

**Development Control Regulations for  
Greater Mumbai, 1991.**

- Modification under section 37(2) of the Maharashtra Regional & Town Planning Act, 1966.
- Modification to Regulation No. 33(7) of the ...

**GOVERNMENT OF MAHARASHTRA**  
Urban Development Department,  
Mantralaya, Mumbai 400 032.

Dated 2<sup>nd</sup> March, 2009.

**NOTIFICATION**

No. TPB 4308/3224/CR-268/08/UD-11.

Whereas Development Control Regulations for Greater Mumbai, 1991 (hereinafter referred to as "the said Regulations") have been sanctioned by Government under section 31(1) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act"), vide Urban Development Department's Notification No. DCR/1090/UD-11 (RDP) dated 20/2/1991, to come into force with effect from 25/3/1991.

And whereas, Regulation No. 33(7) of the said regulations is applicable for reconstruction or redevelopment of cessed buildings in the Island City by cooperative housing societies or of old buildings belonging to the Municipal Corporation of Greater Mumbai (hereinafter referred to as the "said Corporation").

And whereas, the Government, vide Urban Development Department's Notification No. TPB/4391/1681/CR-188/91/UD-11 dated 25/1/1999, has further modified the said Regulations (hereinafter referred to as "the said modified regulations"). Clause (2) of Appendix-III of the said modified regulations provides that each occupant shall be rehabilitated with minimum carpet area of 20.90 sq.mt. (225 sq.ft.) in the rehabilitated building.

And whereas, Government has decided to modify the Regulation No. 33(9), regarding reconstruction or redevelopment of cessed buildings/ Urban Renewal Schemes.

And whereas, Govt. had decided to modify certain provisions of DCR 33(7), regarding size of rehabilitation tenements, marginal distances and development cess, on the basis of proposed modification of DCR 33(9) (hereinafter referred to as "the said proposed modification").

And whereas, in view of the facts and circumstances mentioned above and in exercise of the powers contained in sub-section (1AA) of section 37 of the said Act, Government had issued the notice of even no. dated 28/11/2008 (hereinafter referred to as "the said Notice") regarding the said proposed modification, for inviting suggestions/objections from any person with respect to the said modification.

And whereas, the said notice was published in the Government Gazette (Ordinary) dated 11/12/2008 and in the news paper namely The Asian Age (English) dated 12/12/2008.

And whereas, as per the said notice Government had appointed Deputy Director of Town Planning Gr. Mumbai as an officer under section 162 of the said act (hereinafter referred to as "the said officer") to scrutinize any suggestions/objections received and to grant hearing to the persons submitting suggestions/objections including say of the Municipal Corporation of Gr. Mumbai (hereinafter referred to as "the said Corporation") and to submit his report to the Government regarding the said modification.

And whereas, the said officer has submitted his report vide letter No. DDTP/ Br.Mumbai/DCR 33(7)/ 483 dated 9/2/2008 to the Government (hereinafter referred to as "the said Report") and recommended to sanction the said modification with some changes considering the suggestions/objections received from the general public.

And whereas, after consulting the Director of Town Planning, Maharashtra State, Government is of opinion that the said modification should be sanctioned with some changes.

Now therefore, in exercise of the powers vested under section 37(2) of the said Act, Government hereby sanction the said modification with certain changes as mentioned below:-

#### MODIFICATION

A) 1. Carpet Area of residential tenements:

"20.90 sq.mt. (225 sq.ft.)" area is modified and replaced as "27.88 sq.mt. (300 sq.ft)(fixed)" appearing in clause 2 of Appendix III of Regulation No. 33(7).

2. Proposed modification in the said notice at Sr. No.2 regarding the provision to be added in clause 8 of Appendix-III is deleted and existing provision of the said modified regulation shall prevail.

3. Proposed modification in the said notice at Sr. No.3 regarding addition of clause (15) after the clause 14 of Appendix-III is deleted.

4. The following provisions are added after the clause No. 14 of Appendix-III:-

(i) Clause (15) - An amount of Rs.5000/- per sq. mt. shall be paid by the owner / developer/ society as additional development cess for the builtup area over and above the normally permissible FSI, for the rehabilitation and free sale components. This amount shall be paid to the Corporation in accordance with the time schedule for such payment as may be laid down by the Commissioner, MCGM provided the payment of installments shall not go beyond the completion of construction. This amount shall be used for Scheme to be prepared for the improvement of off-site infrastructure in the area around the development. The above development cess shall be enhanced @ 10.00% every three years.

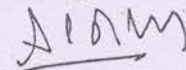
(ii) Clause (16) - As per the provision of clause 2, each residential/non residential occupant shall be rehabilitated only for carpet area mentioned in the said clause No.2 and such areas shall be clearly shown on the building plan submitted to the Corporation/ MHADA.

5. Clause No.10(a) shall be replaced as follows:

10(a) - In case of redevelopment schemes already in progress and building is not completed upto plinth level then proposal may be converted in accordance with the above modified regulations. However, such conversion is optional and not binding.

- B) Fixes the date on which the said modification is published in the official gazette, as the date on which modification shall come into force.
- C) directs the said Corporation that, in the Schedule of Modification sanctioning the said Regulations, after the last entry, the schedule referred to as (A) above shall be added.

By order and in the name of Governor of Maharashtra,



(Abhiraj Girkar)

Under Secretary to Government.

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