

Maharashtra Regional and Town Planning
Act, 1966

Modification to Development Control Regulation
for Municipal Corporation of Ulhasnagar under
section 37(1) read with section 154 of the said
Act.

GOVERNMENT OF MAHARASHTRA
Urban Development Department,
Mantralaya, Mumbai 400 032.
Dated the 25 August, 2009

ORDER

No.MMS/TPS – 1209/217/CR-275/09/UD-12.

Whereas the Development Plan and Development Control Regulations (hereinafter referred to as “the said Regulations”) for Municipal Corporation of Ulhasnagar (hereinafter referred to as “the said Authority”) within Mumbai Metropolitan Region have been sanctioned by Government in Urban Development Department under section 31(1) of the Maharashtra Regional and Town Planning Act 1966 (hereinafter referred to as “the said Act”) from time to time and they have come into force,

And whereas Govt. of Maharashtra has formulated the Housing Policy for the State of Maharashtra and the main objective of this policy is to provide the affordable houses for poor on rental basis.

And whereas Mumbai Metropolitan Region Development Authority (MMRDA) as formulated a proposal to build Rental houses under different models within Mumbai Metropolitan Region (MMR)

And whereas MMRDA vide its letter dated 21/06/08 and 29/07/08 has requested to carry out required modifications in Development Control Regulations and to appoint MMRDA as Project Implementing Agency for all rental housing projects undertaken in Mumbai Metropolitan Region by constructing or procuring constructed self contained dwelling units of 160 sq. ft. carpet area each. MMRDA has also requested to grant FSI 3.00 for such projects located in jurisdiction of Municipal Corporation / Mumbai Councils where provisions of Transferable Development Rights (TDR) are made in the Development Control Regulations. MMRDA has also requested to grant FSI 4.00 for such projects located in jurisdiction of Municipal Corporation / Mumbai Councils where provisions of Transferable Development Right (TDR) are not made in the Development Control Regulations. The Rental Housing Projects is projects for vital public purpose and is a Slum Prevention Programme undertaken by MMRDA.

And whereas, MMRDA vide above letters has also requested to grant FSI 4.00 for undertaking projects of rental housing on lands vested in MMRDA and wherein MMRDA desires to undertake such a project within Mumbai Metropolitan Region.

And whereas in order to increase the housing stock by constructing or procuring maximum rental housing units in Mumbai Metropolitan Region, and to make available housing units of 160 sq ft carpet area at a reasonable rent it is felt necessary to appoint MMRDA as a Project Implementing Agency to implement such a project. The rental housing policy has to form a part of the existing DCR of Municipal Corporation Councils in MMR and Development Control Regulations for regional plan of Mumbai.

And whereas, in exercise of powers contained in section 37 (1) of the said Act, read with the provisions contained in section 154 of the said Act, Government has issued directions to the Municipal Corporations vide UDD ORDER NO No. TPS – 1208/MMR/CR-393/08/UD-12 dated 4/11/2008 to initiate modifications to add a new Regulation regarding Rental Housing.

And whereas, Mumbai Metropolitan Regional Development Authority has consented to apply the provisions of Rental Housing Scheme in the City of Ulhasnagar.

And whereas, it has been decided to make enabling provision in the DCR of Ulhasnagar.

And whereas, the present DCR of Ulhasnagar does not contain the provision of TDR and hence, the directives given vide order No. TPS – 1208/MMR/CR-393/08/UD-12 dated 4th November, 2008 need to be applied with some modifications.

And whereas it is also necessary to issue directions to the said Authority within Mumbai Metropolitan Region to initiate modifications to add a new regulation regarding Rental Housing in respective Development Control Regulations.

And whereas, Development Control Rules of the said Authority does not contain the provisions of Rental Housing;

Now therefore, in exercise of powers contained in section 37(1) of the said Act, read with the provisions contained in section 154 of the said Act, Government is pleased to issue the following directions to Municipal Corporation of Ulhasnagar.

