

Regn. No. Bom. 32/1966, GBBSD
(The Society Regn. Act, 1860)
Regn. No. F-1388 (Bom.)
(Bombay Public Trust Act, 1950)



Practising Engineers Architects and Town Planners Association (India)

UNIT NO. A-103, 1ST FLOOR, NEW UDYOG MANDIR NO. 2, 7-C, MOGUL LANE, MAHIM (W), MUMBAI - 400 016. Tel. : 2444 5998 • 2444 2897
Fax : 2444 2983 • E-mail : peataindia@gmail.com / peataindia@rediffmail.com • www.peataindia.org

To,

The Chief Engineer, (D. P.),
MCGM Head Office,
V. T., Mumbai – 400 001;



**OFFICE BEARERS & EXECUTIVE
COMMITTEE FOR YEAR 2013-2014**

President (2012-2014)
SHIRISH G. SUKHATME

Imm. Past President
PRAVIN R. KANEKAR

Vice Presidents
MANOJKUMAR A. DUBAL
UDAY S. WARTY

Hon. Secretary
ANIL R. PATIL

Jt. Hon. Secretary
R. B. BHALWANKAR

Hon. Treasurer
SAMIR HINGOO

Committee Members
DILIP R. SANGHAVI
TARUN H. MOTTA
SUNIL R. DEOLE
DILIP DESHMUKH
Dr. H. M. RAJE
SANDIP ISORE
SUYOG SHET

Co-Opted
YOMESH RAO
EESHAN J. VAIDYA

Sub-Committee Chairman
AJIT P. KHATRI
DINESH SHAH
G. D. CHIPLUNKAR
VISHWAS SATODIA
RAJAN P. ATHALYE
SHASHI JADHAV

Past Presidents
1966 Late D.S. THAKUR
1968 Late S.K. NADKARNI
1971 Late AKBAR R. PARPIA
1973 Late J.G. BODHE
1975 Late H.G. MALKANI
1976 Late JAMSHED B. AGA
1979 Late N.M. BARAI
1981 Late R.K. DEOLE
1983 ATUL C. DESAI
1985 SATISH C. DHUPELIA
1987 Late L.D. BABLADI
1989 G.L. RAHEJA
1991 NATUBHAI A. BADHEKA
1993 N.B. DHARMADHIKARI
1995 SUDHAKAR M. DOKHANE
1997 VIJAY P. PHULKAR
1999 JAYANT M. VAIDYA
2001 RAJNIKANT C. SHAH
2003 SUDHAKAR M. DOKHANE
2005 BHARAT C. SHAH
2007 MANOJ V. DAISARIA
2009 AJIT P. KHATRI

**Sub.: Circular under No. CHE / 2276 / DP / Gen. Dated 30th
January 2012 for Clause No. 2.**

Government of Maharashtra in Urban Development Department issued directives under Section 37(1AA) of M. R. & T. P. Act, 1966 under CMS / TPB – 4311 / 452 / CR – 58 / 201 / UD – 11 dated 25th July 2011. Thereafter, the suggestions & objections on the proposed modifications to D. C. Regulations, 1991 were invited. After giving hearing the suggestions and objections by Dy. Director (Town Planning) the same were submitted to the U. D. Department in Government of Maharashtra. The Government of Maharashtra in U. D. Department had sanctioned the modifications to the D. C. Regulation for Greater Mumbai, 1991 under Section 37(1AA) of M. R. & T. P. Act, 1996.

Subsequent to said notification the MCGM has issued circular under No. CHE / 2276 / DP / Gen. dated 12th January 2012 and 30th January 2012 in which procedure to be followed for implementation of modified D. C. Regulation 1991 is mentioned. As per Clause No. 2(A) of the circular dated 30th January 2012 under No. CHE / 2276 / DP / Gen. which is reproduced hereunder:

As regards to Para A(3) of the circular dated 12th January 2012 referred to above, it is clarify that :-

- 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. Regulation, if FSI on each floor does not vary.
- Minor variation in dimension of the footprint may be permitted provided the approved FSI on each floor does not vary and the deficiency in open spaces does not exceed.
- In case of two or more wings already approved buildings plans, if one or more wings is proposed to be amended, then modified regulation will not be made applicable to the wings where there is no change in the approved plans.

