

Sanctioned Development Control Regulations (DCR)
for
Chhatrapati Shivaji Maharaj International Airport
Notified Area (CSMIANA), Mumbai

Mumbai Metropolitan Region Development Authority, Mumbai

Chapter 15
Modified Development Control Regulations for CSMIANA

SECTION - A

ADMINISTRATION

Mumbai Metropolitan Region Development Authority, Mumbai, appointed by the State Government as the Special Planning Authority under section 40 (1C) of the Maharashtra Regional and Town Planning Act, 1966 for the area notified for development of Chhatrapati Shivaji Maharaj International Airport (CSMIA) Mumbai, notified under section 40(1) of the said Act, in exercise of its powers under clause (d) of sub section 3 of section 40 of the Maharashtra Regional and Town Planning Act, 1966 makes following Development Control Regulations as a part of its proposals for the development of land.

This document (Draft Development Control Regulations for Chhatrapati Shivaji Maharaj International Airport Notified Area, Mumbai)/ Chapter 15 of Draft Development Plan of CSMIANA, Section-A & Section-B contain the Regulations/ Sub-regulations applicable to the development within CSMIA Notified Area as per proposed Draft Development Plan of CSMIANA (Interim). Subject to the regulation contained herein, other regulations/ sub-regulations as defined in the Development Control Regulations for Greater Mumbai framed by the Municipal Corporation of Greater Mumbai from time to time shall apply with the modification that the expression of "MCGM" and "Municipal Commissioner" shall be substituted by the expression "MMRDA" and "Metropolitan Commissioner" respectively. In the case of any conflict, discrepancy or repugnancy between the provisions of these two DCRs, provisions of the DCR of CSMIA Notified Area shall prevail over and supersede the provisions of DCR of MCGM.

1. SHORT TITLE, EXTENT AND COMMENCEMENT

(1) Title

These Regulations shall be called the Development Control Regulations for Chhatrapati Shivaji Maharaj International Airport Notified Area (CSMIANA) Mumbai, 2010 (hereinafter referred to as "these Regulations").

(2) Jurisdiction

These Regulations shall apply to all "developments" in the Chhatrapati Shivaji Maharaj International Airport Notified Area (CSMIANA) Mumbai.

(3) Date of Coming into Force

These Regulations shall come into force from the date on which the Development Plan for CSMIANA is approved by Govt. of Maharashtra and shall replace the existing Development Control Regulations for Greater Bombay, framed under the M R&TP Act, 1966. Till such approval, the Authority in considering the application for development permission shall have due regard to the Draft Development Plan including these regulations.

2. DEFINITIONS OF TERMS AND EXPRESSIONS

(3) Definitions –

(3) "Act" means the Maharashtra Regional and Town Planning Act, 1966.

(101) "Authority" means the Mumbai Metropolitan Region Development Authority, Mumbai, appointed as the Special Planning Authority under section 40 (1C) of the Act for the "Chhatrapati Shivaji Maharaj International Airport Notified Area" (CSMIANA), Mumbai.

(102) "Airport Operator & Developer" means Mumbai International Airport Pvt Ltd, Mumbai, (MIAL) entrusted with operation, planning, management and development of CSMIA for a period of 30 years (extendable by another 30 years) starting from April 2006, by Airports Authority of India under relevant guidelines of MoCA, Gol.

(103) "Chhatrapati Shivaji Maharaj International Airport Notified Area (CSMIANA) Mumbai" means the area specified in the notification published in the *Official Gazette dated 14th May, 2009 vide Government Resolution No. TPB-4308/3709/CR-347/08/UD-11*

(104) "Draft Development Plan of CSMIANA" means the proposals of the Mumbai Metropolitan Region Development Authority, Mumbai, for the development of lands contained in "Chhatrapati Shivaji Maharaj International Airport Notified Area, Mumbai" and approved by the Government.

(105) "Global Floor Space Index" means the quotient of the total built floor space on total Notified Site area of CSMIA excluding the areas specifically exempted from computation under these Regulations that can be constructed on total area of CSMIA site considered as a single plot area to the total Notified CSMIA site area as per provisions of Regulation 35 (ii) of CSMIANA DCR.

