

MUNICIPAL CORPORATION OF GREATER MUMBAI

21/39

No. Dy. Ch. Eng./E⁴/Traffic dt. 30 NOV 2018

Sub. – Prescribing R. L. To Dead End Road within the MCGM Limits for all the Roads shown in the Sanctioned Town Planning Schemes / MHADA Layout / Private Layout Improvement scheme, etc.

Ref. – 1) Ch.E (DP)' s note under no BE/TP/Variation/Gen/286/TP'S Dated 3/11/2018.

2) Draft Circular at pg C-207 to C-210

Reference is requested to Ch. Eng. (D.P.)'s note vide Pg. N-29 to N-36 seeking approval of Director (ES &P)/e/AMC(ES)/ Hon' M.C.for modified draft circular on subject matter by incorporating suggestions of Dy.Ch.E (traffic) and Ch. Eng.(Roads & Traffic)'s endorsement thereon.

Accordingly this office suggestion on draft modified circular on following points are as below:

Point No	Content of Modified Draft Circular	Remarks/Suggestions
3	<i>Widening of dead road (Municipal/Public street) shall be proposed under Sec 297(1) (b) of MMC Act 1888. The existing Estate Layout Road / Passageway in the Estate Layout shall be first declared as a public street under section 291(c) of MMC Act by following due process by the Estate dept. and then concern A. E. (Survey) / Traffic Dept. shall prescribe the R.L. under section 297(1)(a) MMC Act for widening of the same subject to NOC from affected Land owners otherwise R.L should be prescribed as per section 297(1)(b) of MMC Act..</i>	<i>Widening of Dead End Road shall be proposed in accordance with NBC, DCPR-2034 provisions and R.L. shall be prescribed as per MMC Act 1888 and the curvature of the road shall be design as per the IRC SP:41 1994/IRC-38/1988. (As per sanction obtained from Hon M.C vide no MGC/F/5762 DATED 14/8/18). Widening of dead road (Municipal/Public street) shall be proposed under Sec 297(1) (a) of MMC Act 1888 for first time widening. The existing Estate Layout Road / Passageway in the Estate Layout shall be first declared as a public street under section 291(c) of MMC Act by following due process by the Estate dept. and then concern A. E. (Survey) / Traffic Dept. shall prescribe the R.L. under section 297(1)(a) MMC Act for widening of the same for first time widening-subject to NOC from affected Land owners otherwise R.L should be prescribed as per section 297(1)(b) of MMC Act. and future widening proposed under Sec 297(1) (b) of MMC Act 1888</i>
6. a)	As per the section 297 (1)(b) of MMC Act, the proposal for prescribing fresh line in substitution for any line so prescribe or for any part thereof, administrative sanction is to be obtained from the competent authority and thereafter the notices along with plan showing proposed R.L. under the signature of Dir.(E.S.&P.) are forwarded to respective ward offices for display on site /publish in government gadgets / local news paper for inviting suggestion / objection from the public within stipulated time. Then the hearing will be conducted before AMC(ES) on the suggestion and	As per the section 297 (1)(b) of MMC Act, the proposal for prescribing fresh line in substitution for any line so prescribe or for any part thereof, administrative sanction is to be obtained from the competent authority and thereafter the notices along with plan showing proposed R.L. under the signature of Dir.(E.S.&P.) are forwarded to respective ward offices for display on site /publish in government gadgets / local news paper for inviting suggestion / objection from the public within stipulated time. Then the hearing will be conducted before AMC(ES) on the suggestion and objection received from the public . Thereafter D.L. to M.S. is submitted to ward

	objection received from the public . Thereafter D.L. to M.S. is submitted to ward committee/corporation for the approval. On receipt of the said approval the alignment of sanctioned R.L. plan preserved in the traffic office / survey department and the copy of the same is forwarded to ward for advertisement / notification / information to public of that area	committee/corporation for the approval. On receipt of the said approval the alignment of sanctioned R.L. plan preserved in the traffic office / survey department and the copy of the same is forwarded to ward for advertisement / notification / information to public of that area suitably in 45 days.
7	Most of the MHADA LAYOUT are premerger layouts and the said layout roads are shown as existing roads in DP except where marked as DP roads in specific cases. Hence ,in case of MHADA layout : being the semi Govt. Body and same can be treated at par with Municipal /Public road, after obtaining and verifying remarks from A.E (Maint) of concerned ward regarding status of road :, and applicability of declaring existing MHADA layout road as per section 306 of MMC Act in MHADA Layout :, as public street can be decided accordingly. If the said road is maintained by MCGM , there is no need to declare said road as a public street as per section 306 of MMC act. However , if it not maintained by MCGM, then the said road will have to be declared as public road as per section 306 of MMC act. Thereafter, R.L shall be prescribed to such roads , as per provision of section 297(1)(b) of MMC Act.	Most of the MHADA LAYOUT are premerger layouts and the said layout roads are shown as existing roads in DP except where marked as DP roads in specific cases. Hence ,in case of MHADA layout : being the semi Govt. Body and same can be treated at par with Municipal /Public road, after obtaining and verifying remarks from A.E (Maint) of concerned ward regarding status of road :, and applicability of declaring existing MHADA layout road as per section 306 of MMC Act in MHADA Layout :, as public street can be decided accordingly. If the said road is maintained by MCGM , there is no need to declare said road as a public street as per section 306 of MMC Act. However , if it not maintained by MCGM, then the said road will have to be declared as public road as per section 306 of MMC act. Thereafter, R.L shall be prescribed to such roads , as per provision of section 297(1)(a) of MMC act for first time widening and future widening proposed under Sec 297(1) (b) of MMC Act 1888
11	Additional point	In case of Widening of DP road R.L shall be prescribed under section 297(1)(b) by traffic/survey department .

