

MUNICIPAL CORPORATION OF GREATER MUMBAI

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Sub:- Guidelines for time bound approvals of building proposals and layout, sub divisions, etc.

The Govt. in U.D. Deptt. has recently modified certain D.C. Regulation under No.CMS/TPB-4311/452/Case No. 58/2011/UD-11 dt.6.1.2012.

In view of these modifications in certain D.C. Regulation, it is necessary to scrutinize the building proposals strictly in accordance with these modifications. The procedure for implementation of modified provisions of D.C.R. is, circulated under No.CHE/22276/DP/Gen. dt.12.1.2012.

With elimination of discretion in grant of FSI free areas, and clarity in rules, it is now possible to scrutinise the proposals and approve the same in a time bound manner.

In view of above, the guidelines and procedure for expeditious approvals of Building' Proposals is put up herewith for approval of Director (ES&P)/ Hon, M.C.

Submitted please.

Sd/- 23.1.2012

CH.ENG.(D.P.)

MUNICIPAL CORPORATION OF GREATER MUMBAI

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With elimination of discretion in grant of FSI free areas, and clarity in rules, it is now possible to scrutinise the proposals and approve the same in a time bound manner.

In view of above, the following guidelines and procedure shall be followed for expeditious approvals of Building Proposals:-

PROCEDURE FOR APPROVALS OF PROPOSALS OF LAYOUT/SUB DIVISION/ AMALGAMATION & BUILDING PROPOSALS

1) Layout/ sub-division/ Amalgamation:-

- Annex – I: i) S.E.B.P. will insist the documents as listed in Annexure-I, before submission of proposal by the Architect.
- Annex – II: ii) He will send the plans to the Executive Engineer of the other concerned Departments and to A.E.(Survey), carry out inspection of the site with the Architect/Licensed Surveyor and scrutinise the proposal within the specified time limit as detailed in Annexure-II.
- Annex – V: iii) The scrutiny of the layout/ sub-division/ amalgamation proposal shall be carried out with due regards to the general requirements as detailed in Annexure-V.
- iv) It will be the responsibility of the concerned Executive Engineer (B.P.) to ensure that the proposals are finally decided within 60 calendar days from the date of acceptance.

Note: It can be seen from the Annexures - I & II that the entire process is completed in 43 working days i.e. total 60 calendar days at the most. Any case which is not approved within 60 calendar days will be brought to the notice of M.C. by concerned Executive Engineer (B.P.).

2) Building Proposal:-

- Annex – III: i) S.E.B.P. will insist the documents as listed in Annexure - III and accept the building proposal.
- Annex – IV ii) He will send the plans to the Executive Engineer of other concerned Departments & to A.E. (Survey), carry out inspection of the site with the Architect/Licensed Surveyor and scrutinise the proposal as detailed in Annexure - IV.

- iii) The scrutiny of the building proposal shall be carried out with due regards to the general requirements as detailed in Annexure - V.
- iv) It will be the responsibility of the concerned Executive Engineer (B.P.) to ensure that the proposals are finally decided within 60 calendar days from the date of acceptance.

Note: It can be seen from the Annexures - III & IV that the entire process is completed in 45 working days i.e. total 60 calendar days at the most. Any case which is not approved within 60 calendar days will be brought to the notice of M.C. by concerned Executive Engineer (B.P.).

3) Where the NOCs/remarks are called for from other Departments viz. Hydraulic Engineer/ Town Planning/ Solid Water Drain/ Sewerage Project/ Roads/ Traffic/ Chief Fire Officer, etc., the same shall be forwarded by the concerned Executive Engineer/C.F.O. Department to the concerned E.E.B.P. with a copy of the report endorsed to the S.E. of Building Proposal Department with a period of 2 weeks. If NOC/ remarks are not received by the Building Proposal Section within 2 weeks, it will be presumed that they have no remarks to offer and if any deficiency arises out of non receipt of such NOC/ remarks from such Department, the concerned Executive Engineer of that Department/ C,F.O. shall be held responsible for the same.