(106) "MIAL" means Mumbai International Airport Pvt Ltd, Mumbai, entrusted with operation, planning, management and development of CSMIA for a period of 30 years (extendable by another 30 years) starting from April 2006, by Airports Authority of India under relevant guidelines of MoCA, Gol, hereinafter also referred to as Airport Operator & Developer.

3. APPLICABILITY

(2) **Part construction** - Where the whole or part of building is demolished or altered or reconstructed/removed, except where otherwise specifically stipulated, these Regulations apply to the total extent of the work involved, and development as a whole on the said site/ plot in compliance with provisions of Draft Development Plan of CSMIA.

(3) **Change of occupancy**- Where the occupancy of a building is changed, except where otherwise specifically stipulated these Regulations shall apply to all parts of the building affected by the change or on the whole said site/ plot in compliance with provisions of Draft Development Plan of CSMIA.

(4) **Reconstruction** - The reconstruction in whole or part of a building which has ceased to exist due to an accidental fire, natural collapse/ calamity or demolition or needs to be demolished or reconstructed due to locational and/or landuse nonconformity with the provisions of Draft Development Plan of CSMIA shall be allowed, provided the proposed reconstruction on the same site for new/ permissible landuse is in conformity with provisions of Draft Development Plan of CSMIA. The same shall be permitted by MMRDA in non-aeronautical zones/ areas and by Airport Operator & Developer for operational uses in aeronautical and non-aeronautical zones/ areas as per provisions of these regulations. However, reconstruction for/ of the buildings and the uses in non-conformity with the provisions of Draft Development Plan of CSMIA shall not be permitted within the notified area of CSMIA.

(5) **Exclusions** - Nothing in these Regulations shall require the removal, alteration or abandonment or prevent the continuance of the lawfully established use or occupancy of an existing building or its use unless, in the opinion of the Metropolitan Commissioner or/ & if the said use is incompatible as per the provisions of Draft Development plan of CSMIA, such a

building/use is unsafe, incompatible, not required or constitutes a hazard to the safety of adjacent property or due to locational and/or landuse nonconformity with the provisions of Draft Development Plan of CSMIA .

4. DEVELOPMENT PERMISSION AND COMMENCEMENT CERTIFICATE

(2) Items of operational construction by authorities excluded - construction for operational purposes, including maintenance of operational structures, by the following organizations, authorities or departments, whether temporary or permanent, shall be exempted from the purview of these Regulations, except those relating to floor space index and fire precautions:-

- (i) Airport Authority of India (AAI),
- (ii) Mumbai International Airport Limited (MIAL),
- (iii) Airport Operator and Developer
- (iv) National Aviation Company of India Limited (NACIL)
- (v) Other Public/ Government Organizations related to aviation, aerodromes and airports;
- (vi) Railways including Sub-Urban Railway and Metro Rail;
- (vii) National Highways;
- (viii) Posts and Telegraphs, Telephones, Television, Wireless, Broadcasting authorities and the authorities of other similar forms of communication;
- (ix) Power utility companies, for Regional grids, towers, gantries, switchyards, contact rooms for distribution, etc. of electricity;
- (x) Defense Authorities including CISF, BCAS, State Police and other airport/aviation security agencies and authorities as may be notified by Central/ State Government;
- (xi) Meteorological Department,
- (xii) Aviation Fuel and utility Companies including IOCL, HPCL, BPCL and other aviation fuel and utility companies as may be notified by Central/ State Government;
- (xiii) Any other essential public services as may be notified by the State Government.

All such constructions shall, however, conform to the prescribed requirement for the provision of essential services, water supply connections drains, etc. as may be required to support the functions/ uses/ buildings to the satisfaction of the Metropolitan Commissioner.

