

**MUNICIPAL CORPORATION OF GREATER MUMBAI**

**Ch. En. E/S. P. 16249 (D.P.)**  
12.8.15

Sub: Requesting Clarification from Urban Development Department, Govt of Maharashtra regarding recent notification to modify the explanatory note (i) to Reg 35(4) of DCR 1991.

Ref.:- CHE/DP/21892/Gen dated 17.07.2015. (pg. C-15 to C-16)

Reference is requested to Ch.Eng.(D.P.)'s note at pg C-15 regarding a note to be put up for clarification to U. D. department, Government of Maharashtra regarding recent notification to the explanatory note to Reg 35(4) OF DCR 1991.

In that regards, direction were issued by Ch.Eng.(D.P.) to obtain remarks of all Zonal Dy.Ch.Eng.(B.P.) and to compile the same. Accordingly, remarks are received from Dy.Ch.Eng. (B.P.)City vide at pg C-17 and Dy.Ch.Eng.(B.P.) W.S.-II vide at pg C-19.

A draft note is put up for Ch.Eng.(D.P.)'s approval so as to forward the same to Urban Secretary, U.D. Department, Mantralaya.

**Chief Engineer  
(Development Plan)**

बुहन्मुंबई महानगर पालिका			
प्रमुख अभियंता (विकास नियोजन)			
यांचे कार्यालय			
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12 AUG 2015			
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क्र.प्र.अ/वि.नि.			
साधक	राहर	पूर्व. उप	प. उप
मा. अति.	टिडीआर	लेखा	आस्था

CHE/DP/21892/Gen Dt. 14/08/15  
Reference is requested to draft letter PN3/M.  
for asking clarification from UDD regarding recent notification received for reg. no. 35(4).  
This issue is discussed with Hon. M.C. in one of the meetings, where Hon. M.C. directed to wait till such cases are submitted for approval.  
In view of above, if agreed by Hon. M.C. the clarification if required (विकास नियोजन) will be asked as and when such cases are submitted.  
submitted for further instructions.

*[Signature]*  
11.8.15  
Dy.Ch.Eng.(B.P.)E.S

*[Signature]*  
Hon. M.C.  
Sir,

Yes. Till then our existing methodology will continue.  
*[Signature]*

*[Signature]*  
12/08/15  
Ch. En. E/S

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01/8/15

Municipal Commissioner.  
Ch. En. E/S

बृहन्मुंबई महानगरपालिका  
आयुक्त्याचे कार्यालय  
14 AUG 2015  
समाय ११, १२, १३, १४  
१५, १६, १७, १८  
दस्तावेज क्र. MP/6886

बृहन्मुंबई महानगर पालिका  
प्रमुख अमित्या (विकास नियोजन)  
यांचे कार्यालय  
26061  
20 AUG 2015  
026061

क्र.प.ज./दि.नि./	शहर	पूर्व. उप	प. उप
मा. अधि.	दि.डी.आर	लेखा	आस्था

CH/E/DP/26061 (Gen DT-21 AUG 2015)

Dy. Ch.E. (BP) ES

20/08/2015  
अमित्या (विकास नियोजन)

बृहन्मुंबई महानगर पालिका  
टपप्रमुख अमित्या हमारत प्रस्ताव  
(सुभ उपनगरे) यांचे कार्यालय  
24 AUG 2015  
२२५  
११, १२, १३, १४, १५, १६, १७.

कार्य अति. (र.प.) पू. उप.  
Sent xerox copies to  
all Dy. Ch.E.  
A. O. M. E.  
Please send

- 1) सहा. अधि (र.प.) एल/एन - १००
  - 2) सहा. अधि (र.प.) एल/टी - १००
  - 3) सहा. अधि (र.प.) एम/पू.प - २००
  - 4) पु. लि. (र.प.) पू. उप - २००
  - 5) पु. लि. (अस्था) पू. उप - २००
- कार्य अति (र.प.) पु. उपनगरे १/२

DyChE(BP)/8215/ES  
04.09.2015

201530

DyChE(BP)WS-2

बृहन्मुंबई महानगरपालिका  
प्रमुख अमित्या (विकास नियोजन)  
यांचे कार्यालय  
1-156 SSEP - 2015  
3575

S.E. (R.P.) W.S.  
S.E. (S.P.) W.S.  
S.E. (B.P.) W.S.  
A.C./H.C. (B.P.) will circulate  
For Further Necessary action & Report F  
19/9/15  
Dy.Ch.E.(B.P.)/S.E.(B.P.)/S/A.E.(B.P.)/WS/JAL

To,  
The Urban Secretary,  
Urban Development Department,  
Mantralaya, Mumbai- 400 032.

