

बृहन्मुंबई महानगरपालिका  
मुंबई अग्निशमन दल

कार्यालय,

पाहिले, सर्व संबंधितांच्या माहिती व योग्य त्या पुढिल कार्यवाहीकरीता मुंबई अग्निशमन दल नित्य परिपत्रक म्हणून प्रसारित करावे.

-- सही --

प्रमुख अग्निशमन अधिकारी

मुंबई अग्निशमन दल नित्य परिपत्रक क्रमांक 37 दिनांक 06/08/2019

विषय — Open Space requirement for High Rise Building as per provision of Reg. 47 of DCPR 2034.

संदर्भ — 1) MGC / F /8902 दि. 24.07.20 19

2) प्रमुख अभियंता / विकास नियोजन /9969/ प.उप. दि.30.07.20 19

उपरोक्त संदर्भित क्र.1 च्या विषयानुसार मा. आयुक्त यांचे दि. 24.07.20 19 रोजीचे निर्देश सर्व संबंधितांच्या माहितीकरीता व पुढिल कार्यवाहीकरीता पुर्न : प्रसारित करण्यात येत आहे.

प्रमुख अग्निशमन अधिकारी  
मुंबई अग्निशमन दल

प्रत रवाना —

- 1) सर्व उपप्रमुख अग्निशमन अधिकारी / उपप्रमुख अधिकारी ( तांत्रिक)
- 2) सर्व विभागीय अग्निशमन अधिकारी
- 3) विभागीय अग्निशमन अधिकारी (दळणवळण)
- 4) सर्व सहाय्यक विभागीय अग्निशमन अधिकारी
- 5) कार्यभारी अधिकारी ----- अग्निशमन केंद्र
- 6) प्रशासकिय अधिकारी

उपप्रमुख अग्निशमन अधिकारी  
मुंबई अग्निशमन दल

**MUNICIPAL CORPORATION OF GREATER MUMBAI**

CHE/HRB/ 6159/DPWS 15 JUL 2019

Sub: Open space requirement for High Rise Building  
as per the provision of the Reg. 47 of DCPR 2034.

- Ref: 1) FB/H/OD/27 dtd.05.04.2019
- 2) MGC/F/8902 dtd.10.05.2019
- 3) MGC/F/8902 dtd.17.06.2019
- 4)MCP/5695 dtd. 25.06.2019(pg. C/55-61)
- 5)MCP/5675 dtd.25.06.2019(pg.C/63-75)

1) Reference is please requested to the note dated 05.04.2019 submitted by CFO in the subject matter to MC and the then MC's approval thereon.

In this context reference is requested to the note of CFO's subsequent note dated 10.06.2019 to DMC(MCO) and endorsement of Hon. MC dtd.15.06.2019 as, "Please see if this relaxation is appropriate for fire safety and consistent with DCPR 2034" at page C/33.

2) As desired this office remarks are as follows:

The provisions of Reg. 47(1) (A) & (B) of DCPR 2034 which deal with the fire protection requirements have been mentioned in the draft circular AS at page C/29-30. The similar provision was there in the earlier DCR i.e. DCR 1991 under Reg. No. 43(1) which reads as below:

**43(1) General: -**

The planning design and construction of any building shall be such as to ensure safety from fire. For this purpose, unless otherwise specified in these Regulations, the provisions of part IV: Fire Protection Chapter, National Building Code, shall apply.

For multistoried, high rise and special buildings, additional provisions relating to fire protection contained in Appendix VIII shall also apply,

**(A) For proposal under regulations 33(7) and 33(10),**

In case of rehabilitation/composite buildings on plots exceeding 600 sq. m and having height more than 24 m, at least, one side other than road side, shall have clear open space of 6 m at ground level, accessible from road side.

Provided, if the building abuts another road of 6m or more this condition shall not be insisted.

Provided further that even for the proposals of plots up to the size of 600 sq. m under DCR 33(7), open space of the width of 6 meters at least on one side at ground level within the plot, accessible from the road side shall have to be maintained for maneuverability of a fire engine, unless the building abuts two roads of 6 meters or more on two sides, or an another access of 6 meters to the building is available, apart from road abutting the building.

