



महाराष्ट्र शासन

नगर विकास विभाग, मंत्रालय, ४ था मजला, मादाम कामा रोड,
हुतात्मा राजगुरु चौक, मुंबई ४०० ०३२.

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क्रमांक :- टिपीबी - ४३२४/१०५६/२०२४/नवि-११

दिनांक :- ०८/०७/२०२४

प्रति,

१) मा.संचालक, नगर रचना,
महाराष्ट्र राज्य, पुणे.

२) मा. उपसंचालक, नगर रचना,
बृहन्मुंबई.

विषय:- Modification in DCPR 2034 by addom Reg.33(25) in
Regulation 33: Permitting additional FSI for Students Hostel and
Working Women Hostel.

संदर्भ :- प्रमुख अभियंता (वि.नि.) बृहन्मुंबई महानगरपालिका यांचे पत्र क्र.Ch.E./D.P./
६०१९/E , दिनांक- ०१/०७/२०२४.

महोदय,

प्रमुख अभियंता (वि.नि.), बृहन्मुंबई महानगरपालिका यांचे दि. ०१/०७/२०२४ रोजीचे वरील
विषयाचे नगर विकास विभागास प्राप्त झालेल्या पत्राची प्रत यासोबत जोडली आहे. सदर पत्राचे
अनुषंगाने आपले अभिप्राय/ अहवाल शासनास सत्वर सादर करावेत, ही विनंती.

आपला,

(अमर पाटील)

अवर सचिव, महाराष्ट्र शासन

सोबत — वरीलप्रमाणे.

BRIHANMUMBAI MUNICIPAL CORPORATION

No. CHE./D.E./61091E5 - 1 JUL 2024

Office of the
Chief Engineer (Development Plan)
5th Floor, Annex Building,
Mahapalika Marg, Fort,
Mumbai - 400 032.

To,
The Under Secretary,
Urban Development Department,
4th Floor, Manralaya,
Madam Kama Road,

Subject : Modification in DCPR 2034 by adding Reg.33(25) in
Regulation 33 : Permitting additional FSI for Students'
Hostel and Working Women Hostel.

Reference is requested to the joint meeting held in the chamber of Principal Secretary, Urban Development Department-1, GoM, wherein Hon' Municipal Commissioner, Members of PEATA & CREDAI were also present. In the said meeting, P.S. to U.D.-1 directed to process the proposal for modification of Reg.33 by adding sub-regulation 33(25) in the said Regulation.

Reference is also requested to the representation of PEATA (I), dated 13.09.2023, addressed to Municipal Commissioner in the subject matter, to modify DCPR-2034 by adding Reg. 33(25) to Regulation 33 : Permitting additional FSI for Students' Hostels & Working Women Hostels.

Further, in the representation, PEATA (I) has submitted that Mumbai being the financial capital of India, there are many working women who come to Mumbai for employment. The students as well as the working women require hostel for accommodation in Mumbai. Also, there is scarcity of housing for them. Hence, for such user, a provision by means of new regulation shall be made and additional FSI shall be granted for such housing accommodation.

The Administrator (Improvement Committee) and Administrator (Corporation) vide their Resolution No. ICR/55 of 18.12.2023 and Resolution No.CR/987 of 21.12.2023, respectively, granted approval to initiate modification in DCPR - 2034 by adding Regulation 33(25) in Reg. 33 : Permitting additional FSI for Students' Hostel and Working Women Hostel under Section 37(1) of the M.R.&T.P. Act 1966. Accordingly, this office published Notification u/No. CHE/DP/19932 B&C/DP/Gen, dated 11.03.2024 in Marathi newspaper (Loksatta) and English newspaper (Mid Day) on 12.05.2024. The Notification was also published in Government Gazette u/No. CHE/DP/19932D/DP, dated 11.03.2024 on March 14-20, 2024.

