be adequate. Provided, further, where podium is accessible to firefighting appliances (fire engines and other equipment) by a ramp, the above restriction shall not apply.</p>	
	47(B)	<p>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. 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 further, where podium is accessible to firefighting appliances (fire engines and other equipment) by a ramp, the above restriction shall not apply.</p>	<p>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. 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 further, where podium is accessible to firefighting appliances (fire engines and other equipment) by a ramp, the above restriction shall not apply.</p>	To be retained.
148	47(C)	<p>Fire Check Floor A high rise building having height more than 70 m, shall be provided with fire check floor (entire floor) at every 70 m level. Height of the fire check floor shall not be more than 1.8 mts.</p>	<p>Fire Check Floor A high rise building having height more than 70 m, shall be provided with fire check floor (entire floor) at every 70 m level if required by CFO Height of the fire check floor shall not be more less than 1.8 2.4 mts. if provided</p>	<p>This is a hazardous proposition and should be ideally deleted Constructing a fire check floor of 1.8 m</p>

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		<p>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.</p> <p>Periphery of the Fire Check floor shall not be enclosed.</p> <p>Fire Drenchers shall be provided at the periphery of the each fire check floor externally.</p>	<p>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.</p> <p>Periphery of the Fire Check floor shall not be enclosed.</p> <p>Provided further that the fire check floor shall not be counted in FSI.</p> <p>Fire Drenchers shall be provided at the periphery of the each fire check floor externally.</p>	<p>does not serve the purpose of avoiding spread of fire and secondly, in case of fire any sudden change in floor height less than standard floor height may lead to stampede due tripping .</p>
		<p>PART XII ENVIRONMENTAL SUSTAINABILITY (EP157 TO EP162)</p>		
162	68	<p>Coastal Regulation Zone (CRZ)</p> <p>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. Lands shown as Natural Area in DP and situated on the seaward side of High Tide Line, if after modification to High Tide Line, falls on the landward side of modified High Tide Line, then in such case the said land will be deemed to have been situated in the zone of adjoining land unless, said land is forest/salt pan land/occupied by mangroves/mud flats.</p>	<p>Coastal Regulation Zone (CRZ)</p> <p>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. Lands shown as Natural Area in DP and situated on the seaward side of High Tide Line, if after modification to High Tide Line, falls on the landward side of modified High Tide Line, then in such case the said land will be deemed to have been situated in the zone of adjoining land unless, said land is forest/salt pan land/occupied by mangroves/mud flats.</p> <p>Notwithstanding anything contained in these regulations and reservations of open space (ROS) shown on Development Plan, on plots occupied by</p>	<p>For easy implementation of slum schemes in CRZ areas in line with Hon' Prime Ministers view of housing for all.</p>

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			slums as on 19.02.1991 and thereafter then reservation of ROS on such plot shall deemed to have been deleted and such plots can be developed under these regulations.	

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65	31 (1) (iv)	<p>Provided further that for the reconstruction scheme under Regulation No. 33(6) such exclusion will be permissible as per guidelines hereunder: -</p> <p>i. While working out total existing BUA, the BUA of existing staircase will not be taken into account.</p> <p>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</p>	<p>Provided further that for the reconstruction scheme under Regulation No. 33(6) such exclusion will be permissible as per guidelines hereunder: -</p> <p>i. While working out total existing BUA, the BUA of existing staircases, lifts and lift lobbies, if not then computed in FSI, will not be taken into account.</p> <p>ii. Premium for the such 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</p>	<p>The areas of existing staircase, lifts and lift lobbies must be considered as existing BUA as allowed in all redevelopment schemes.</p> <p>Further, if such areas are originally computed in FSI, then the same form part of the inherent potential of the land and must be allowed as existing BUA.</p>
77	33(5) 2(C)	<p>Provided further that in case of plots having area of 4000 sq. m or above which front on roads having width of 18.00 m or more, the FSI 1.00 over and above 3.00 shall be permissible in the form of Social Housing stock as decided by MHADA in the ratio of 1 MHADA: 0.5 Cooperative Society and it shall be handed over to MHADA on payment of cost of construction as per</p>	<p>Provided further that in case of plots having area of 4000 sq. m or above which front on roads having width of 18.00 m or more, MHADA shall allow additional BUA over and above rehabilitation and the incentive components as calculated as per (A) and (B) above up to 3.00 FSI by charging premium at the percentage rate of ASR defined in table C1 the</p>	<p>MHADA buildings / layouts which are under redevelopment would be able to avail higher FSI potential</p>