4) Various time limits specified for scrutiny & disposal of proposal by all the Departments including the Building Proposal Department shall be strictly adhered to.

5) E.E.B.P. will ensure that the above procedure is scrupulously followed and the final decision (approval/ rejection) is conveyed to the Architect/ owner within 60 calendar days from the date of submission of the proposal.

6) Any lapse in this regard by the Building Proposal staff & staff of concerned other Departments will be viewed seriously.

Sd/- 23.1.2012

CH.ENG. (D.P.)

Sd/- 23.1.2012

DIRECTOR (ES&P)

Sd/- 24.1.2012

MUNICIPAL COMMISSIONER

ANNEXURE – I
SUBMISSION OF LAYOUT PROPOSAL

- A) The documents to be submitted for allowing the proposal for approval of layout/sub division/amalgamation.
- 1) Notice u/s. 302 of BMC Act in prescribed format alongwith complete set of plans (8 sets) as prescribed in the D.C. Regulation No. 5(2) indicating therein the prominent roads, landmarks in the neighbourhood near the site under reference on the location plan as well as block plan.
- 2) Form of Supervision by Architect / licensed surveyor in prescribed proforma.
- 3) P.R. Cards (stating therein area in words) issued not earlier than one year from the date of submission along with city survey plan/True extract. Triangulation calculation for plot area and other documents for area of the plot, Owner's Affidavit and architects' certificate for area of the plot as prescribed in D.C. Regulation No. 5(3)(ii)(c).
- 4) U.L.C. Clearance wherever necessary as per the guidelines issued by the Government.
- 5) NOC from a Special Planning Authority, MMRDA, MIDC etc. if applicable.
- 6) NOC from Bombay Housing and Area Development Board for development of cessed properties in Island City.
- 7) Attested copy for payment of tax up to date paid to assessment dept.
- 8) Copy of Development permission issued by D. P. section along with plan in case of development of land under reservation.
- 9) Copy of Change of user permission from 12 to R/C1 along with copy of plan issued by D. P. Dept., wherever applicable.
- 10) Title clearance certificate from Solicitor and PAN Card.
- 11) NOC from Railways, wherever applicable.
- 12) N.O.C. from M.H.A.D.A. for DCR 33 (5) proposals.
- 13) In case of Govt./ M.C.G.M. land, N.O.C. from Collector/ concerned authority of the Govt. / Estate Dept. of M.C.G.M.
- 14) Copy of D.P./T.P. remarks issued not earlier than 1 year.
- 15) The documents showing the authenticity of the structures proposed to be retained/where an extension to the structure either vertical or horizontal is proposed, to ascertain that the structure which is proposed to be retained is not unauthorized. Where the structures are unauthorized and proposed to be retained. Layout/sub-division/amalgamation shall not be issued.
- 16) In case a plot is to be developed by deriving a "right of way", a Registered agreement from the concerned owner.
- 17) N.O.C. from Highway Authorities wherever applicable.
- 18) Prima-facie F.S.I. calculations showing that no imbalance of F.S.I. is created due to proposed sub division (In case existing structures are proposed to be retained).
- 19) NOC from Charity Commissioner in case of properties owned by Trusts.

Sd/- 23.1.2012
CH..ENG.(D.P.)

Sd/- 23.1.2012
DIRECTOR(ES&P)

ANNEXURE – II

SCRUTINY OF LAYOUT PROPOSAL

A) S.E.B.P. shall receive the proposal. He will give ail appointment to the Architect and no further documents shall be called except mentioned in the Annexure-I. If the documents mentioned in Annexure-I are not submitted, the S.E. will not accept the proposal. S.E. will inform the Architect immediately during the discussions in this regard. This will do away with the need of giving the notice of requisition under section 302A of B.M.C. Act and writing to the Architect for final submission of the proposal and waiting for the same.