(3) Operational constructions excluded - The following constructions for operational purposes of the organizations, authorities or department listed above are exempted from the purview of these Regulations except those relating to floor spaces index and fire precautions:-

- (i) New constructions and repairs/ renovation of existing installations of building used for operational purposes-
 - a) All operational structures within Aeronautical and Non-Aeronautical zones/ areas including Runways, Taxiways, Aprons, aircraft parking, aircraft hangars, Terminals, VVIP & VIP lounges, Parking, Multi Level Car Parking, Ground Transport Centre (GTC), Air Traffic Control Tower, Air Traffic Control Complex, ATS offices, MET Offices, Hangars, warehouses, workshops, Security Offices / installations, Fire Station, Water Storage & Pumping stations, Power Sub Stations, Septic Tanks & STPs, Offices (Radar, ATC, airlines, airport, security, etc), NAVAIDs, Radar installations,
 - b) Aircraft, Maintenance Workshops, Mechanical Workshops, Vehicle maintenance Workshops , GSD- Ground Service Depots ULD Parking, Vehicle Parking, Internal roads, Security Gates , Airline support Offices & Warehouses, cargo warehouses, cargo cold storage, bulk Cargo storage, Ground Support Equipment area, Transport

Workshops, stores of all kinds, Flight and Centralized Kitchens, Staff Canteens & Kitchens, Staff dining lounges, Offices including airport operation/ management offices, Airline Offices, Cargo offices, cargo warehouses security agencies' offices, telephone exchanges, Government Offices,

- (ii) In case of the Railways including Sub-Urban Railway and Metro Rail -
Railway tracks, platforms, public transport system, ticketing plazas, yards, workshops, baggage handling areas, goods sheds and offices, parcel offices, sub-stations, foot-over bridges turn-tables, lifting towers, gantries, signal and signal boxes or control cabins in hump yards, car parking facility, carriage and wagon depots, carriage washing places, overhead or ground level water tanks, pipelines and pumping station; running rooms, train examiners' offices, railway and metro rail related offices, yard depots, permanent way inspectors' and signal inspectors' stores in railway yards and all overhead electric equipments for traction, control rooms, security gates, etc along with other public utilities like UG water tanks, STPs, public parking etc constructed on site. Provided that, for the construction of new railway lines or tracks the approval of the State Government shall be necessary.
- (iii) In case of the Aviation Fuel utility -
Fuel storage facilities, fuel farms, fuel tanks, loading and unloading terminals/ bays, supply and distribution corridors, pipelines, inspection chambers/ rooms, pumping stations, fuel farm operating offices, parking facility, laboratories, control rooms and security gates, etc. along with other public utilities like UG water tanks, STPs, public parking etc constructed on site.
- (iv) In case of the Power utility -
Distribution Sub-stations and Receiving sub-station including all equipment areas, DG rooms, offices, parking, supply and distribution corridors, cable lines, pipelines, transformers, switching stations, control rooms, security gates, etc. along with other public utilities like UG water tanks, STPs, public parking etc constructed on site.
- (v) In case of Defense and airport security and safety -
Defense Offices, establishments, installations, parking, all operational structures for defense and security purposes, dog kennels, bomb detection and disposal areas, laboratories, control rooms and security gates, Police Stations etc. along with other public utilities like UG water tanks, STPs, public parking etc constructed on site.
- (vi) In case of all foresaid authorities/ companies/ agencies for their temporary site offices, construction yards, labor camps, for their airport development -
Site offices, Parking, Construction offices, construction yards, batching plants, storage areas, godowns, gantry areas, laboratories, control rooms and security gates, water storage tanks, STPs, septic tanks, DG sets, etc. as may be required for expeditious construction and completion of CSMIA airport development.

Provided that, Airport Operator & Developer of Chhatrapati Shivaji Maharaj International Airport (CSMIA) shall plan, control, manage and regulate the foresaid temporary or permanent developments/ construction, of all operational planning and construction in aeronautical and non-aeronautical areas of CSMIA, in accordance with provisions of Draft Development Plan of CSMIA and periodically inform/ appraise/ communicate the Metropolitan Commissioner on the same.

Provided further that, the following constructions by the organisations, authorities or departments listed in sub-Regulations 2 herein shall not be deemed to be operational for the purpose of exemption under the said Regulations, namely:-

(i) Residential buildings, commercial buildings, non-operational purpose office buildings and industrial buildings other than gate lodges, cargo, essential operational staff quarters and the like as listed in sub-Regulation 3 (i) to (vi), roads and drains, hospitals, clubs, institutes and schools in residential, commercial or industrial areas of the colonies of such organisations, authorities or departments.

(ii) Construction, installation or any extension of any building in the case of any service other than those mentioned in this Regulation as listed in sub-Regulation 3. (i) to (vi).