DIRECTIONS

A)	The said authority, shall initiate modifications to add a new Regulation on Rental Housing in the respective Development Control Regulations of the said authority as mentioned in Schedule as specified below
<u>SCHEDULE</u>	
i)	<u>Construction of Rental Houses on unencumbered land under exclusive private ownership:-</u> For construction of Rental Houses of unencumbered land under exclusive private ownership by land owner or any other agency approved by

	<p>MMRDA within the limits of Mumbai Metropolitan Region the FSI shall be 4.00. The utilization of FSI 4.00 shall be as follows:</p> <p>a. FSI 1.00 shall be used for Rental Housing Project on minimum 25.00% of the total land area to be conveyed in the name of MMRDA free of cost. The Land owner shall handover to MMRDA free of cost constructed Rental Housing Units with appurtenant land as specified in the <u>Appendix A</u>.</p> <p>b. FSI 3.00 shall be used for construction of Housing Units on maximum 75.00% of the total land area by the land owner and sold in the open market to subsidize the component of Rental Housing at (a) above as specified in the <u>Appendix A</u></p> <p>ii) <u>Construction of Rental Houses on unencumbered lands vested with MMRDA:</u> - For construction of Rental Houses on unencumbered lands by MMRDA on land vested with them within the limits of said Authority the FSI shall be 4.00 and out of 4.00 FSI 25% of 4.0 FSI shall be allowed for commercial use which can be sold in open market to subsidize the component of Rental housing. This 4.0 FSI will be subject to the regulations in <u>Appendix B</u>.</p>
B)	MMRDA shall be the implementing Agency for Projects of Rental Housing Metropolitan Commissioner, MMRDA shall be Chief Executive officer of such project. The Rental Housing Project for which MMRDA is the PIA (Project Implementing Agency) shall be a project for vital public purpose.
C)	The said Authority shall publish the requisite notice inviting suggestion / objections over the said modifications within a period of 90 days from the date of issue of this order.
D)	After completing the legal procedure; as laid down under section 37(1) of the said Act, the said modification proposal shall be submitted to the Government for final sanction.
E)	Pending sanction to these modifications by the Government under section 37(2) of the said Act the above mentioned modifications shall come into effect forthwith

The notice is also published on Government website www.urban.maharashtra.gov.in

By order and in the name of the Governor of Maharashtra

(N. R. Shende)

Deputy Secretary to Government

To,

1. The Metropolitan Commissioner
Mumbai Metropolitan Region Development Authority
6th Floor, Bandra – Kurla Complex, Kalanagar, Bandra (E), Mumbai – 400 051.
2. The Municipal Commissioner, Ulhasnagar Municipal Corporation, Ulhasnagar

Copy to:-

1. The Director of Town Planning, Maharashtra State, Pune
2. The Dy. Director of Town Planning, Konkan Division, Konkan Bhavan, Navi Mumbai

3. The Asstt. Director of Town Planning, Thane.
4. Section File (UD – 12)
5. Section 37 file

SCHEDULE

APPENDIX – A

Regulations for Rental Housing Project on unencumbered land under exclusive private ownership:-

(I) Eligibility for allotting Rental Houses:-

- i) The allottee under the project shall have employment / self employment business within Mumbai Metropolitan Region and minimum family income of the allottee shall be Rs. 5,000/- per month.
- ii) The allottee and his family member shall not own any houses in Mumbai Metropolitan Region (MMR)
- iii) The allottee shall be continuously residing in the State of Maharashtra for atleast 15 years before the date of application for rental housing
- iv) The allotment shall be made in the joint name of spouse if married

(II) Definition of Rental Housing Unit: - A 14.86 sq.mt. (160 sq.ft.) carpet area self contained residential unit to be given on leave and license for a period to be decided by Mumbai Metropolitan Region Development Authority (MMRDA), at a monthly charge to be decided by Metropolitan Commissioner, MMRDA considering the location of the project and residential unit, cost of construction, market condition and any other expenses.