B) Once application is accepted, S.E. concerned shall put up his remarks at the appropriate place that the application is accepted and Architect will be directed to pay the scrutiny fee.

C) The proposal shall not be referred back or reference be made asking for unnecessary further particulars.

D) TIME SCHEDULE

- 1) **Within 4-working days:** S.E. will forward the proposal to A.E.(Survey) for remarks, simultaneously the concerned S.E. will forward the copies of plans submitted by the Architect to the other concerned Municipal Deptts. (concerned Ex. Engineers) for their remarks to be returned back by the Deptt. with remarks within 2-weeks. The name/address of the Architect and the contact No. shall also be forwarded along with the said plans to the respective Deptts. stating therein that if any further information is necessary to the concerned Deptt., they should contact the Architect and obtain the information so as to ensure that the Deptt.'s remarks are received by the Building Proposal Section positively within 2- weeks.

It will be the responsibility of the concerned Ex. Engineer of other departments of MCGM to ensure that the remarks are forwarded to the Building Proposal Section positively within 2-weeks failing which he will be held responsible. If no remarks are received within 2-weeks, it will be presumed that the concerned Deptt. has no objection to the proposal and the proposal shall be processed accordingly by the Building Proposal Staff.

- 2) **Within 4 working days:** A.E.(Survey) will return the papers with his remarks.
- 3) **Within 4-working days:** On receipt of survey remarks, S.E. will carry out the site inspection along with the Architect and the concerned A.E.B.P.
- 4) **Within 7-days:** S.E. shall scrutinize the proposal, pending remarks from other Deptts. And submit the papers along with the scrutiny to concerned A.E.B.P.
- 5) **4-days:** A.E.B.P. shall scrutinize the proposal and submit the E.E.B.P.

- 6) **Within 10-days:** E.E.B.P. shall scrutinize the proposal based on the remarks received or not received from various Deptt. and submit to Dy.Ch.Eng.(B.P.)'s approval.
- 7) **Within 7-days:** Ex.Eng.(B.P.) will call the concerned Architect to give the clarification or amend the plans, if necessary so as to make the proposal approvable.
- 8) **Every Fortnight:** Ex.Eng.(B.P.) shall convene a meeting of all the concerned Officers of the various Department of M.C.G.M. on predetermined days say 1st & 3rd Tuesday. If any day is holiday, then on next working day and ensure that remarks are received in all cases, which were referred a fortnight earlier.
If remarks are not received, in any case, it shall be brought to the notice of Director (ES&P)/ D.M.C.(E)/ D.M.C. (S.E.) who shall view the lapse seriously.
- 9) **Within 3-days:** Ex.Eng.(B.P.) will conclude the decision on the proposals placed before him after going through all the remarks for grant of approval or rejection.

Sd/- 23.1.20.12
CH.ENG.(D.P.)

Sd/- 23.1.2012
DIRECTOR(ES&P)

ANNEXURE – III

SUBMISSION OF BUILDING PROPOSAL

- A) The documents to be submitted along with the application for approval of building proposals.
- 1) Notice u/s.337/ 342 of M.M.C.Act/1888 in prescribed format and application U/s.44/ 69 of M.R.&T.P.Act,1966/ alongwith complete set of plans (15 sets or as required) as prescribed in the D.C. Regulation No. 5(2) indicating therein the prominent roads, landmarks in the neighbourhood near the site under reference on the location plan as well as block plan.
 - 2) Form of Supervision by Architect / licensed surveyor in prescribed proforma.
 - 3) P.R. Cards (stating therein area in words) issued not earlier than one year from the date of submission along with city survey plan/True extract. Triangulation calculation for plot area and other documents for area of the plot, Owner's Affidavit and architects' certificate for area of the plot as prescribed in D.C. Regulation No. 5(3)(ii)(c).
 - 4) U L.C. Clearance wherever necessary as per the guidelines issued by the Government.
 - 5) NOC from a Special Planning Authority/ MMRDA/ MIDC etc. if applicable.
 - 6) NOC from Bombay Housing and Area Development Board for development of cessed properties in Island City.
 - 7) Attested copy for payment of tax up to date paid to assessment dept.
 - 8) Copy of Development permission issued by D. P. section along with plan' in case of development of land under reservation.
 - 9) Copy of Change of user permission from I₂ to R/C₁ along with copy of plan issued by D. P. Dept., wherever applicable.
 - 10) Title clearance certificate from Solicitor and PAN Card.