In response to above Notification, this office received 05 Nos. (Five Nos.) of suggestions / objections from various organizations / offices. Applicants vide letter

dated 30.04.2024, were informed to attend hearing in this respect. E-mail was also sent to individual applicant. Accordingly, hearing for the suggestions / objections was taken up on 07.05.2024 in the office of Ch. E. (D.P.). The suggestions raised by the applicants and this office remarks are as under:-

| Sr. No. | Name of Architect / Institution | Suggestions | This Office remarks | | | | | | | | | | | | | | | |
|---------|--|--|---|--------------------|---|----|----|--------------------|----|-----|---------|----|-----|---------|----|-----|---------|---|
| 1. | RVG Educational Foundation | <p>We would like to suggest the following changes for the maximum permissible FSI including zonal (basic FSI) for the above mentioned purpose -</p> <p>From the above table additional FSI for 9M</p> <p>1.Road has been permitted FSI as 2.25 to 4.00 depending upon size of plot. 33(23)</p> <p>2. As per Table No.12 of DCPR (30). The permissible FSI on plot minimum up to 2.00.</p> <p>In view of above the proposed changes in FSI for permissible under regulation 33(25) shall be as under.</p> <table><tr><th>Sr. No.</th><th>Minimum Road width</th><th>Maximum permissible FSI including zonal FSI</th></tr><tr><td>1.</td><td>9m</td><td>Up to 2.25 Minimum</td></tr><tr><td>2.</td><td>12m</td><td>Up to 3</td></tr><tr><td>3.</td><td>18m</td><td>Up to 4</td></tr><tr><td>4.</td><td>27m</td><td>Up to 5</td></tr></table> | Sr. No. | Minimum Road width | Maximum permissible FSI including zonal FSI | 1. | 9m | Up to 2.25 Minimum | 2. | 12m | Up to 3 | 3. | 18m | Up to 4 | 4. | 27m | Up to 5 | <p>Additional Floor Space Index is permitted to this category being an institutional building, depending on the width of the road. Permitting FSI of 2.25 for lesser width of road may create burden on the infrastructure of road.</p> <p>Also, for institutional building, additional FSI under Regulation 33(2), is granted for a minimum road width of 13.40m. Hence, the suggestions are not acceptable.</p> |
| Sr. No. | Minimum Road width | Maximum permissible FSI including zonal FSI | | | | | | | | | | | | | | | | |
| 1. | 9m | Up to 2.25 Minimum | | | | | | | | | | | | | | | | |
| 2. | 12m | Up to 3 | | | | | | | | | | | | | | | | |
| 3. | 18m | Up to 4 | | | | | | | | | | | | | | | | |
| 4. | 27m | Up to 5 | | | | | | | | | | | | | | | | |
| 2. | Gango Architects Ar.Harshad R. Pawar | <p>1. To make the proposal financially viable under the proposed regulation 33(25) of DCPR 2034; Min 50% of available FSI to be allowed for other users.</p> | <p>As proposed in this Regulation, 30% of the total permissible FSI is permitted for other users. Also, maximum 15% of the total built-up area is permitted for ancillary uses. Hence, almost 45% of the total area is already considered for other uses. Further, reduction in per cent of Students & Women Hostel as a predominant user, will not serve the purpose of regulation. Hence this</p> | | | | | | | | | | | | | | | |

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| | | 2. The additional FSI premium to be charged at the rate of 20% of the land rates as per ASR (For FSI 1.00) instead of 30% as proposed | This building falls under Institutional building category. As per Reg. 33(2) of DCPR - 2034, additional FSI is charged at the rate of 30% of the land rates as per ASR. Accordingly, while modification, 30% rate is considered at par with Reg. 33(2). Hence, this suggestion is not acceptable. |
| | | 3. The deferment payment scheme to be made available for this scheme. | This will be dealt with as per policy in force while granting permission to proposal. |
| | | 4. 25% of total BUA may be permitted for ancillary users instead of 15% as proposed in this modification. | As proposed in this Regulation, 30% of the total permissible FSI is permitted for other users. Also, maximum 15% of the total built-up area is permitted for ancillary uses. Hence, almost 45% of the total area is already considered for other uses. Further, reduction in per cent of Students & Women Hostel as a predominant user, will not serve the purpose of regulation. Hence, this suggestion is not acceptable. |
| | | 5. Ancillary uses may include Nursing Home / Dispensary, Restaurant / Food Court/canteen, spa & salon, departmental store / Supermarket. | Ancillary users i.e. Canteen and Dispensary are already included in the proposed modification of Reg. 33(25). Similarly, as per provision of Reg.30(A)(12) of DCPR 2034, development of plots under combination of various regulations is permissible. Therefore, applicant's request for other users may be considered under the provision of combination of various regulations. |
| | | 6. Not to insist amenity space under regulation 14 of DCPR 2034 in development under this regulation as Hostel itself will act as amenity. | Amenity as per Reg.14(A) of DCPR-2034, are for the plots adm. 4000.00 sq.m. or more which include utility, services and conveniences. Hence, the amenities are required. Therefore, suggestion is not acceptable. |
| | | 3. Roopal Town Redevelopm ent Pvt. Ltd. | 1. The additional FSI premium which is proposed to be charged at the rate of 30% of the land rates as per ASR (For FSI 1.00). This building falls under Institutional building category. As per Reg. 33(2) of DCPR - 2034, additional FSI is charged at the rate of 30% of the land rates as per ASR. Accordingly, while |