(III) Land, Construction and Incentive Component: -

(a)	If Rental Housing Project is taken up on unencumbered land under exclusive private ownership, the land owner shall convey minimum 25% of total land area in the name of MMRDA free of cost for Rental Housing and retain maximum 75% of the total land area with him. However, the division of these area's shall not be considered for side margin, front and rear open space etc
(b)	Permissible FSI on site for construction of Rental Housing Project shall be 4.00. Out of 4.0 FSI, FSI 1.00 shall be used for construction of Rental Houses on minimum 25% of land and handed over free of cost by land owner to PIA i.e. MMRDA and FSI 3.00 shall be used for construction of Housing Units by land owner on maximum 75% of land which can be sold in open market to subsidize the component of Rental Housing
(c)	The total construction built up area of Rental Houses and Houses to be sold in open market shall include all Built up area of residential units and non-residential units. Built up area of Rental Houses with FSI 1.00 shall be given free of cost to PIA i.e. MMRDA. The construction built up area shall exclude what is set down as under: Exclusion from FSI computation: - The following shall not be counted towards FSI:- <ol style="list-style-type: none">a) Areas covered by stair-case rooms, lift rooms above the topmost storey, lift-wells and stair-cases and passages thereto, architectural features, chimneys and elevated tanks of permissible dimensions in respect of buildings in the MMR with the special permission of the Commissioner:b) Area of fire escape stairways and cantilever fire escape passages according to the Chief Fire Officer's requirements if any

	<ul style="list-style-type: none"> c) Area of the basement, if any d) Area of covered parking spaces, if any e) Area of one office room of a co-operative housing society or apartment owners association or Rent Manager f) Area of the sanitary block(s) consisting of a bathroom and water closer for each wing of each floor of a building of prescribed dimensions deriving access from a common passage for the use of domestic servants engaged in the premises. g) Refuge area as per requirement of Chief Fire Officer h) Areas covered :- <ul style="list-style-type: none"> (i) Lofts (ii) Meter rooms (iii) Porches (iv) Canopies (v) Air-conditioning plant rooms (vi) Electric Sub stations (vii) Service floor of height not exceeding 1.5 m. the special permission of the Commissioner. i) Area of balconies not more that 10 percent of the area of the floor j) Area of structure for an effluent treatment plant as required to be provided by industries as per the requirements of the Maharashtra Pollution Control Board or other relevant authorities: k) Area covered by service ducts, pump rooms, electric substations niches upto 1m. depth below window sill, passages and additional amenity of lift and / or staircase beyond those required under the Regulations with the permission of the Commissioner. l) Area of one milk booth under the public distribution system with the permission of the Commissioner. m) Area of one public telephone booth and one telephone exchange (PBX) per building with the permission of the Commissioner. n) Area of one room for installation of telephone concentrators as per requirements of Mahanagar Telephone Nigam Limited, but not exceeding 20 sq. m. per building with the permission of the Commissioner. o) Area of a separate letter box on the ground floor of residential and commercial building with five or more storeys to the satisfaction of the Commissioner. p) Area of a covered passage of clear width not more than 1.52 m. (5ft.) leading from a lift exit at terrace level to the existing staircase so as to enable descent to lower floors in a building to reach tenements no have direct access to a new lift in a building without an existing lift.
(d)	<p>If desired by MMRDA, Non-residential units / convenient shopping shall be constructed to the extent of 15% of the total built up area of Rental Houses of FSI 1.00, along the layout roads/DP roads/Municipal roads and shall be given free of cost by land owner to the Project Implementing Agency i.e. MMRDA.</p> <p>If desired by MMRDA, the land owner shall also construct non residential units for</p>

	commercial user/convenient shopping to the extent of 15% of the total built up area on Housing Units of FSI 3.00 along the layout roads/DP roads/ Municipal roads. The Housing Units with shopping units can be sold by land owner in open market.
(e)	There shall be Welfare Hall and Balwadi in each project as a part of the construction of Rental Houses component. It shall be at the rate of 14.86 sq. mts. for every multiple or part of 200 residential units but located so as to serve all the floors and buildings equitably and shall not be counted towards the FSI even while computing 4.00 FSI on site. This shall be given free of cost to PIA i.e. MMRDA
(f)	There shall be manager's office space of size 14.86 sq.mt. carpet area in the project for every multiple or part of 500 rental units located as desired by MC, MMRDA as a part of construction of Rental Houses component and shall not be counted towards the FSI even while computing 4.00 FSI on site. This shall be given free of cost to PIA i.e. MMRDA.
(g)	Total Construction Component shall mean the construction built up area of Rental Houses of self-contained 14.86 sq.m. carpet area (160 sq. ft.) including area under passages with minimum 2.0 mt. width balwadis welfare centers, manager's office Non-residential units/convenient shopping of commercial use. This shall be given free of cost to PIA i.e. MMRDA