- 11) NOC from Railways, wherever applicable.
- 12) N.O.C. from M.H.A.D.A. for DCR 33(5) proposals.
- 13) In case of Govt./ M.C.G.M. land/ N.O.C. from Collector / concerned authority of the Govt. / Estate Dept. of M.C.G.M.
- 14) Copy of D.P./T.P. remarks issued not earlier than 1 year.
- 15) The documents showing the authenticity of the structures proposed to be retained/where an extension to the structure either vertical or horizontal is proposed/ to ascertain that the structure which is proposed to be retained is not unauthorized.
- 16) In case a plot is to be developed by deriving a "right of way", a Registered agreement from the concerned owner.
- 17) N.O.C. from Highway Authorities wherever applicable.
- 18) Copy of approved layout/ sub-division/ amalgamation alongwith terms & conditions.
- 19) NOC from Charity Commissioner in case of properties owned by Trusts.

Sd/- 23.1.2012
CH.ENG.(D.P.)

Sd/- 23.1.2012
DIRECTOR (ES&P)

ANNEXURE – IV

SCRUTINY OF BUILDING PROPOSAL

A) S.E.B.P./ A.E.B.P. shall receive the proposal. He will give an appointment to the Architect and no further documents shall be called except mentioned in the Annexure-IV. If the documents mentioned in Annexure-IV are not submitted, the S.E./ A.E.B.P. will not accept the proposal. S.E. will inform the Architect immediately during the discussions in this regard.

However after scrutiny, the further particulars regarding necessary changes in the building plan/ FSI calculations/ any essential document, etc. shall be called for In writing within a period of 2 weeks.

B) Once application is accepted, S.E. concerned shall put up his remarks at the appropriate place that the application is accepted and Architect will be directed to pay the scrutiny fee.

C) The proposal shall not be referred back or reference be made asking for unnecessary further documents.

D) TIME SCHEDULE

- 1) **Within 4-working days:** S.E./ A.E. will forward the proposal to A.E. (Survey) for remarks, simultaneously the concerned S.E. will forward the copies of plans submitted by the Architect to the other concerned Municipal Deptts. (concerned Ex. Engineers) for their remarks to be returned back by the Deptt. with remarks within 2-weeks. The name/address of the Architect and the contact No. shall also be forwarded along with the said plans to the respective Deptts. stating therein that if any further information is necessary to the concerned Deptl., they should contact the Architect and obtain the

information so as to ensure that the Deptt.'s remarks are received by the S.E./ A.E. of Building Proposal Section as the case may be positively within 2-weeks without fail.

It will be the responsibility of the concerned Ex. Engineer of other Departments to ensure that the remarks are forwarded to the Building Proposal Section positively within 2 weeks failing which he will be held responsible. If no remarks are received within 2 weeks, it will be presumed that the concerned Deptt. has no objection to the proposal and the proposal shall be processed accordingly by the Building Proposal Staff.

