



महाराष्ट्र शासन

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

nirmal.chaudhari@gov.in

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. Ch.E./D.E./6/09/E5 / 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		stions	This Office remarks
1.	RVG Educational Foundation	following including the afficient additional field in the afficient additi	We would like to suggest the following changes for the maximum permissible FSI including zonal (basic FSI) for the above mentioned purpose— From the above table additional FSI for 9M 1.Road has been permitted FSI as 2.25 to 4.00 depending upon size of plot. 33(23)		is permitted to this category being an institutions building, depending on the width of the road. Permittin FSI of 2.25 for lesser width of road may create burden of the infrastructure of road. Also, for institutional building, additional FSI under Regulation 33(2), is granted for a minimum road width of
		(30). plot i	The permi	No.12 of DCPR issible FSI on to 2.00.	acceptable.
		chan unde	ges in FSI fo	or permissible 33(25) shall	
	A A	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	A second in this
2.	Gango Architects Ar.Harshad R. Pawar	finance propose DCPR availal	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

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

The

KMP Ventures Private	1. We request you not to insist amenity space under regulation 14 of DCPR 2034 admeasuring 4000.00 sq.r in development under this or more which include activities.	of ots
	required	ots m. ity, es.
	reduction in per cent of Stude & Women Hostel as predominant user, will not se the purpose of regulati Hence, this suggestion is	ents a erve
	maximum 15% of the total by up area is permitted for ancill uses. Hence, almost 45% of total area is already consider for other uses. Furth	the red
	5. 25% of total BUA may be permitted for ancillary uses. As proposed in this Regular 30% of the total permissible is permitted for other users. A	FSI lso.
	4. The deferment payment scheme to be made available for this scheme at par with UDCPR / BMC / MHADA. suggestion is not acceptable. This will be dealt with as policy in force while gram permission to proposal.	per
	Women Hostel as predominant user, will serve the purpose regulation. Hence,	
	45% of the total are already considered for uses. Further, reduction per cent of Student	other on in
	available FSI to be allowed for other users. maximum 15% of the built-up area is permitted ancillary uses. Hence, a	total ed for almost
	financially viable under the proposed regulation 33(25) of DCRP 2034; we request you to	e total
	Therefore, applicant's for other users m considered under provision of combinary various regulations.	reques ay be the
	2. Ancillary uses to include any type of commercial use. As per provision Reg.30(A)(12) of DCP development of plots combination of regulations is perm	R 2034 s unde variou
	modification, 30% considered at par w 33(2). Hence, this su is not acceptable.	rith Re

(PARINEE)	regulation 33(25).	
(7984141011 00(20).	services and conveniences. Hence, the amenities are required. Therefore,
	0 70	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	This building falls under Institutional building category. As per Reg. 33(2) of DCPR – 2034, additional FSI
	(For FSI 1.00).	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	As proposed in this Regulation, 30% of the total
TEMPORE THE	DCPR 2034; we request you to	permissible FSI is permitted for other users. Also,
	make available Min 50% of	maximum 15% of the total
	available FSI to be allowed for	built-up area is permitted for
	other users.	ancillary uses. Hence, almost
		45% of the total area is already considered for other
		uses. Further, reduction in
		per cent of Students &
	eres a	Women Hostel as a predominant user, will not
		serve the purpose of
19 19 19 19		regulation. Hence, this
	A The deferment	suggestion is not acceptable.
	4. The deferment payment scheme to be made availab	
	for this scheme at par will UDCPR / BMC / MHADA.	
1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1. 1	5. 25% of total BUA may	
	permitted for ancillary uses.	Regulation, 30% of the total permissible FSI is permitted
	g - Lander State Company	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 &
	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	Women Hostel as a
		predominant user, will not
	The Control of the Control	serve the purpose of regulation. Hence, this
		suggestion is not acceptable.
	6. Ancillary uses to inc	lude Ancillary users i.e. Canteen
	Hospital / Nursing Ho	
	Restaurant / Food Court, & salon, Supermarke	
	departmental store.	Similarly, as per provision of
the trace		Reg.30(A)(12) of DCPR 2034,
		development of plots under combination of various
		Combination of various

	1 2 2 3 3 3 3		regulations is permissible.
			Therefore, applicant's request
			for other users may be
			considered under the
			provision of combination of
		Sand Market San Control	various regulations.
5.	Dharmesh	1. To make the proposa	
	Chevli	financially viable under th	
		proposed regulation 33(25)	
		DCPR 2034; Min 50% of	
	0.110.095	available FSI to be allowed for	
		other users.	built-up area is permitted for
			ancillary uses. Hence, almost
			45% of the total area is
			already considered for other
			uses. Further, reduction in
	1.4845-192		per cent of Students &
			Women Hostel as a
			predominant user, will not
		The second secon	serve the purpose of
	The state of the		regulation. Hence, this
			suggestion is not acceptable.
		2. The additional FS	
		premium to be charged at the	
		rate of 20% of the land rates	
		as per ASR (For FSI 1.00).	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
		0 m	is not acceptable.
		3. The deferment payment	
		scheme 10:10:80 is to be made available for this	The state of the s
		distance ion this	permission to proposal.
		scheme at par with UDCPR.	
		4. Not to insist amenity space	Amenity as per Reg.14(A) of
	- 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1	under regulation 14 of DCPR 2034.	
	- 19-12 T F-68		adm. 4000.00 sq.m. or more
		NA THE RESERVE TO TH	which include utility, services
			and conveniences. Hence, the amenities are required
		E A STANDER THE SECOND SECOND	Therefore, this suggestion is
			not acceptable.
		5. 25% of total BUA may be	As proposed in this
		permitted for ancillary users.	Regulation, 30% of the total
			permissible FSI is permitted
			for other users. Also,
			maximum 15% of the total
			built-up area is permitted for
- 3			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
			Women Hostel as a
			mat I

	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.

- 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.
- Copy of Notification published in Mid Day and Loksatta on 12.03.2024 under No. CHE/19932B&C/DP/Gen, dated 14.03.2024.
- 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.

1)

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

Yours faithfully,

Chief Engineer (Development Plan)