(IV) Building details and other requirements: -

1		<u>Size of Rental unit</u> – A Rental unit shall be of 14.86 sq. m. carpet area including cooking space, bath & water closet, but excluding common areas
2		<u>Density</u>
	(a)	Density of Rental Housing shall be minimum 500 Rental units of 14.86 sq. mts. carpet area per net hectare and Density of Housing to be sold in open market shall be minimum 100 tenements per net hectare
3		<u>Minimum plot size</u>
	(a)	Plot of minimum 1000 sq. mt. is required for the project. However, for small plot size approval may be obtained from Metropolitan Commissioner, MMRDA.
4		<u>Components of Rental Unit</u>
	(a)	<u>Multi purpose Room</u> : - A multi purpose room shall be allowed with size up to 12.5 sq. mts with a minimum width of 2.4 m.
	(b)	<u>Cooking space (alcove)</u> – Provision of separate kitchen shall not be necessary. However, cooking space (alcove) shall be allowed with a minimum size of 2.4 sq. mts. with minimum width of 1.2 mts
	(c)	<u>Bath & WC</u> : - A Combined bath & WC shall be of minimum area of 1.85 sq. m. with minimum width of one meter. There shall be no stipulation of one wall abutting open space etc. as long as artificial light & ventilation through any means are provided. Water closet seat shall be of minimum length of 0.46 mt. A septic tank filter bed shall be permitted with a capacity of 150 lit per capita, where the municipal services are likely to be available within 4-5 years
5		<u>Height</u> : - The height of Multi purpose room shall be minimum 2.75 mt. and the height of building shall be as permissible by the Civil Aviation Authority
6		<u>Plinth</u> : - Minimum plinth height shall be 30 cm. and in areas subject to flooding the

		plinth shall be higher than the high flood level.										
7		<u>External Walls</u> : - Minimum 150 mm thick external brick wall without plaster shall be permitted. However, for use of modern construction technology and material etc. this thickness may be reduced with prior approval of Metropolitan Commissioner, MMRDA										
8		<u>Staircase</u> : - The staircase shall be of dogleg type. If a single flight staircase is accepted, the flight shall not be less than 1.5 mt.										
9	(a)	<u>Front & marginal Open spaces</u> : - Not withstanding the provisions in DCR 15.5.3.5 table 15.4 for buildings of Rental Housing Project having height up to 24 mt. the front & marginal open space shall be 3.6 mt. for these buildings Provided, however that in case of these buildings having height more than 24 mts. the minimum marginal open space shall be 6 mts. or as may be prescribed by Metropolitan Commissioner, MMRDA.										
	(b)	Not withstanding the provisions in DCR where the location of the plot abuts sanctioned road, having width of 18.30 m and above, the front marginal open space in layout shall not be insisted upon beyond 3.6 mt. provided subject to rules in force from time to time.										
	(c)	Where the location of plot abuts a nalla, the marginal open space along the nalla in the layout shall not be insisted upon beyond 3 mt. from the edge of the trained nalla.										
	(d)	The distance between any two buildings shall not be less than 4.5 mt.										
10		<i>Any composite building (Rental Housing Project Building – Housing Building shall contain at least 50% of the built up area for Rental Housing Project.</i>										
11	(a)	Means of access: - The ratio between the length of pathway and width thereof shall be as follows: <table style="margin-left: 40px; border: none;"> <thead> <tr> <th style="text-align: left;">Length</th> <th style="text-align: left;">Width</th> </tr> </thead> <tbody> <tr> <td>Upto 20 mt</td> <td>1.5 mt</td> </tr> <tr> <td>Upto 30 mt</td> <td>2.0 mt</td> </tr> <tr> <td>Upto 40 mt</td> <td>2.5 mt</td> </tr> <tr> <td>Upto 50 mt</td> <td>3.0 mt</td> </tr> </tbody> </table>	Length	Width	Upto 20 mt	1.5 mt	Upto 30 mt	2.0 mt	Upto 40 mt	2.5 mt	Upto 50 mt	3.0 mt
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	(b)	Between the dimensions prescribed for the pathway & marginal distances the larger of the two shall prevail. The pathway shall act as access wherever necessary. The building shall be permitted to touch pathway.										
	(c)	The means of access shall be normally governed by the provisions of DCR however in the project wherever the design of the buildings in the same layout require relaxation it may be given. Access through existing pathways/layout roads but not less than 3.6 mt. in width, shall be considered adequate for any Rental Housing Project, containing building having height less than 24 mt. including stilts.										
12	(a)	Even if the amenities space is reduced to make the project viable a minimum of at least 8% of amenity open space shall be maintained and while FSI computation for plot the area for recreation / amenity open space shall not be excluded.										
	(b)	Wherever more than the minimum front & marginal spaces have been provided such additional are provided may be considered as part of the amenity open space in the project without charging any premium to relaxation of the stipulation in DCR										