It is suggested that draft circular shall be amended by incorporating above suggestion and on receipt of approval from Hon M.C said circular needs to be issue by Ch.E (D.P) as said draft circular is compiled by D.P department by taking cognizance of remarks/suggestions proposed by various department.

Submitted please.

Acc:- 2 Wast' in F.B.

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30/11/18
Dy.Ch.E (traffic)

Ch.E (Roads & Traffic)

~~Director (E.S.P)~~

~~AMC (E.S)~~
~~Sir~~

~~Hon/M.C~~
~~Sir~~

~~Dy.Ch.E~~
Municipal Commissioner

'X' on PN-36 is submitted for approval with the corrections as stated by Director. It is felt that this is a policy and the circular may be issued by ChE (DP) instead of Dy ChE (TR) as proposed by ChE (DD). Submitted please

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AMC (E.S)

Submitted please

Handwritten signature
30/11/18
Vinod P. Chithore
) Director (E.S.&P.) (

Ch. Eng.
(Roads & Traffic)

MUNICIPAL CORPORATION OF GREATER MUMBAI C/207

Office of Ch.E.(D.P.), 5th Floor, MCGM Head Office, Mahapalika Marg, Mumbai-400001

Draft Circular

Subject : Comprehensive Policy guidelines for prescribing R.L. to roads within the MCGM limits for all the Roads including Dead end roads shown in the sanctioned Town Planning Scheme / MHADA Layout / Private Layout; Improvement Scheme, etc.

Circulars : i) CHE/1136 /Roads dtd. 04-05-2012
ii) CHE/006120/DP/Gen. dtd. 03-06-2017
iii) DyCHE/4091/Traffic dtd. 29-08-2018
CHE/DP/15541/Gen. dtd. 07-09-2018.

The roads including dead end roads as mentioned in the subject above of width less than 9.00 mtr. leading / providing access to single / multiple plots may be widened to the width of 9.00 mtr. and above. Further, as per directives of State Government issued under No. TPS /1813/ 3067/Case No. 122/MCORP/UD-12, dated 16.11.2016 in DCR 1991 and as per relevant provisions of DCPR – 2034, it is proposed to widen all roads of width less than 9.00 mtr. to 9.00 mtr. and above as per site condition, as per provisions of MR&TP Act or MMC Act. The guidelines for prescribing R.L. to such roads are listed below -

- 1) a) Total Station Survey shall be carried out to identify the open set back / Built up set back areas from junction to junction, where it is proposed to prescribe R.L. and where buildings are likely to come up for redevelopment.
 - b) **Phase I** – Priority shall be given for prescribing R.L.s to open set back areas upto junction of Municipal / Public Road having existing road width less than 9.00 mt. in such a way that at least zero open space will be maintained from proposed RL of Authorized / tolerated buildings.
 - c) **Phase II** – R.L. shall be prescribed, in consultation with A.C. ward where buildings are likely to come up for redevelopment, i.e. in the areas where existing buildings are more than 30 year age. R.L. shall be prescribed in such a way that minimum built up set back area gets affected from proposed RL of Authorized / tolerated buildings and plot can be redeveloped with existing authorized Built up area as per prevailing regulations. However exceptions, such as ground floor structure may not be considered, which can be redeveloped as per DCR regulation or as per bottleneck policy.
- 2) a) As regards Private roads / Passages improved under Section 63K of MMC Act, regular procedure as per the circular issued under No.CHE/1402/Rds & Tr./MC dtd. 22-09-2015 shall be followed.
 - b) For prescribing R.L. under Section 297 of MMC Act to such road, procedure elaborated in Sr.No.1 above shall be followed.