- 2) **Within 4-working days:** A.E. (Survey) will return the papers with his remarks.
- 3) **Within 5-days:** On receipt of survey remarks, S.E./ A.E. will carry out the site inspection along with the Architect and the concerned A.E.B.P./ E.E.B.P. The measurements of existing structures to be retained/ demolished as the case may be shall be recorded during the said visit by the staff. The salient features like setback, natural water course, high tension transmission lines, topography of plot, access width and its status, etc. shall be properly observed and ensured that the same are reflected on the building plans.
- 4) **14 working days:** S.E./ A.E. as the case may be shall scrutinize the proposal, pending remarks from other Departments and put up further particulars to be issued to the Architect within 15 days. However, he will simultaneously submit the papers along with the scrutiny to concerned E.E.B.P./ Dy.Ch.Eng.(BP) alongwith report to M.C. for obtaining sanction for condonation of deficiencies, exemption of staircase, lift areas by charging premium, utilization of fungible FSI by charging premium, any other sanction requiring M.C.'s special permission, etc. for full permissible built up area Including TDR utilization/ additional FSI under D.C.R.33j utilization of fungible FSI, etc.
- 5) **14 working days:** S.E./ A.E.B.P. shall scrutinize the proposal and submit the same to E.E.B.P.
- 6) **18 working days:** E.E.B.P./ Dy.Ch.Eng.(BP) will call the concerned Architect to give the clarification or amend the plans, if necessary so as to make the proposal approvable.
- 7) **18 working days:** E.E.B.P./ Dy.Ch.Eng.(BP) shall scrutinize the proposal based on the remarks received or not received from various Departments.
- 8) **18 working days:** E.E.B.P./ Dy.Ch.Eng.(BP) will submit the concession report to Ch.Eng.(D.P.)/ Director(ES&P)/ M.C.
- 9) **18 working days:** The activities described in (c) of Annexure-V and the above activities shall be carried out concurrently.
- 10) **Every fortnight:** E.E.B.P. shall convene a meeting of all the concerned Officers of the various Deptts. of M.C.G.M. from whom remarks are not received as per Annexure-III.
- 11) The files submitted to Ch.Eng.(D.P.)/ Director(ES&P) & Hon. M.C. shall he decided preferably within 7 working clays each.
- 12)
 - a) Any building proposals up to 600 Sq.Mt. in Island City and 2500 Sq.Mt. in Suburbs & Extended Suburbs & layout proposals shall be processed by S.E.B.P./A.E.B.P/E.E.B.P./Dy.Ch.Eng.(BP)/ Ch.Eng.(D.P.)/ M.C.
 - b) Any building proposals for plot area more than 600 Sq.Mt. in Island City and more than 2500 Sq.Mt. in Suburbs & Extended Suburbs shall be processed by S.E.B.P./A.E.B.P/E.E.B.P./Ch.Eng.(D.P.)/ Director (ES&P)/ M.C.
 - c) In all cases C.C. will be granted by E.E.B.P.

d) The occupation permission/ acceptance of B.C.C. will be decided by E.E.B.P.

Sd/- 23.1.2012

Sd/- 23.1.2012

CH.ENG.(D.P.)

DIRECTOR (ES&P)

ANNEXURE – V
GENERAL REQUIREMENTS

A) PROPOSALS IN LAYOUTS:

- 1) The R.G. in the layout of land as per the requirement of D.C. Reg. no. 23 shall be provided at one place as far as possible at the rate of 15%, 20%, and, 25% depending on the area of the plot.
- 2) In case of proposals of partially developed layouts, approved prior to D.C. Regulations came into force, if there is any deficiency in physical provisions of R.G.(R.G. beyond 15%) due to building constructed in the layout, the same shall be condoned by charging premium at the premium rate i.e. 25% of Ready Reckoner Rate.

- 3) The proposals where width of internal layout road is not in conformity with the D.C. Regulations, if it is not possible to widen the same due to existing development in the layout, the deficiency in width or access shall be condoned on merits by charging premium for deficient area (deficient width x length of road) of means of access at premium rate i.e. 25% of Ready Reckoner Rate. Same policy shall apply to the proposals in the plots having inadequate width of means of access.

4) **DEVELOPMENT OF INFRASTRUCTURE IN LAYOUTS:-**

It is observed that in case of large layouts, developed under one ownership, it is not possible to provide all these infrastructures at a time and hence it would be necessary to divide the large layouts into small sectors less than 2 hectares. In such phase wise developments, the development of such phases would be permitted as per the present policy viz.

