

MUNICIPAL CORPORATION OF GREATER BOMBAY

Office of Chief Engineer (Development Plan)

No.

CIRCULAR

Subject : Rehabilitation of the affected structures falling in the alignment of existing road or widening of existing road for which road line has been prescribed or DP road under the provisions of Regulation no. 33(12) (A) Regulation no. 33(12) (B) of DCPR-2034.

Reference : i) MDF/2072/letter dt 7.1.2020
ii) MCP/1067/ dated 15.02.2020.
iii) Hon'ble M.C.'s approval u/no.MCP/2131/20.04.2020.

There is a provision in DCPR-2034 under Clause no.33(12)(B) for removal & reaccommodation of tolerated / protected structure falling in the alignment of road. Under this provision, where removal of tolerated / protected structures falling in the alignment of existing road or widening of existing road for which road line has been prescribed or DP road and reaccommodation of these tolerated / protected structures in the same administrative ward has been proposed for the expeditious removal of bottleneck, the FSI may be allowed to exceed above the permissible FSI mentioned in the Regulation.

In this case, many representation has been received from Zonal D.M.C. Offices regarding following points -

- 1) Retrospective effect for structures demolished in year 2012 can not be given rehabilitation as per the provision of 33(12)(B) which has come in force in 2018.
- 2) When Regulation no.33(12)(B) is a sub part of Regulation 33(12) meant for Town Planning Scheme only, the structures can not be re-accommodated in Estate Scheme or outside Town Planning Scheme. The structures can only be re-accommodated in any of the Town Planning Schemes in a particular administrative ward (in any of the F.P.s).

To bring proper clarification in this Regulation for implementing the same at Zonal level the report was submitted to Hon'ble M.C. Now it is to be informed that the rehabilitation of the protected eligible structures which are affected in the road development can be rehabilitated as per provisions of Regulation no.33(12)(A) & Regulation no.33(12)(B) of DCPR-2034 after implementation of DCPR-2034 i.e. from 13.11.2018, irrespective of date when the structures are made eligible by respective authority and not rehabilitated or accommodated till 13.11.2018 for road widening/removal of bottleneck.

All the Zonal D.M.C.'s / A.C.'s are directed to take the note of above guidelines while considering the proposals.

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13.03.2020

**Chief Engineer (Development Plan)
& Director (E.S. & P.)**

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17.04.2020

Hon'ble Municipal Commissioner

**Copy to :- DMC(Z-I to Z-VII) &
All Assistant Commissioner**