**OFFICE BEARERS & EXECUTIVE
COMMITTEE FOR YEAR 2013-2014**

President (2012-2014)
SHIRISH G. SUKHATME

Imm. Past President
PRAVIN R. KANEKAR

Vice Presidents
MANOJKUMAR A. DUBAL
UDAY S. WARTY

Hon. Secretary
ANIL R. PATIL

Jt. Hon. Secretary
R. B. BHALWANKAR

Hon. Treasurer
SAMIR HINGOO

Committee Members
DILIP R. SANGHAVI
TARUN H. MOTTA
SUNIL R. DEOLE
DILIP DESHMUKH
Dr. H. M. RAJE
SANDIP ISORE
SUYOG SHET

Co-Opted
YOMESH RAO
EESHAN J. VAIDYA

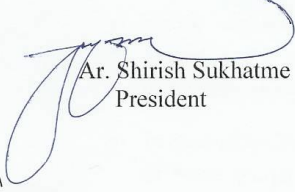
Sub-Committee Chairman
AJIT P. KHATRI
DINESH SHAH
G. D. CHIPLUNKAR
VISHWAS SATODIA
RAJAN P. ATHALYE
SHASHI JADHAV

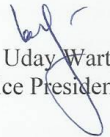
Past Presidents
1966 Late D.S. THAKUR
1968 Late S.K. NADKARNI
1971 Late AKBAR R. PARPIA
1973 Late J.G. BODHE
1975 Late H.G. MALKANI
1976 Late JAMSHED B. AGA
1979 Late N.M. BARAI
1981 Late R.K. DEOLE
1983 ATUL C. DESAI
1985 SATISH C. DHUPELIA
1987 Late L.D. BABLADI
1989 G.L. RAHEJA
1991 NATUBHAI A. BADHEKA
1993 N.B. DHARMADHIKARI
1995 SUDHAKAR M. DOKHANE
1997 VIJAY P. PHULKAR
1999 JAYANT M. VAIDYA
2001 RAJNIKANT C. SHAH
2003 SUDHAKAR M. DOKHANE
2005 BHARAT C. SHAH
2007 MANOJ V. DAISARIA
2009 AJIT P. KHATRI

It is to mention that on many plots there is balance FSI which is still to be utilized or where developers are willing to reduce habitable floors which are not constructed and count the built up area of the same in habitable area. Which were earlier non – habitable area which have been approved prior to modified D. C. Regulation came into force. As stated above, this balance FSI are proposed to be utilized in the same building by counting the free of FSI area such as AHU, Flower Bed, Ducts etc. into FSI which were allowed free by the then Authority. However, as per Clause No. 2(A) and (B) mentioned above, same is not permitted as per circular since under the said circular it is proposed to attract modified D. C. Regulation due to change in the approved Built Up Area per floor of the building. Due to this restriction, developers are not coming forward for utilization of balance FSI in this fashion and are continuing with earlier benefits. In certain cases where developer wants to come forward and count part of his Built Up Area in FSI due to his revise planning it is becoming impossible for him to come forward and do the same because it attracts modified D. C. Regulation. Hence, developer continues with old approval. After finishing the building the occupants of the building are trying to merge free of FSI area (i.e. Flower Bed, Duct etc.) into the room which is beyond approval. Also MCGM initiates legal action on this occupants and on developers also. In order to get out of this situation many developers are coming forward to count free of FSI area except common lobby refuge area into habitable Built Up Area by consuming balance FSI or by reducing habitable floors. Hence, to encourage this, MCGM should allow such type of proposal i.e. by counting into FSI such misusable area viz. Ducts, Voids, Flower Bed without insisting provision contained in Clause No. 2 of above mentioned circular under No. CHE / 2276 / DP / Gen. Dated 30th January 2012.

In view of above Ch. Eng., D. P. is requested to allow to utilize this FSI by counting Non – Habitable area to habitable area without insisting provision of Clause No. 2 of circular CHE / 2276 / DP / Gen. Dated 30th January 2012.

Yours Faithfully,


Ar. Shirish Sukhatme
President


Ar. Uday Warty
Vice President