

SLUM REHABILITATION AUTHORITY

ENG/T.2/3455

1-10-2015

Circular NO: 161

Date: 01 OCT 2015

Sub: Guidelines to apply notification dtd. 21/05/2015 modifying explanatory note to DCR-35(4).

Ref: (1) Notification u/No. TPB-4313/962/CR-44/2014/UD-11 dtd. 21.05.2015.  
(2) Clarification under DCR-62(3) u/No. TPB-4315/962/CR-44/2014/UD-11 dtd. 15.07.2015

A Number of cases/ applications are being received from Owner/ Developer exercising their option to apply the explanatory note to DCR-35(4) sanctioned vide Notification dtd. 21/05/2015 and clarification dtd. 15/07/2015 referred at (1) & (2) above to their ongoing buildings approved and under construction prior to 06/01/2012, to the amendments/additional development proposed to such buildings. Hence it is necessary to prescribe guidelines to deal with such cases.

1) The amended plans of such Building proposing additional development/balance development with the concessions as approved prior to 06/01/2012, if required to maintain homogeneity of the Building plans like its elevation/ aesthetics /common passages etc., which had DCR dtd. 06/01/2012 been applied, would have been computed in fungible FSI, shall be continued by charging premium at the rate of 60% of R.R. rate applicable at the time of issue of amended plans.

Aspects of the buildings that are not included in fungible FSI post 06/01/2012 but were available earlier as well as are available post 06/01/2012, shall be allowed with charging of premium as existing prior to 06/01/2012 or post 06/01/2012 whichever is higher.

- 2) No new concession relating to Built up area in the additional development other than that mentioned in (1) above shall be given and if demanded shall require application of DCR post 06/01/2012 for whole of the additional development / balance development beyond that approved before 06/01/2012.
- 3) Internal changes within the approved footprint of the Building by relocating free of FSI areas and minor variation in per floor FSI shall be allowed provided such changes do not lead to possibility of misuse




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of such areas and undertaking to that effect is obtained.

- 4) The Developer has to give his option as per the explanatory note (1) of DCR-35(4) & exercise this option by explicitly agreeing to condition mentioned herein for applicability of DCR prior to 06/01/2012 for additional development /balance development.
- 5) The Developers, who may have earlier modified their plans for additional development/ balance development of such building as per rules prevailing post 06/01/2012 & wish to avail of the option granted by said notification may do so if whole of additional development/ balance development post 06/01/2012 is sought with explicit application and acceptance of conditions mentioned herein. Rates applicable for such fresh amendment for whole of additional development/balance development post 06/01/2012 shall be RR of the year of such fresh sanctions as per this circular; however payments done for the intervening permission, that is being sought to be revised, shall be adjusted towards final payments due, without interest. If any of such payments made in the intervening period has been transferred to MCGM and now does not become due for transfer, such amount shall be adjusted in further payments to MCGM.

All the Architects & Staff are directed to note the above guidelines for application of explanatory note (1) to DCR-35(4) as modified vide notification dtd.21/05/2015.

  
**Chief Executive Officer**  
**Slum Rehabilitation Authority**

Secretary (SRA)  
Dy. ChE. (SRA)/E.E.(SRA)  
Administrative Officer (SRA)  
F.C. (SRA)