- a) Construction of roads upto water bound macadam before the grant of commencement certificate, and
- b) Provisions of S.W.D. Sewer line, streetlights, water mains and asphaltting before grant of occupation.

B) MISCELLANEOUS:

- 1) Height of stilts up to 4.2 mts. will be permitted at Executive Engineer level.
- 2) Height of the basement shall not be more than 3 mt., out of which clear height below the beam shall not be less than 2.4 mt. In case of stack parking is proposed, the height may be permitted up to 4.2 mt. In case of puzzle parking, the height of the basement shall be as per; the design requirements (height of each tier not exceeding 2.2 mt.). Subject to these guidelines, the basement will be permitted by E.E.B.P.
- 3) The items included in the modified D.C.R.35(2) except those requiring M.C.'s special permission shall be permitted at E.E.B.P.'s level by strictly adhering to circular U/No.CHE/22776/DP/GEN. dtd.12.1.2012 & as modified from time to time.
- 4) Provisions of car lift for multi-storied basement where provision of ramp is not feasible may be allowed.
- 5) The first basement below the building line shall be minimum 0.6 mt. and maximum 1.2 mt. above the surrounding ground level. Rest of the basement may be at ground level. The height of the basement below the ground level shall be as per Item No.2 above.
- 6) The layout R.G. may be permitted above the basement at ground level. The basement slab shall be designed to take load of earth filling for the R.G. The part of such R.G. may be allowed to be paved for proper moveability of Fire Engine.

C) APPLICATION OF THIS POLICY:

- 1) This will be followed for all proposals with immediate effect.
- 2) In case of submission of new proposals, concerned S.E./ A.E. will only scrutinize and check the accompaniments of the proposals as per the Annexure and accept the same. In the event of shortcoming in the documents, if any, the Architect will be informed immediately during discussion in this regard.
- 3) Lands under nalla and watercourse generally are Govt./Municipal lands. Such lands are not marked with any C.T.S. Nos. and shown as nalla on C.T.S. plan. F.S.I. of such nalla/ watercourse is not admissible. In case where area and city survey number are shown on P.R. Card includes area of land under nalla/water course F.S.I. of such lands shall be allowed to the landowners subject to compliance of the requirements of S.W.D.Deptt.
- 4) Proposals for structural repairs to the cessed or un-cessed buildings shall be considered as per policy in force. However, Applicants shall be motivated to formulate the proposals for reconstruction of the buildings as per the provisions of D.C. Reg. No. 33(6) & 33(7) so as to clear the set-back in Island City area. However, essential tenantable repairs such as replacement of decayed wooden members with the same material, replacement of flooring, plastering of walls etc. shall be allowed so as to enhance the life of the building.

D) EXERCISE OF DELEGATED AUTHORITY BY SUB- ORDINATE STAFF:

- 1) All the works where C.C. has been issued shall be visited either by S.E. or by A.E. for inspection at least once in every month as per programme drawn by the E.E.B.P. concerned. Inspection report of these periodical visits shall be maintained in prescribed Proforma.

E) SUBMISSION OF REPORTS TO HON. M.C.

It is directed to ensure that the proposals are received with plans for full permissible FSI, including TDR utilization/additional FSI as per D.C.R.33 and permissible fungible FSI thereon, and submit the duly scrutinised comprehensive proposal to Hon'ble M.C. at one time only

- 1) To allow staircase, lift, lobby free of F.S.I. by charging premium as per D.C.R. 35(2).
- 2) To allow fungible F.S.I. as per DCR 35(4).
- 3) To obtain the sanction for condonation of deficiency in open space under DCR 64(b).
- 4) To allow additional FSI under D.C.R.33.
- 5) To allow any other specific point where M.C.'s special permission is required.

Sd/- 23.1.2012
CH.ENG.(D.P.)

Sd/- 23.1.2012
DIRECTOR (ES&P)