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| | | | modification, 30% rate is considered at par with Reg. 33(2). Hence, this suggestion is not acceptable. |
| | | 2. Ancillary uses to include any type of commercial use. | As per provision of Reg.30(A)(12) of DCPR 2034, development of plots under combination of various regulations is permissible. Therefore, applicant's request for other users may be considered under the provision of combination of various regulations. |
| | | 3. As the proposal is not financially viable under the proposed regulation 33(25) of DCPR 2034; we request you to make available Min 50% of available FSI to be allowed for other users. | As proposed in this Regulation, 30% of the total permissible FSI is permitted for other users. Also, maximum 15% of the total built-up area is permitted for ancillary uses. Hence, almost 45% of the total area is already considered for other uses. Further, reduction in per cent of Students & Women Hostel as a predominant user, will not serve the purpose of regulation. Hence, this suggestion is not acceptable. |
| | | 4. The deferment payment scheme to be made available for this scheme at par with UDCPR / BMC / MHADA. | This will be dealt with as per policy in force while granting permission to proposal. |
| | | 5. 25% of total BUA may be permitted for ancillary uses. | As proposed in this Regulation, 30% of the total permissible FSI is permitted for other users. Also, maximum 15% of the total built-up area is permitted for ancillary uses. Hence, almost 45% of the total area is already considered for other uses. Further, reduction in per cent of Students & Women Hostel as a predominant user, will not serve the purpose of regulation. Hence, this suggestion is not acceptable. |
| | | 6. We request you not to insist amenity space under regulation 14 of DCPR 2034 in development under this regulation 33(25). | Amenity as per Reg.14(A) of DCPR-2034, are for the plots admeasuring 4000.00 sq.m. or more which include utility, services and conveniences. Hence, the amenities are required. Hence, this suggestion is not acceptable. |
| 4 | KMP Ventures Private Limited | 1. We request you not to insist amenity space under regulation 14 of DCPR 2034 in development under this | Amenity as per Reg.14(A) of DCPR-2034, are for the plots admeasuring 4000.00 sq.m. or more which include utility |

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| (PARINEE) | regulation 33(25). | services and conveniences. Hence, the amenities are required. Therefore, suggestion is not acceptable. |
| | 2. The additional FSI premium which is proposed to be charged at the rate of 30% of the land rates as per ASR (For FSI 1.00). | This building falls under Institutional building category. As per Reg. 33(2) of DCPR - 2034, additional FSI is charged at the rate of 30% of the land rates as per ASR. Accordingly, while modification, 30% rate is considered at par with Reg. 33(2). Hence, this suggestion is not acceptable. |
| | 3. As the proposal is not financially viable under the proposed regulation 33(25) of DCPR 2034; we request you to make available Min 50% of available FSI to be allowed for other users. | As proposed in this Regulation, 30% of the total permissible FSI is permitted for other users. Also, maximum 15% of the total built-up area is permitted for ancillary uses. Hence, almost 45% of the total area is already considered for other uses. Further, reduction in per cent of Students & Women Hostel as a predominant user, will not serve the purpose of regulation. Hence, this suggestion is not acceptable. |
| | 4. The deferment payment scheme to be made available for this scheme at par with UDCPR / BMC / MHADA. | This will be dealt with as per policy in force while granting permission to proposal. |
| | 5. 25% of total BUA may be permitted for ancillary uses. | As proposed in this Regulation, 30% of the total permissible FSI is permitted for other users. Also, maximum 15% of the total built-up area is permitted for ancillary uses. Hence, almost 45% of the total area is already considered for other uses. Further, reduction in per cent of Students & Women Hostel as a predominant user, will not serve the purpose of regulation. Hence, this suggestion is not acceptable. |
| | 6. Ancillary uses to include Hospital / Nursing Home, Restaurant / Food Court, spa & salon, Supermarket / departmental store. | Ancillary users i.e. Canteen and Dispensary are already included in the proposed modification of Reg. 33(25). Similarly, as per provision of Reg.30(A)(12) of DCPR 2034, development of plots under combination of various |