Sub: Clarification for the modification and subsequent clarifications issued by Govt. of Maharashtra Urban Development Department

- a) Modification to DCR 35(4) under no TPB/4613/762/CR-44/2014-UD-11 dated 21/05/2015
- b) Clarification under no TPB/4315/962/CR-44/2014/UD-11 dated 15/7/2015

Sir,

Reference is required to the above subject a) modifications, in which modifications to the explanatory note (i) to Regulation 35(4) of the Development Control Regulation for Greater Mumbai, 1991, is proposed and subsequent clarification there on subject b) above

After going through Modification and subsequent clarification the Office of Ch. Eng (DP) requires clarification to the certain points which are as follows :-

1) Balcony

- Whether to allow free of FSI with premium as per policy prior to 6th Jan 2012

OR

- By charging premium as per Fungible FSI @ 60%,80%,100% depending on user

2) 2nd staircase

- Whether to allow free of FSI without premium as per DCR prior to 6th Jan 2012 clause 35(2) (d)

OR

- By charging premium at the rate of 25% For Residential; 31.25% for Industrial; & 50% for Commercial

OR

- By charging premium as per Fungible FSI @ 60%,80%,100% depending on user

3) Niche

- Whether to allow free of FSI without premium as per DCR prior to 6th 2012

OR

- By charging premium as per Fungible FSI @ 60%,80%,100% depending on user

4) Elevation treatment up to permissible limit

- Whether to allow free of FSI without premium as per DCR prior to 6th Jan 2012

OR

- By charging premium as per Fungible FSI @ 60%,80%,100% depending on user

5) Elevation treatment beyond permissible limit with special permission of MC

- Whether to allow free of FSI without premium as per DCR prior to 6th Jan 2012

OR

- By charging premium as per Fungible FSI @ 60%,80%,100% depending on user

6) Service duct as per Reg 35 (2)(m) of DCR prior to modification dt.06.01.2012

- Whether to allow free of FSI without premium as per DCR prior to 6th Jan 2012

OR

- By charging premium as per Fungible FSI @ 60%,80%,100% depending on user

7) Cutoff Passage thereto

- Whether to allow free of FSI by charging premium at the rate of 25% For Residential; 31.25% for Industrial; & 50% for commercial

OR

- By charging premium as per Fungible FSI @ 60%,80%,100% depending on user

8) Extra passage with more than required as per relevant DCR and 35(2)(m)

- Whether to allow free of FSI by charging premium at the rate of 25% for Residential; 31.25% for Industrial; & 50% for commercial

OR

- By charging premium as per Fungible FSI @ 60%, 80%, 100% depending on user

9) Refuge Floor More than 4%

- Whether to allow free of FSI without premium as per DCR prior to 6th Jan 2012

OR

- By charging premium as per Fungible FSI @ 60%, 80%, 100% depending on user

10) Car Parking beyond 25% of required

- Whether to allow free of FSI without premium as per DCR prior to 6th Jan 2012

OR

- By charging premium as per Fungible FSI @ 60%, 80%, 100% depending on user

11) A.H.U.

- Whether to allow free of FSI without premium as per DCR prior to 6<sup>th</sup> Jan. 2012 without charging premium

OR

- By charging premium as per Fungible FSI @ 60%, 80%, 100% depending on user

12) Fungible FSI For Rehab in city and sub

- Whether to allow without charging premium

OR

- By charging premium as per Fungible FSI @ 60%, 80%, 100% depending on user

13) If additional floors are envisaged over the earlier approved building, in lieu of or any other balance potential, whether similar concessions as permitted on lower floors can be extended for additional floors with special permission of MC

14) If elevation features, passages are allowed by recovering Premium @ 60%, implying it to be at par with fungible FSI, whether it will be allowed to be merged with habitable area

15) Even if concessions are approved prior to 6<sup>th</sup> Jan 2012 and some of the proposal are processed as per Notification 6<sup>th</sup> Jan 2012, then if

- a) Fungible FSI is claimed, premium is paid by developer, whether he can opt for amending plan as per concessions granted and claim refund of premium paid
- b) Fungible FSI is in principle sanctioned but premium is not paid and amended plans approved without fungible FSI, whether he can opt for amending plan as per concessions granted

It is requested to clarify the above points at the earliest.

Yours Faithfully

**Chief Engineer  
(Development Plan)**