		wherever it is necessary.
13		Premium shall not be charged for exclusion of staircases & lift-well etc. as covered under the provision of III (c) above.
14		All relaxation for the Housing Building to be sold in open market – Relaxation contained in sub regulation No. 9 (a), (b), (c), (d), 11 (b), (c), 12 above, as well as other necessary relaxation shall be given to these Housing buildings
15		In order to make the Rental Housing project viable, the relaxation in DCR of MMR such as providing viability gap etc. shall be granted by Metropolitan Commissioner, MMRDA, if necessary.

(V) The land owner shall give priority to construction of rental housing over the construction of housing to be sold in open market and shall ensure that the rental housing gets completed before the letter.

(VI) Payments to be made to MMRDA:-

An amount of Rs.500/- per sq. mt. shall be paid by the land owner/developer for the built up area over and above the normal permissible FSI. This amount shall be paid to Metropolitan Commissioner, MMRDA in accordance with the time schedule for such payment as may be laid down by the Metropolitan Commissioner, MMRDA. However, by the time of completion of construction for occupation of the rental housing units, the total amount shall be deposited in full. This amount shall be used for schemes to be prepared for improvement of infrastructure in rental housing scheme provided that out of Rs.500/- per sq. mt. infrastructural charges 90% amount will go to said Authority and 10% amount will remain with the MMRDA.

[APPENDIX – B]

Regulations for Rental Housing Project on unencumbered lands vested with Mumbai Metropolitan Region Development Authority (MMRDA)

(I) Eligibility for allotting Rental Houses:-

- i) The allottee under the project shall have employment / self employment / business within MMR and minimum family income of the allottee shall be Rs. 5000/- per month
- ii) The allottee shall not own any house in Mumbai Metropolitan Region (MMR).
- iii) The allottee shall be continuously residing in the State of Maharashtra for atleast 15 years before the date of application for rental housing.
- iv) The allotment shall be made in the joint name of spouse of married.

- (II) Definition of Rental Housing Unit: - A 14.86 sq. mt. (160 sq. ft.) carpet area self contained residential unit to be given on leave and license for a period to be decided by MMRDA at a monthly charge to be decided by Metropolitan Commissioner, MMRDA considering the location of the project and residential unit, cost of construction, market condition and any other expenses.**

(III) Land, Construction and Incentive Component: -

(a)	Permissible FSI on site for construction of Rental Housing Project shall be 4.00 and out of 4.0 FSI, 75% of 4.0 FSI shall be used for construction of Rental Houses and 25% of 4.0 FSI shall be allowed for commercial use and can be sold in open market to subsidize the component of Rental Housing
(b)	The total construction built up area of Rental Houses shall mean all Built up area of residential units as well as non-residential units of commercial use meant for Rental Houses but excluding what is set down as under : Exclusion from FSI computation : - The following shall not be counted towards FSI:- <ol style="list-style-type: none">a) Areas covered by stair-case rooms, lift rooms above the topmost storey, lift-wells and stair-cases and passages thereto architectural features, chimneys and elevated tanks of permissible dimension in respect of buildings in the MMR with the special permission of the Commissioner:b) Area of fire escape stairways and cantilever fire escape passages according to the Chief Fire Officer's requirements if any.c) Area of the basement, if anyd) Area of covered parking spaces, if any.e) Area of one office room of a co-operative housing society of apartment owners association or Rent Managerf) Area of the sanitary block(s) consisting of a bathroom and water closet for each wing of each floor of a building of prescribed dimensions deriving access from a common passage for the use of domestic servants engaged in the premises.