(5) Applicability to partially completed works or works already commenced - For partially completed works or works already commenced or started with due permission before these Regulations have come into force, the Metropolitan Commissioner may not, for reasons to be recorded in writing, necessarily insist on compliance with the provisions of these Regulations for extending the period of the development permission, which shall not exceeds that specified in section 48 of the Maharashtra Regional and Town Planning Act, 1966.

8. INSPECTION

(4) Unauthorized development:- In case of unauthorised development, the Metropolitan Commissioner shall -

a) take suitable action which may include demolition of unauthorised works as provided in section 53 of the MRTP Act, 1966.

9 LAND USES AND THE MANNER OF DEVELOPMENT

The uses of lands situated within the limits of Notified area of CSMIA , which have been allocated/ designated for certain purposes in the Draft Development Plan of CSMIA, shall be regulated in regard to type and manner of development/ re-development, according to Table- 4 hereunder:-

Sr. No.	Use (Allocation, designation or reservation)	Person/ Authority who may develop	Condition subject to which development is permissible
(1)	(2)	(3)	(4)
I Residential			
	(a) Residential	Owner/ Airport Operator & Developer	
	(f) Government Staff Quarters/ Housing	Owner/ Airport Operator & Developer	A) For lands not owned by Appropriate Authority :- (i) The owner/ Airport Operator & Developer shall construct designated amenity according to norms prescribed by the said concerned Department (inclusive of provision for required parking spaces) for being used for the designated amenity. (ii) Built-up space thus constructed shall be handed over to concerned agency/ concerned public/ semi-public agency/ state or central Govt. dept. Thereafter, the owner/ Airport Operator & Developer shall be allowed to develop remaining permissible FSI (if any) of the plot for other permissible use/user of the plot.
	(g) Police / CISF Quarters/ Housing	Owner/ Airport Operator & Developer	A) For lands not owned by Appropriate Authority :- (i) The owner/ Airport Operator & Developer shall construct designated amenity according to norms prescribed by the
			said concerned Department (inclusive of provision for required parking spaces) for being used for the designated amenity. (ii) Thereafter, the owner/ Airport Operator & Developer shall be allowed to develop remaining permissible FSI (if any) of the plot for other permissible use/user of the plot.
II Uses/ Activities in Non-aeronautical Zone (Commercial)			
	(a) Local Commercial (i) District Commercial	Owner/ Airport Operator & Developer	The owner/ Airport Operator & Developer may be allowed to develop on such terms as may be agreed between him and the Commissioner. In cases where the owner/ Airport Operator & Developer has been granted exemption under section 20 or 21 or redevelopment permission under section 22 of Urban Land (Ceiling & Regulations) Act, 1976, prior to coming in to force of these Regulations, he would be entitled to develop the land in accordance with the terms & condition set out in exemption order issued by the Government or the Competent Authority under that Act.
	(b) Retail Market (RM)	Owner/ Airport Operator & Developer	
	(c) Shopping Center (SC)	Owner/ Airport Operator & Developer	
	(d) Open Market (OM)	Owner/ Airport Operator & Developer	
	(g) Godown/ Warehousing/ Cold Storage	Owner/ Airport Operator & Developer	
IV Roads & Parking (Transportation)			
	(a) Proposed road/street	Corporation/ Owner/ Airport Operator & Developer	
	(b) Proposed widening of existing road/street envisaged either in the development plan or by prescription of regular line of street under the Mumbai Municipal Corporation Act, 1888.	Corporation/ Owner/ Airport Operator & Developer	
	(d) BEST Bus Station (BBS)	BEST Undertaking/ Airport Operator & Developer	
	(i) Parking Lot (PL)	Owner/ Airport Operator & Developer	The owner/ Airport Operator & Developer may be allowed to develop the parking lot for the public according to the design, specification and conditions prescribed by the Metropolitan