**(B) For the proposals other than (A) above**

(a) Buildings having height more than 24 m up to 70 m, at least one side, accessible from road side, shall have clear open space of 9 m at ground level.

Provided, however, if podium is proposed it shall not extend 3m beyond building line so as to have clear open space of 6m beyond podium.

Provided, further, where podium is accessible to fire appliances by a ramp, then above restriction shall not apply.

(b) Buildings having height more than 70 m, at least two sides, accessible from road side, shall have clear open space of 9 m at ground level.

Provided, however, if podium is proposed it shall not extend 3m beyond building line so as to have clear open space 6m beyond podium. No ramps for the podium shall be provided in these side open spaces.

Provided, further, where podium is accessible to fire appliances by a ramp then above restriction shall not apply.

(c) Courtyard / ramp / podium accessible to fire appliances shall be capable of taking the load up to 48 tonnes.

(d) These open spaces shall be free from any obstruction & shall be motorable.

3) Even though there was provision of requirement of clear open space of 9.00 m at ground level for the proposals other than Reg. 33(7) & 33(10) in DCR 1991, with the NOC of CFO, clear open space of 6.00 m was allowed in the past by condoning the deficiency to the extent of 3.00 m by charging premium. Now, in DCPR 2034, the said Reg. No.43(1) (A) & (B) of DCR 1991 has been renumbered as 47(1)(A) & (B) with minor modification. As per Regulation 47(1)(A) in respect of proposals processed under Regulation 33(7), 33(10) etc. (where normally tenement density is more), 6.00 m clear open space is being insisted for a building having height 32.00 m to 70.00 m. However, if the proposed development falls in Regulation other than 47(1)(A), 9.00 m. of open space is applicable. Hence, the redevelopment proposals which are not covered under Regulation 47(1)(A) face planning constraints.

4) The above aspect was represented by MCHI/PEATA/NAREDECO in their meetings with then Hon.MC & in meetings with Hon.MC, with a request for formulation of policy guidelines by CFO, after duly considering the planning constraints, so as to make various development proposals feasible. Accordingly, CFO has formulated the guidelines for the proposed building having height between 32.00 m to 70.00 m. The CFO has recommended that for a building having height more than 32.00 m up to 45.00 m, above 45.00 m up to 58.00 m & above 58.00 m up to 70.00 m at least one side accessible from road side shall have clear open space of 6.00 m, 7.5 m. & 9.00 m. respectively at ground level.

CFO has also suggested for a building having height more than 32.00 m up to 70.00 m, if one of the lift is provided within the external staircase at landing/ mid landing level as per Reg. 48(9)(b) clear open space of 6.00 m at ground level may be allowed.

5) It may be stated that prescription of necessary fire safety requirements falls within the purview of Chief Fire Officer (CFO) and CFO has now formulated the policy guidelines as at pg. C/29-33, after duly considering the fire safety requirements. In his guidelines it is stated by CFO that the said guidelines are proposed as regards to Regulation 47, Fire Protection Section B after taking into consideration of the heights of the buildings, the open space requirements, mobilizing of resources required in case of emergency, maneuverability of fire appliances.

Further, the relaxation in open space requirements (subject to CFO NOC) is within the powers of MC as per Regulation 6(b) of DCPR 2034 and accordingly, MC may consider such relaxations, subject to fulfillment of requisite fire safety requirements.

6) In view of the above, Hon'ble M.C.'s approval is requested to circulate and to implement the policy guidelines formulated by CFO, as at pg C/29-33.

Submitted for approval to Sr. No. 6 above please.

*Issue generated in JD-1*  
*Praveen Pardeshi*  
(Praveen Pardeshi)  
**Hon.M.C.**  
Sir,  
Municipal Commissioner  
Ch.E.(DP)

*R.B. Zope*  
12/07/19  
(R.B. Zope)  
Ch.E.(DP)

15 JUL 2019

*6/102/2019*