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		<p>ASR free of cost & without any compensation.</p> <p>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 or adjoining Municipal Ward. Provided that the BUA area to be handed over to MHADA shall be as per equivalent value of BUA as per the market value (as per ASR of that year)</p>	<p>additional FSI 1.00 over and above 3.00 shall be permissible in the form of Social Housing stock as decided by MHADA in the ratio of 1 MHADA: 0.5 Cooperative Society and it shall be handed over to MHADA on payment of cost of construction as per ASR free of cost & without any compensation.</p> <p>Provided further that any ongoing schemes, sanctioned upon payment of premium with FSI/BUA of 2.50, having plot area of 4000 sq. m or above, which front on roads having width of 18.00 m or more, approved as per DCR 33(5) of 2008 shall be allowed to be continued as per the sanction granted and can further avail FSI upto 4.00, provided that additional area of FSI 0.50 that is upto an FSI of 3.00 shall be granted upon payment of premium per Table C1 of this regulation and FSI of 1.00 above 3.00 shall be permissible in the sharing ratio of 1 MHADA: 0.5 Cooperative Society / Developer and shall be handed over to MHADA free of cost & without any compensation in the form of Social Housing stock.</p> <p>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 or adjoining Municipal Ward/s. Provided that the BUA area to be handed over to MHADA shall be as per equivalent value of BUA as per the market value (as per ASR of that year) and the BUA so available can be utilized by the Promoter/Developer anywhere on the Gross Plot/sunder the scheme.</p>	<p>under this regulation.</p> <p>MHADA would additionally get premium out of the enhanced FSI upto 3.00.</p> <p>Further additional Housing Stock would be generated for MHADA from the additional FSI of 1.00 over and above 3.00.</p> <p>Also, as per the DCR 33(5) Notified vide Notification No. TPB 4316/CR-</p>

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				202/2016/UD-11 dated 3 rd July 2017 of the DCR 1991, in case of plots having area more than 4000 sq.mtrs or above, FSI upto 3.00 is permitted upon payment of premium for surplus FSI without sharing of FSI with MHADA and the same should be allowed for ongoing schemes as well.
85	VI/33 (9) 1.2(v)	Slum areas declared as slums under section 4 of Slum Act or slums on Public lands prior to 1.1.2000 or such other reference date notified by the Govt., provided such areas do not constitute more than 50% of the area of the CD.	Slum areas declared as slums under section 4 of Slum Act or slums on Public lands prior to 1.1.2000 or such other reference date notified by the Govt., provided such areas do not constitute more than 50% of the area of the CDS. For slums located on lands under unbuildable reservations /gardens, the rehabilitation of the slums will be allowed on any other single plot or multiple plots elsewhere within the same Municipal Ward/ Adjoining	The same is already permitted for rehabilitation and redevelopment of Slums under other regulations like DCR 33(10) and should be permissible under

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			<p>wards, subject to the 51% consent of the slum dwellers, and the BUA so available can be utilized by the Promoter/Developer anywhere on the Gross Plot/s under the scheme. The eligible area of the existing slums, being shifted elsewhere as mentioned above would be treated as a rehabilitation component of the CDS and FSI of 4 would be allowed on the Gross Plot Area along with the incentive FSI of the reserved land on which the slums are existing.</p> <p>The said area under slums can be allowed along with combination of ongoing schemes under other regulations which may be included for planning purpose and irrespective of the criteria for type of structures and/or land tenure as defined under this regulation. The same can also be considered as a CDS under this regulation.</p>	<p>this regulation as well as a cause of Natural Justice.</p> <p>This will also lead to clearance of encumbrances from lands under reservations and use and development of the same as envisaged in the development plan.</p>

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