	<p>g) Refuge area as per requirement of Chief Fire Officer</p> <p>h) Areas covered by: -</p> <ul style="list-style-type: none"> (i) Lofts (ii) Meter rooms (iii) Porches (iv) Canopies (v) Air-conditioning plant rooms (vi) Electric Sub Stations (vii) Service floor of height not exceeding 1.5 m. with the special permission of the Commissioner <p>i) Area of balconies not more than 10 percent of the area of the floor.</p> <p>j) Area of structures for an effluent treatment plant as required to be provided by industries as per the requirements of the Maharashtra Pollution Control Board or other relevant authorities:</p> <p>k) Area covered by service ducts, pump rooms, electric substations, niches upto 1 m. depth below window sill, passages and additional amenity of lift and /or staircase beyond those required under the Regulation with the permission of the Commissioner.</p> <p>l) Area of one milk booth under the public distribution system with the permission of the commissioner</p> <p>m) Area of one public telephone booth and one telephone exchange (PBX) per building with the permission of the commissioner.</p> <p>n) Area of one room for installation of telephone concentration as per requirements of Mahanagar Telephone Nigam Limited, but not exceeding 20 sq. m. per building, with the permission of the commissioner.</p> <p>o) Area of a separate letter box on the ground floor of residential and commercial buildings with five or more storeys to the satisfaction of the Commissioner.</p> <p>p) Area of a covered passage of clear width not more than 1.52 m. (5 ft.) leading from a lift exit at terrace level to the existing staircase so as to enable descent to lower floors in a building to reach tenements not having direct access to a new lift in a building without an existing lift.</p>
(c)	There shall be Welfare Hall and Balwadi in each project as a part of the construction of Rental Houses component. It shall be at the rate of 14.86 sq. mts. for every multiple or part of 200 residential units but located so as to serve all the floors and buildings equitably and shall not be counted towards the FSI even while computing 4.00 FSI on site.
(d)	There shall be manager's office space of size 14.86 sq. m. carpet area in the project for every multiple or part of 500 rental units located as desired by MC, MMRDA as a part of construction of Rental Houses component and shall not be counted towards the FSI even while computing 4.00 FSI on site.
(e)	Total Construction Component shall mean the construction built up area of Rental Houses of self-contained 14.86 sq.m. carpet area (160 sq. ft.) including areas under passages with minimum 2.0 mt. width, balwadi, welfare centers, manager's office, Non-residential units/convenient shopping of commercial use.

(IV) Building and details and other requirements:-

1		<u>Size of Rental unit</u> - A Rental unit shall be of 14.86 sq. mt. carpet area including cooking space, bath & water closet but excluding common areas
2		<u>Density</u>
	(a)	Density shall be minimum 1500 Rental units of 14.86 sq. mts. carpet area per net hectare.
3		<u>Minimum plot size</u>
	(a)	Plot of minimum 1000 sq.mt. is required for the project. However, for small plot size approval may be obtained from Metropolitan Commissioner, MMRDA
4		<u>Components of Rental Unit</u>
	(a)	<u>Multi purpose Room</u> : - A multi purpose room shall be allowed with size up to 12.5 sq. mts. with a minimum width of 2.4 m.
	(b)	<u>Cooking space (alcove)</u> – Provision of separate kitchen shall not be necessary. However, cooking space (alcove) shall be allowed with a minimum size of 2.4 sq. mts. with minimum width of 1.2 mts.
	(c)	<u>Bath & WC</u> : - A Combined bath & WC shall be of minimum area of 1.85 sq.m. with minimum width of one meter. There shall be no stipulation of one wall abutting open space etc. as long as artificial light & ventilation through any means are provided. Water closet seat shall be of minimum length of 0.46mt. A septic tank filter bed shall be permitted with a capacity of 150 lit per capita, where the municipal services are likely to be available within 4-5 years
5		<u>Height</u> :- The height of Multi purpose room shall be minimum 2.75 mt. and the height of building shall be as permissible by the Civil Aviation Authority.
6		<u>Plinth</u> : - Minimum plinth height shall be 30 cm. and in areas subject to flooding the plinth shall be higher than the high flood level.
7		<u>External Walls</u> : - Minimum 150 mm thick external brick wall without plaster shall be permitted. However, for use of modern construction technology and material etc, this thickness may be reduced with prior approval of Metropolitan Commissioner, MMRDA.
8		<u>Staircase</u> : - The staircase shall be of dogleg type. If a single flight staircase is accepted, the flight shall not be less than 1.5 mt.
9	(a)	<u>Front & marginal Open spaces</u> : - For buildings of Rental Housing Project having height up to 24 mt. the front & marginal open space shall be 3.6 mt. for these buildings. Provided, however that in case of these buildings having height more than 24 mts the minimum marginal open space shall be 6 mts. or as may be prescribed by Metropolitan Commissioner, MMRDA
	(b)	Notwithstanding the provisions in DCR where the location of the plot abuts DP Road, the front marginal open space in layout shall not be insisted upon beyond 3.6 mt. provided subject to rules in force from time to time.
	(c)	Where the location of plot abuts a nalla, the marginal open space along the nalla in the lay out shall not be insisted upon beyond 3 mt. from the edge of the trained nalla.
	(d)	The distance between any two buildings shall not be less than 4.5 mt.
10		<i>Any composite building (Rental Housing Project Building + Commercial Building) shall contain at least 50% of the built up area for Rental Housing Project.</i>
11	(a)	Means of access: - The ratio between the length of pathway and width thereof shall be as follows:

