

MUNICIPAL CORPORATION OF GREATER MUMBAI
No. CHE/22276/DP/GEN OF 30.1.2012

Sub:- Clarification regarding procedure to be followed for implementation of modified provisions of Development Control Regulations for Greater Mumbai

Ref:-CHE/22276/DP/GEN Dt. 12.1.2012

A circular has been issued for procedure to be followed for ongoing / new proposal after sanction of modification to certain Regulations of Development Control Regulations for Greater Mumbai, 1991. There are queries and questions in the minds of Staff/Licensed Surveyors/Architects regarding implementation, hence it is felt necessary to clarify further as under:-

- 1) Residential/Non Residential user:-
The fungible FSI to the extent of 35% shall be available on prorata basis for purely residential tenements. Non residential users including Hotel, Lodging house, Hospitals, Nursing Home, School etc. will be eligible only for 20% fungible FSI on prorata basis.
- 2) As regards para A(3) of the circular dtd. 12.1.2012 referred to above, it is to clarify that
 - a) Internal changes without affecting the approved existing footprint will be permitted and will not be considered as amendment for making applicability of modified D. C. Regulations, if FSI on each floor does not vary.
 - b) Minor variation in dimension of the footprints may be permitted provided the approved F.S.I. on each floor does not vary and the deficiency in open spaces does not exceed.
 - c) In case of two or more wings already approved building plans, if one or more wings is proposed to be amended, then modified regulation will not be made applicable to the wing/s where there is no change in the approved plans.
- 3) In case of terrace above shop, if the roof above shop is provided with R.C.C. slab having slope 1.5 then same will be considered as slopping roof and will not be counted in FSI. However, it will be verified at the time of grant of C. C. beyond floor above shop that R.C.C. slab with 1:5 slope has been cast as ceiling to the shop.
- 4) In case of artificially ventilated shaft provided with dimension not more than D.C.R. 42 (2) and further if all sides of such ventilation shaft is abutting toilet/W.C. bathrooms only, then such a ventilation shaft can be allowed free of FSI provided the same is open to sky right from ground level.
- 5) In case of redevelopment/reconstruction of the existing building in city & Suburbs/extended suburbs, the fungible compensatory FSI admissible for rehabilitation component shall be granted without charging premium. Such fungible FSI shall however be distributed on prorata basis for the area of each existing tenements. Fungible F.S.I. of one rehab tenement cannot be used for any other rehab tenement.
- 6) In case of the development under D.C.R. 33 (5) as also for the redevelopment proposals under 33 (7), 33 (9) etc, where the O.C.C. is not granted and if owner/developer/society comes

forward for availing the fungible F.S.I., in that case, fresh N.O.C. from M.H.A.D for utilization of fungible FSI shall not be insisted.

- 7) A cantilever projection not exceeding 2 mts. In width may be permitted beyond the building line. No such projection shall be reduce the minimum marginal open spaceto3 mts. At the three sides & 1.5 mt. in the front.
- 8) The top of chajja, cornice, weather shade, sun breaker etc. provided as per Regulation 35 (2) (xii) and (xii) shall be atleast 600 mm below the floor level immediately above and the thickness of such chajja, cornice etc. shall not be more than 150 mm. Further, no facia/railing of any kind shall be permitted for such chajja, cornice, weather shade, sun breaker etc.

Director (ES&P)/Hon. M.C's approval is requested to above.

On receipt of approval, all concerned staff will be informed accordingly please.

Sd/- 30.1.2012
CH. ENG. (D.P.)

DIRECTOR (ES&P)

M.C.
Sir,

Sd/-
30.1.2012
DIRECTOR (ES&P)
(DIR/ES&P/3636/I)

Sd/-
30.1.2012
MUNICIPAL COMMISSIONER
(MGC/F/6827)

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