

BRIHANMUMBAI MAHANAGARPALIKA

No. ChE/DP/10927 /GEN dtd. 30 JUL 2026

Subject : Procedural Guidelines for allowing Yogalaya/Fitness Centre/Meditation Centre/Recreational Activities free of FSI as per modified Regulation 37(28) & 37(28A) under DCPR-2034.

Reference : 1. U.D. notification U/No. TPB-4326/03/C.R.53/2026/UD-11 dated 06/05/2026.
2. Circular DCPR 2034 C-1 u/no. CHE/DP/110/Gen dated 2019-20

The Procedural Guidelines for allowing Yogalaya/Fitness Centre/Meditation Centre/Recreational Activities free of FSI under the modified provisions of Regulations 37(28) & 37(28A) of DCPR-2034 have been approved by the Hon'ble Municipal Commissioner u/no. MCP/2290 dtd. 28/07/2026.

A copy of the approved policy/guidelines is enclosed herewith for information and necessary action.

Accordingly, all Zonal Deputy Chief Engineers (Building Proposal) are hereby requested to circulate the said policy amongst all officers and staff working under their respective jurisdiction and ensure its strict compliance while scrutinizing and processing development proposals.

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Dy.Ch.E (B.P.) City

Dy.Ch.E (B.P.) W.S.-I

Dy.Ch.E (B.P.) W.S.-II

Dy.Ch.E (B.P.) E.S.

Dy.Ch.E (B.P.) Special Cell



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The Urban Development Department, Government of Maharashtra, vide Notification No. TPB-4326/03/C.R.53/2026/UD-11 dated 06.05.2026, has sanctioned modifications to Regulation 31(1)(xvii) and Regulation 37(28) and has introduced a new Regulation 37(28A) under DCPR-2034. The modifications provide for inclusion of Meditation Centres and Recreational Activities along with Yogalaya/Fitness Centres and enhance the extent of admissible area for such amenities.

The amendments provide for inclusion of Meditation Centres and Recreational Activities along with Yogalaya/Fitness Centres and increase the permissible free-of-FSI area from the earlier limit of 2% to 4% of the total Built-Up Area, subject to the conditions stipulated therein.

To ensure uniform implementation practices and to remove ambiguities, the following operational guidelines shall be followed.

1. The provisions of Regulations 37(28) and 37(28A) shall be applicable only to Co-operative Housing Societies, Apartment Owners Associations, Condominiums, Commercial Co-operative Societies, Commercial Condominiums and Commercial Premises Owners
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Associations, as specified in the Regulations. Further, provisions of Regulations 37(28) and 37(28A) shall be applicable to residential quarters of BMC/State/Central Govt./PSUs.

2. These provisions shall not be applicable to individual residential holdings/individual bungalows.
3. In residential building cumulative built-up area of Yogalaya/Fitness Centre/Meditation Centre/Recreational Activities shall be permitted free of FSI up to 4% of total proposed BUA computed as per prevailing policy circular C-1 u/no. CHE/DP/110/Gen dated 2019-20. Any area in excess of the admissible 4% limit shall be counted in FSI.
4. In office/commercial buildings, Yogalaya/Fitness Centre/Meditation Centre/Recreational Activities may be permitted exclusively for the members/owners of the Commercial Co-operative Society, Commercial Condominium or Commercial Premises Owners Association. In commercial developments, free-of-FSI area up to 4% of total proposed BUA computed as per prevailing policy circular C-1 u/no. CHE/DP/110/Gen dated 2019-20 and shall be permitted on payment of premium at the rate of 100% of land rate for FSI 1 as per Annual Statement of Rates (ASR). Said area shall be provided in Commercial wing/part of commercial floor preferably on upper floors with common access. Said area shall be earmarked as Fitness Centre for commercial users of said building.
5. In case of existing buildings (Residential/Commercial) having Occupation Certificate (OC) or Building Completion Certificate (BCC), proposals for Yogalaya/Fitness Centre/Meditation Centre/

Recreational Activities shall be submitted by the Registered Co-operative Housing Society, Apartment Owners Association or Condominium.

6. In case of proposed or ongoing developments, the Owner/Developer may submit the proposal along with a registered undertaking confirming that the premises proposed under Regulation 37(28) and 37(28A) shall be handed over to the Co-operative Housing Society, Apartment Owners Association or Condominium after completion of development.
7. The premises shall be utilized exclusively for Yogalaya, Fitness Centre, Meditation Centre and Recreational Activities including ancillary toilet facilities and for the exclusive intended purpose for residents only.
8. Covered swimming pool may be permitted as part of the Fitness Centre by considering it's area within 4% limit.
9. The premises permitted under these Regulations shall not be used for any commercial activity or for any purpose other than those specified in the Regulations.
10. The ownership of the Yogalaya/Fitness Centre/Meditation Centre/Recreational Activities premises in both Residential & Commercial building shall vest with the concerned Society, Association or Condominium, as the case may be, and the said premises shall not be sub-leased, rented, or permitted to be used by any third party for commercial purpose.
11. Such area may be provided/bifurcated and shall be subject to the following distribution provisions and other conditions;

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- a) For standalone building, such area may be provided/bifurcated at maximum 3 locations within building.
- b) For buildings having multiple wings, such area may be provided/bifurcated in multiple wings subject to maximum at 2 locations in each wing.
- c) For layout having multiple buildings such area may be provided in multiple buildings subject to maximum at 2 locations in each wing.

However, contiguous area of such fitness centre shall not be less than 30.00 sq.m. at least at one such location and in consonance with the minimum width and height prescribed for habitable rooms under Regulation 37(2) and 37(3) of DCPR-2034. Any height in excess of 4.2 m shall be deemed to have consumed an additional F.S.I. of 50% of the relevant floor area. Provided that, for commercial user in mixed use if area of fitness centre 4 % cap arrives less than 30 sq.mt, project proponent shall provide 30 sq.mt area.

12. In layouts where a Club House exists or is proposed within the Layout Recreational Ground (RG) permissible under Regulation 27, the cumulative built-up area admissible free of FSI for Yogalaya/Fitness Centre/Meditation Centre/Recreational Activities under Regulations 37(28) and 37(28A) and built-up area of Club House together shall not exceed 4% of total proposed BUA computed as per prevailing policy circular C-1 u/no. CHE/DP/110/Gen dated 2019-20. Any area beyond the admissible 4% entitlement shall be counted in FSI.

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13. In layout comprising residential buildings along with commercial buildings, the admissible area for Yogalaya/Fitness Centre/Meditation Centre/Recreational Activities shall be permitted free of FSI up to 4% of total proposed BUA computed as per prevailing policy circular C-1 u/no. CHE/DP/110/Gen dated 2019-20 of residential buildings only. Such free of FSI entitlement shall be computed considering only residential component of the layout and may be distributed amongst one or more residential buildings within the layout, subject to compliance with regulation 37(28) and these guidelines. The benefit under Reg. 37(28) shall not be admissible on the BUA of commercial buildings. Any facility proposed for commercial buildings shall be governed by Reg. 37(28A) and conditions prescribed therein.

14. In specific cases where a clearly demonstrable hardship is caused and for reasons to be recorded in writing, the Municipal Commissioner may permit relaxation in the minimum dimensions in accordance with the powers vested under Regulation 6(b) of DCPR-2034.

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Municipal Commissioner