		Length	Width
		Upto 20 mt	1.5 mt
		Upto 30 mt	2.0 mt
		Upto 40 mt	2.5 mt
		Upto 50 mt	3.0 mt
	(b)	Between the dimension prescribed for the pathway & marginal distances the larger of the two shall prevail. The pathway shall act as access wherever necessary. The building shall be permitted to touch pathway.	
	(c)	The means of access shall be normally governed by the provisions of DCR however in the project wherever the design of the buildings in the same layout require relaxation it may be given. Access through existing pathways/ layout roads but not less than 3.6 mt. in width, shall be considered adequate for any Rental Housing Project, containing buildings having height less than 24 mt. including stilts.	
12	(a)	Even if the amenities space is reduced to make the project viable, a minimum of at least 8% of amenity open space shall be maintained and while FSI computation for plot the area for recreational / amenity open space shall not be excluded.	
	(b)	Wherever more than the minimum front & marginal spaces have been provided such additional area provided may be considered as part of the amenity open space in the project without charging any premium in relaxation of the stipulation in DCR wherever it is necessary.	
13		Premium shall not be charged for exclusion of staircase & lift-well etc. as covered under the provision of III (b) above.	
14		All relaxation for the Commercial Building – Relaxation contained in sub regulation No. 9(a), (b), (c), (d), 11 (b), (c), 12, 13 above as well as other necessary relaxation shall be given to the Commercial building.	
15		In order to make the Rental Housing project viable, the relaxation in DCR of MMR, such as providing viability gap etc, shall be granted by Metropolitan Commissioner, MMRDA, if necessary.	

(V) Payments:-

MMRDA shall pay to the said Authority Rs. 450/- per sq. mt. (90% of Rs. 500/-) for the built up area over and above the normal permissible FSI as infrastructural charges before occupation of rental housing.

महाराष्ट्र प्रादेशिक नियोजन व नार रचना धिनियम, १९६६
कलम ३७(२) न्वये विकास नियंत्रण नियमावलीत
करावयाच्या फेरबदलाबाबतची धिसूचना.

महाराष्ट्र शासन,
नार विकास विभा १,
शासन निर्णय क्रमांक : टिपीबी-४३०५/२७३६/प्र.क्र.३३८/२००५/नवि-११
मंत्रालय, मुंबई : ४०० ०३२, दिनांक : २० ऑक्टोबर, २००८.

शासन निर्णय - सोबतची धिसूचना राज्य शासनाच्या साधारण राजपत्रात प्रसिद्ध करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांच्या ादेशानुसार व नांवाने -

(भिराज िरकर)
वर सचिव, महाराष्ट्र शासन

प्रति,

महापालिका ायुक्त, बृहन्मुंबई महानारपालिका, मुंबई.

महानार ायुक्त, मुंबई महानार प्रदेश विकास प्राधिकरण, वांदे-कुर्ला संकुल, वांदे (पूर्व), मुंबई-५१.

संचालक, नार रचना, महाराष्ट्र राज्य, पुणे.

उपसंचालक, नार रचना, बृहन्मुंबई, मुंबई.

