



# BRIHANMUMBAI MUNICIPAL CORPORATION

C.E./DP/ 6926 / 447 JUL 10 JUL 2024

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To,  
**Hon.President / Secretary,**  
Maharashtra Chamber of Housing Industry(MCHI),  
Maker Bhavan-II, 4<sup>th</sup> Floor, 18,  
V.Thackaresey Marg, New Marine Line,  
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**Sub:- Queries regarding validity and effectiveness of Part  
Occupancy Certificate**

**Ref:-** Your letter u/No.MCHI/PRES/24-25/037, dtd.05.06.2024

Dear Sir,

Reference is requested to your above referred letter, regarding queries of validity and effectiveness of Part Occupancy Certificate.

The queries mentioned in your said letter and the remarks of this department are as follows;

- 1) Is a 'Part Occupancy Certificate' issued by the MCGM for a part of a building/ project which has been completed while the remaining of the building/ project is yet to be completed? If yes, under which provision of DCR/DCPR ?

**Remarks:** Under Regulation 6(8) of DCR 1991 and Regulation 11(8) of DCPR 2034, 'Part Occupation Certificate' is issued by BMC.

- 2) Is issuance of Part Occupancy Certificate for a part of a building/ project equivalent to issuance of an Occupancy Certificate [under Regulation 6(7) of the Development Control Regulations, 1991 and Regulation 11(7) of the Development Control and Promotion Regulations, 2034] for such part which entitles the builders to handover occupation of such part to the customer, while the remaining project is yet to be completed?

**Remarks:** On issuance of Part Occupancy Certificate, the builder can handover occupation to occupy the unit/s, for which the Part Occupancy Certificate is issued.

- 3) When is a 'Full' Occupancy Certificate issued by MCGM for a building/ project?

**Remarks:** Full' Occupancy Certificate is generally issued in following cases:

- (i) Occupancy Certificate is sought after the completion of the entire building/ project; or
- (ii) when Occupancy Certificate is sought for the last part of a building/ project, pursuant to issuance of Part Occupancy Certificate/s for the earlier part/s of the building/project.

Subject to the compliance of all the IOD and amended approval letter conditions if any, conditions/documents which are required for grant of OC such as water connection, lift completion, CFO completion etc.

- 4) Does the reference to a 'Full' Occupancy Certificate in any Part Occupancy Certificate, or the issuance of a 'Full' Occupancy Certificate for the last part of the building/project (in which Part Occupancy Certificate has been issued earlier for certain parts) reduce the effectiveness/ validity of the Part Occupancy Certificates issued earlier?

**Remarks:** A Part Occupancy Certificate once granted, it will remain in force and even if any subsequent part OC/full OC is granted, the same does not reduce the validity of the Part Occupancy Certificates issued earlier.

- 5) Can a Part/ Full Occupancy Certificate be issued without interior works of the flats in such building/ project being finished? In such a case, whether a Part/ Full Occupancy Certificate shall be sufficient to handover occupation of such unit(s) to the customer?

**Remarks:** Yes, in accordance with the MCGM circular number CHE/DP/9992/GEN dated 19<sup>th</sup> July 2017, O.C. is not issued on the basis of the completion of interior works except mandatory fixtures as per said circular which are required for O.C. / Part O.C. A Part/ Full Occupancy Certificate shall be sufficient to handover units for which Part / Full OC is granted.

This is for your information please.

Yours faithfully,

  
(Sunil Rathod)

Chief Engineer

(Development Plan)

Brihanmumbai Mahanagarpalika