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| | | | regulations is permissible. Therefore, applicant's request for other users may be considered under the provision of combination of various regulations. |
| 5. | Dharmesh Chevli | 1. To make the proposal financially viable under the proposed regulation 33(25) of DCPR 2034; Min 50% of available FSI to be allowed for other users. | As proposed in this Regulation, 30% of the total permissible FSI is permitted for other users. Also, maximum 15% of the total built-up area is permitted for ancillary uses. Hence, almost 45% of the total area is already considered for other uses. Further, reduction in per cent of Students & Women Hostel as a predominant user, will not serve the purpose of regulation. Hence, this suggestion is not acceptable. |
| | | 2. The additional FSI premium to be charged at the rate of 20% of the land rates as per ASR (For FSI 1.00). | This building falls under Institutional building category. As per Reg. 33(2) of DCPR - 2034, additional FSI is charged at the rate of 30% of the land rates as per ASR. Accordingly, while modification, 30% rate is considered at par with Reg. 33(2). Hence, this suggestion is not acceptable. |
| | | 3. The deferment payment scheme 10:10:80 is to be made available for this scheme at par with UDCPR. | This will be dealt with as per policy in force while granting permission to proposal. |
| | | 4. Not to insist amenity space under regulation 14 of DCPR 2034. | Amenity as per Reg.14(A) of DCPR-2034, are for the plots adm. 4000.00 sq.m. or more which include utility, services and conveniences. Hence, the amenities are required. Therefore, this suggestion is not acceptable. |
| | | 5. 25% of total BUA may be permitted for ancillary users. | As proposed in this Regulation, 30% of the total permissible FSI is permitted for other users. Also, maximum 15% of the total built-up area is permitted for ancillary uses. Hence, almost 45% of the total area is already considered for other uses. Further, reduction in per cent of Students & Women Hostel as a predominant user, will not |

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| | | regulation. Hence, this suggestion is not acceptable. |
| | 6. Ancillary uses to include any type of commercial user. | As per provision of Reg.30(A)(12) of DCPR 2034, development of plots under combination of various regulations is permissible. Therefore, applicant's request for other users may be considered under the provision of combination of various regulations. |

In this regard, documents required for the said modification are attached herewith and list of the same is as under.

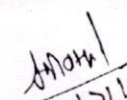
1. Copy of Administrator (Improvement Committee) Resolution under No. ICR/55, dated 18.12.2023 and Administrator (Corporation) Resolution under No.CR/987, dated 21.12.2023.
2. Copy of Notification published in Mid Day and Loksatta on 12.03.2024 under No. CHE/19932B&C/DP/Gen, dated 14.03.2024.
3. Copy of Notification published in Government Gazette under No. CHE/DP/19932D/DPGen, dated 11.03.2024 on March, 14-20, 2024.

Further, as per the suggestions / objections received from the applicant and hearing conducted in this office, it can be concluded that applicants request with some modifications, are not acceptable. Therefore, no amendment is proposed to the Draft Regulation No. 33(25) as published in the Government Gazette.

In view of above, the Under Secretary, Urban Development Department, GoM, is requested to process the proposal as per provision of Sec.37(2) of the M.R.& T.P. Act, 1966, as amended up-to-date, to modify DCPR-2034 by adding Regulation 33(25) in Reg. 33 : Permitting additional FSI for Students' Hostel & Working Women Hostel.

The letter is issued as per approval of Municipal Commissioner, BMC, vide No.MCP/5678 dated 28.06.2024.

Yours faithfully,


(S. H. Rathod)
Chief Engineer
(Development Plan)