उप सचिव, नार रचना, नार विकास विभा १, मंत्रालय, मुंबई.

पोलीस सह ायुक्त (वाहतुक), बृहन्मुंबई.

मुख्य भियंता (रस्ते), बृहन्मुंबई महानारपालिका, मुंबई.

प्रमुख भियंता (वि.नि.), बृहन्मुंबई महानारपालिका, मुंबई.

व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, चर्नीरोड, मुंबई

(त्यांना विनंती करण्यांत येते की, सोबतची धिसूचना महाराष्ट्र शासनाचे साधारण राजपत्रात भा १-१ मध्ये प्रसिद्ध करण्यात येऊन त्याच्या प्रत्येकी ३५ प्रती नार विकास विभा १, (नवि-११), मंत्रालय, मुंबई-३२ व उप संचालक, नार रचना, बृहन्मुंबई, मुंबई यांना पाठविण्यांत याव्यात.)

क १ धिकारी (सं णक क १) (नवि.११), नार विकास विभा १, मंत्रालय, मुंबई ४०० ०३२.

(त्यांना विनंती करण्यात येते की, सोबतची धिसूचना विभा १च्या वेबसाईटवर प्रदर्शित करण्याबाबत ावश्यक ती कार्यवाही करावी)

निवडनस्ती (नवि-११).

सेक्शन ३७ फाईल

SCHEDULE

Accompaniment to the Government in Urban Development Departments Notification No. TPB 4305/2736/CR-338/09/UD-11 dated 20th October 2008

A new regulation is added after the Regulation 33 (23) as follows:

33(24) Development of Multi storied / Parking lots: - with previous approval of Govt. for development of multi-stories /parking lots on any plot below on built up parking area, created and handed over to MCGM of cost, shall be allowed on the land belonging to the private owners, which is not reserved for any public purposes

This will be subject to following conditions: -

- i) The minimum area of plot shall be 1000 sq.mt. in Island City & 2000 sq. mt. in suburb and extended suburbs of Gr. Mumbai. The minimum number of Motor Vehicle public parking spaces provided sq.mt. The location of parking spaces can be in basement, ground floor or upper floors, with access through ramps/lift or combination of both subject to clearance from Chief Fire Officer with special emphasis on fire hazard.
- ii) A committee under the Chairmanship of Municipal Commissioner, MCGM shall earmark/select the plots for public parking, on the basis of their suitability and seek Government's approval for it. The Committee shall comprise of (i) Joint Commissioner of Police (Traffic) or its representative (ii) Metropolitan Commissioner, Mumbai, Metropolitan Region Development Authority or its representative (iii) Dy. Director of Town Planning, Gr. Mumbai (iv) Chief Engineer (Road), Municipal Corporation of Gr. Mumbai (Member Secretary).
- iii) The incentive FSI given on this account will be over and above the FSI permissible under any other provisions of DCR. This incentive FSI shall be allowed to be used on the same plot in conformity with DCR/DP within the overall cap/limit of total maximum permissible FSI as given (vii) below
- iv) The proposed development shall be further subject to such conditions as mentioned / prescribed by the Municipal Commissioner
- v) Concerned land owner / developer / society /company shall not be allowed to operate the public parking.
- vi) Area covered under parking shall not be counted towards FSI consumption.
- vii) Additional FSI on built up parking area and total permissible FSI (including additional FSI shall be as follows.

Sr. No.	Location	Permissible additional FSI on built up parking area	Total maximum permissible FSI including additional FSI
1	Within the area of 500 mt. from precincts of Railway Stations, S.T. Bus Depots, Metro Stations, Water Jetties & existing Govt. / Semi Govt. & Corporation Officers Tourist Places identified by Tourism Department, Important Religious Places of Worship (Registered under Charity Act), etc having inadequate Public Parking facilities.	50%	a) Island City = <u>4.00</u> b) Suburb & Extended Suburbs = <u>3.00</u> Independent as well as composite buildings for public parking
2	Remaining area of Gr. Mumbai	40%	a) Island City: i) independent Building = <u>3.50</u> ii) Composite Building = <u>3.00</u> For public parking b) Suburb & Ext. Suburbs: i) Independent Building = 3.00 ii) Composite Building = 2.50 For public parking

(Abhiraj Girkar)
Under Secretary to Government