- e) For fixing new public streets which are not Municipal / Public Streets, procedure as per provisions of Section 291 read with Section 294 of MMC Act to declare such street as Public Road shall be followed as per prevailing norms by traffic and coordination department.
3. Widening of Dead End Road (Municipal / Public Street) shall be proposed under Sec.297(1)(b) of MMC Act 1888. The existing Estate Layout Road / Passageway in the Estate Layout shall be first declared as a public street under Section 291(c) of MMC Act by following due process by the Estate Deptt. and then concern A.E.(Survey) / Traffic Deptt. shall prescribe the R.L. under Section 297(1)(a) of MMC Act for widening the same subject to NOC from affected land owners otherwise R.L. should be prescribed as per Section 297 (1)(b) of MMC Act.
4. Widening of existing Dead End Road/passageway reflected in T.P. Schemes as T.P. Road shall be prescribed under Sec. 297(1)(b) of MMC Act 1888.
5. As per Circular under DyCHE/4091/Traffic dtd. 29-08-2018 and CHE/DP/1554/Gen. dtd. 07-09-2018; procedure for prescribing R.L. upto 9.15 mtr. width under Section 297 of M.M.C. Act 1888 is prescribed. As per sanctioned DCPR - 2034, Regulation No.30, Table 12, the permissible FSI computation is based on the road width fronting to the plot. Accordingly, the road width required should be minimum 9.0 mtr. and above. Besides, as per Provisions of Regulation 19 of DCPR - 2034,
- Note 1 - MCGM shall convert all roads of width less than 9.0 mtr., to 9.00 mtr. and above as per site condition through MR&TP Act or MMC Act.*
- Note 2 - Roads excluding existing public road / municipal road, reflected in DP shall not be treated as public road, unless and until declared under appropriate section of MMC Act & shall not be subjected to acquisition.*

The above provisions shall be followed.

6. a) As per the Section 297(1)(b) of MMC Act, the proposal for prescribing fresh line in substitution for any line so prescribe or for any part thereof, administrative sanction is to be obtained from the Competent Authority and thereafter the notices along with plan showing proposed R.L. under the signature of Dir.(E.S. & P.) are forwarded to respective ward offices for display on site / publish in government gazette / local newspaper for inviting suggestion / objection from the public within stipulated time. Then the hearing will be conducted before on the suggestion and objection received from the public. Thereafter, D.L. to M.S. is submitted to Works Committee / Corporation for the approval. On receipt of the said approval, the alignment of sanctioned R.L. Plan preserved in the Traffic Deptt. / Survey Department and the copy of the same shall be forwarded to ward for advertisement / notification / information to public of that area.

suitably in 45 days

- b) The Town Planning Department shall provide copy of Sanctioned Plan for the alignment of T.P. road alongwith details of name of Final Plot Owners and area of Final Plots, which are affected by the proposed R.L. as available in Scheme Book. The Traffic / Survey Deptt. will have to initiate proposal for prescribing R.L. as per procedure followed.
- 7) Most of the MHADA layouts are premerger layouts and the said layout roads are shown as existing roads in DP except where marked as DP roads in specific cases. Hence, in case of MHADA layout; being the Semi Govt. Body and same can be treated at par with Municipal / Public road, after obtaining and verifying the remarks from A.E.(Maint.) of concerned ward regarding status of the road; and applicability of declaring the existing MHADA layout road as per Section 306 of MMC Act in MHADA layout; as Public Street can be decided accordingly. If the said road is maintained by MCGM, there is no need to declare the said road as public street as per Section 306 of M.M.C. Act. However, if it is not maintained by MCGM, then the said road will have to be declared as public road as per Section 306 of M.M.C. Act. Thereafter, R.L. shall be prescribed to such roads, as per Provisions of Section 297 (1)(b) of MMC Act.
- 8) If the existing road shown in the sanctioned DCPR - 2034 is not having CTS/CS No. then such road shall be treated as municipal road / public street, after obtaining and verifying status of road from A.E.(Maint.) of concerned ward. The widening of such road shall be carried out by prescribing the R.L. under Section 297 (1)(a) of MMC Act by Traffic / Survey Department subject to NOC from affected land owners otherwise R.L. should be prescribed as per Section 297 (1)(b) of MMC Act.
- 9) As per provisions of Regulation No.13(5) of DCPR - 2034, in case of any reservation affected proposed R.L., "The area of the reservation shall be considered after deduction of area under proposed D.P. road / Prescribed Regular Line / Existing Municipal Road affecting the reservation".
- 10) As per circular under No. DyCHE/4091/Traffic dtd. 29-08-2018, CHE/DP/15541 /Gen. dtd. 07-09-2018, prescribing R.L. upto 9.15 mtr. width under Section 297 of MMC Act, 1888 shall be dealt by Zonal Building Proposal Deptt. As per the prevailing practice "without insisting Traffic / Simulation Survey and Traffic count Study.

Prescribing R.L. above 9.15 mtr. width under Section 297 of MMC Act, 1888 and New Public Street / New R.L. under Section 291 read with 294 of MMC Act 1888 shall be dealt by Dy.Ch.E.(Traffic) Department.

10/10/18

10/10/18

Traffic Simulation Study and Traffic Count Study from Traffic Commission
(having qualification of Post Graduate Degree in Transportation Planning and at
least having five years experience of handling the notes in the field of
transportation and planning) is mandatory for prescribing of any E.S. design/SS
meter width.

This circular will supersede all other circulars on ~~related~~ design and will be
effective from date of issue.

As considered? notes

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of
10/10/18

[Signature]
Ch. Eng. (D. P.)

[Signature]
Ch. Eng. (Roads & Traffic)
Director (E.S.&P.)

[Signature]
A. M. C. (E.S.)

[Signature]
Hon' M. C. / 10