

**MUNICIPAL CORPORATION OF GREATER MUMBAI**

No. CHE/DP/110 / Gen dated 2019-20

**CIRCULAR DCPR2034 C-13**

Sub : Applicability of D. C. Regulation 1991/ DCPR 2034 for buildings approved as per D. C. Regulation 1991 prior to 06/01.2012.

Ref : Circular issued under no. CHE/23227/DP/Gen dated 21/11/2017

A policy circular was issued under no. CHE/23227/DP/ Dated 21/11/2017 as referred above for processing proposals approved under DCR 1991 prior to its modification dated 6th Jan 2012 and occupation permission is granted (part or full), for counting in FSI (partly/fully) the features or users permitted free of FSI as per D. C. Regulation 1991 prior to 06/01/2012, by utilizing the additional permissible FSI/ balance FSI available on the plot without making applicable DCR 1991 as modified on 6th Jan 2012 to entire floor/s of the building. The same is allowed without construing it to be change in foot print.

The various options for processing such building proposals are already elaborated in the said circulars under clause 15 a), b), c).

Now, DCPR 2034 is finally sanctioned by Govt. and is in force since 13th Nov. 2018.

The above referred circular will be operative for processing the proposals approved under DCR 1991 prior to 6th Jan 2012, in accordance with the provisions of the circular referred above under No. CHE/23227/DP/Gen dated 21/11/2017 i.e. without making applicable the DCR 1991 as modified on 6th Jan 2012 and also without applying DCPR 2034 to the already constructed existing building, for counting in FSI (partly/fully) the features or users permitted free of FSI as per D. C. Regulation 1991 prior to 06/01/2012, by utilizing the additional permissible FSI/ balance FSI available on the plot without making applicable DCR 1991 as modified on 6th Jan 2012 and / or DCPR 2034 to entire floor/s of the building. The same will be allowed without construing it to be change in foot print. However, after counting in FSI (partly/fully) the features or users permitted earlier free of FSI, the building line will change. Hence, open space requirement will have to be reworked by considering change in building line and deficiency in open spaces, if any will have to be worked out as per provisions of DCPR 2034.

The provision of prevailing D.C. Regulation i.e. DCPR 2034 as may be modified from time to time will be applicable for additional work i.e. vertical / horizontal extension /additional construction in existing building and /or horizontal extension in the form of separate wing, proposed by utilising balance potential / additional FSI plus fungible FSI permissible as per provisions of DCPR 2034 modified from time to time.

For applying regulations for such additional work of vertical extension/ horizontal extension of existing building, the word prevailing regulations on the date of granting approval to such amended plans in the earlier circular under No. CHE/23227/DP/Gen dated 21/11/2017 would mean provisions of DCPR 2034 as may be amended from time to time and prevailing on the date of granting approval.

For the plots with such existing buildings approved as per provision of DCR 1991 prior to 6<sup>th</sup> Jan 2012, the balance FSI potential shall be worked out as per regulation 9 (6) (b) of DCPR 2034.

For proposals where provision of 14(A), 14(B) & 15 of DCPR 2034 would be applicable for utilising balance potential, the proposal shall be processed as per policy circular in that respect.

*30/01/2020*  
CHE. (D.P.)

*Heerinder*  
MUNICIPAL COMMISSIONER