

Maharashtra Regional & Town Planning Act,
1966.

Proposed Modification to Regulation 32 of DCR
for Gr. Mumbai, 1991 under Section 37(1AA)

GOVERNMENT OF MAHARASHTRA

Urban Development Department,

Mantralaya, Mumbai 400 032.

Dated : 18th March, 2015.

NOTICE

No. TPB 4312/263 /CR-77/2013/UD-II:

Whereas the Development Control Regulations for Greater Mumbai, 1991 (hereinafter referred to as "the said Regulations") have been sanctioned by the Government in the Urban Development Department, under Section 31(1) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") vide Notification No. DCR 1090/RDP/UD-II dated 20th February, 1991 so as to come into force with effect from the 25th March, 1991;

And whereas, the Govt. in the Urban Development Department, vide Notification No. TPB 4308/776/CR-127/2008/UD-II, dated 24th October, 2011, has incorporated a new clause (1)(B)(ii) in Table No.14 of Regulation 32, to permit additional 0.33 F.S.I. in suburbs and extended suburbs of Greater Mumbai subject to a payment of premium based on land rates of Annual Statement of Rates (ASR) of the year 2008;

And whereas, the Govt. in the Urban Development Department has decided in the public interest to increase such additional F.S.I. and to revise the rates of premium for this additional F.S.I. Accordingly it is necessary to urgently carry out suitable modification to the existing clause (1)(B)(iii) in Table No.14 of Regulation 32 as specifically described in the Schedule mentioned below (hereinafter referred to as "the proposed modification");

Now, therefore, the proposed modification, as mentioned in the Schedule below, which the State Government proposes to make, in exercise of the powers conferred by sub-section (1AA) of Section 37 of the said Act and of all other powers enabling it in this behalf, is hereby published as required by clause (a) of sub-section (1AA) of Section 37, for information of all persons likely to be affected thereby; and notice is hereby given that the

said proposed modification will be taken into consideration by the Government of Maharashtra after the expiry of one month from the date of publication of this Notice in the Maharashtra Government Gazette:

SCHEDULE

Regulation No.	Existing Provision	Proposed Provision
Regulation 32, Table 14, clause 1(B)(iii)	Provided that FSI may be permitted to exceed upto 1.33 subject to following conditions:- 1) Additional 0.33 FSI is optional and non-transferable. It is to be granted as on application and to be used on the same plot. 2) The total maximum permissible FSI with 1.33 FSI, Road FSI and TDR shall be restricted to 2.00. 3) As per concept of TDR, additional FSI shall be permissible on gross plot area. 4) Additional FSI available as per Regulation 33, shall be related to basic FSI of 1.00 only. 5) Premium shall be charged for additional 0.33 FSI, as per the rates mentioned in Annexure. However, the Govt. may revise these rates from time to time. 6) Premium shall be shared between the State Govt. and MCGM on 50:50 basis. The MCGM shall utilise the premium through Escrow Account for implementation of Development Plan and infrastructure. However Govt. shall have right to change this ratio, depending upon the need for providing funds from Govt. for infrastructure projects in Mumbai.	Provided that FSI may be permitted to exceed upto 1.60 subject to following conditions:- 1) Additional 0.60 FSI is optional and non-transferable. It is to be granted as on application and to be used on the same plot. 2) The total maximum permissible FSI with 1.60 FSI, Road FSI and TDR shall be restricted to 2.00. 3) -----No change----- 4) -----No change ----- 5) Premium shall be charged for additional 0.60 F.S.I. at the rate of 60% of the land rates of Annual Statement of Rates(ASR) of the year in which such FSI is granted. 6) -----No change-----

7) In Mumbai Suburban District, construction upto 1.00 additional FSI is permissible through use of TDR. 0.33 FSI being optional and part of overall ceiling of use of 1.00 TDR, any disclosure made for use of TDR / FSI, while making agreements with purchasers under MOFA Act, shall be held valid for use of 0.33 FSI.	7) In Mumbai Suburban District, construction upto 1.00 additional FSI is permissible through use of TDR. 0.60 FSI being optional and part of overall ceiling of use of 1.00 TDR, any disclosure made for use of TDR / FSI, while making agreements with purchasers under MOFA Act, shall be held valid for use of 0.60 FSI.
8) No vertical extension of existing building by utilizing 0.33 FSI shall be permitted with erection of columns in the required marginal open space.	8) No vertical extension of existing building by utilizing 0.60 FSI shall be permitted with erection of columns in the required marginal open space.
9) Tenement density shall be relatively increased as per the increase in FSI above 1.00.	9) -----No change -----
10) 0.33 additional FSI shall not be permitted in Bandra-Kurla complex, SRA Schemes under Regulation 33(10), CRZ areas and the matters which are subjudice.	10) 0.60 additional FSI shall not be permitted in Bandra-Kurla complex, SRA Schemes under Regulation 33(10), CRZ areas and the matters which are subjudice.
11) As per the provisions of Appendix VII B under DCR 33(10) and 33(14), the extent of slum TDR shall be at least 20% of total permissible additional FSI (in any combination of additional FSI and TDR).	11) -----No change-----
12) The relaxation of premium i.e. 10% of normal premium shall be charged while condoning deficiencies in open spaces (as applicable for use of slum TDR).	12) -----No change-----
13) Additional 0.33 FSI shall not be applicable for industrial user.	13) Additional 0.60 FSI shall not be applicable for industrial user.

Any objections/ suggestions in respect of the proposed modification mentioned in the aforesaid Schedule may be forwarded, before the expiry of one month from the date of publication of this Notice in the Maharashtra Government Gazette, to the Deputy Director of Town Planning, Greater Mumbai, having his office at ENSA Hutments, E-Block, Azad Maidan, M.Japnika Marg, Mumbai-400 001. Any objection or suggestion, which may be received by the Deputy Director of Town Planning, Greater Mumbai within the said period will be dealt with in accordance with the provisions of the said sub-section (1AA) of Section 37.

This Notice shall also be available on the Govt. of Maharashtra website : www.maharashtra.gov.in

By order and in the name of the Governor of Maharashtra,



(Sanjay Banait)

Under Secretary to Government.