Table 4 : Land Uses and The Manner of Development

Sr. No.	Use (Allocation, designation or reservation)	Person/ Authority who may develop	Condition subject to which development is permissible
(1)	(2)	(3)	(4)
I Residential			
	(a) Residential	Owner/ Airport Operator & Developer	
	(f) Government Staff Quarters/ Housing	Owner/ Airport Operator & Developer	A) For lands not owned by Appropriate Authority :- (i) The owner/ Airport Operator & Developer shall construct designated amenity according to norms prescribed by the said concerned Department (inclusive of provision for required parking spaces) for being used for the designated amenity. (ii) Built-up space thus constructed shall be handed over to concerned agency/ concerned public/ semi-public agency/ state or central Govt. dept. Thereafter, the owner/ Airport Operator & Developer shall be allowed to develop remaining permissible FSI (if any) of the plot for other permissible use/user of the plot.
	(g) Police / CISF Quarters/ Housing	Owner/ Airport Operator & Developer	A) For lands not owned by Appropriate Authority :- (i) The owner/ Airport Operator & Developer shall construct designated amenity according to norms prescribed by the

			Commissioner or as required for airport requirements, utilising the full built-up area equal to the FSI available on the plot for the purpose of providing the parking spaces. The operation and maintenance of the facility shall be decided by the Airport Operator & Developer. The parking spaces may be in the basement or open spaces or under the stilts or on the upper floors. Thereafter the owner/ Airport Operator & Developer will be entitled to have the full permissible FSI of the plot, without taking into account the areas utilised for providing the parking spaces for the other permissible users of the plot and for public utilities like maintenance office, UG water tanks, STPs, public parking etc.
(k) Railway Siding, Workshops and other Railway Uses	Indian Railways/ Concerned Authority		
V. Social Infrastructure / Facilities (Public, Semi-Public)			
1. Institutional-			
(a) Dispensary(D) (b) Health/Welfare Center (WC) (c) Maternity Home(MH) (d) Municipal chowky (MCKY)	Owner/ Airport Operator & Developer		The owner/ Airport Operator & Developer will be permitted to develop the amenity as per the norms prescribed by the Metropolitan Commissioner. Built-up space thus constructed shall be handed over to concerned agency/ concerned public/ semi-public agency/ state or central Govt. dept. Thereafter the owner/ Airport Operator & Developer shall be entitled to have remaining permissible FSI (if any) of the plot for other permissible use/user of the plot.
(e) General Hospital (GH) (i) Veterinary Dispensary (+ VH)	Public Authority or Public Organisation/ Trust or Owner (Legal Person)/ Airport Operator & Developer		When owner/ Airport Operator & Developer develop the facilities at (e) & (i) it will be in accordance with the specifications and conditions approved by the Metropolitan Commissioner.
2. Educational –			
(b) Primary School (P.S.) (c) Secondary School (SS)	Owner / Airport Operator & Developer		The owner/ Airport Operator & Developer may be allowed to develop the land for the specific facility and operate it himself or entrust it's operation to a registered institution or trust.
(f) Technical school	Public Authority or Owner / Airport Operator & Developer		Conditions subject to which development of Technical School is permissible will be as in the case of a Primary School or as Secondary School as indicated in this column against item V(2) (b) and (c).
3. Government or Semi-Public - (a) Government office (GO)	Govt. or Owner/ Airport Operator & Developer		A) For lands not owned by Appropriate Authority :- (i) The owner/ Airport Operator & Developer shall construct designated amenity according to norms prescribed by the said concerned Department (inclusive of provision for required parking spaces) for being used for the designated amenity. (ii) Built-up space thus constructed shall be handed over to concerned agency/ concerned public/ semi-public agency/ state or central Govt. dept. Thereafter, the owner/ Airport Operator & Developer shall be

			allowed to develop remaining permissible FSI (if any) of the plot for other permissible use/user of the plot.
4. Assembly and Recreation – (a) Cinema Theatre (CN) (b) Drama Theatre (DTH) (c) Open Air Theatre (OTH) (d) Children's' Theatre (CTH) (e) Museum (f) Public Hall (g)Gymnasium/ Gymkhana (GYM) (h) Club	Owner/ Airport Operator & Developer		
(i) Stadium (j) Swimming Pool (k) Recreation Ground (RG) (l) Playground (PG) (m) Garden (G) (n) Park (P) (o) Sports Complex-cum Shopping Centre	Owner/ Airport Operator & Developer		The Airport Operator & Developer may entrust the development and maintenance of the facility to a suitable agency on terms to be decided by him.
(p) Library	Owner/ Airport Operator & Developer		The owner/ Airport Operator & Developer may be permitted to develop the Library as per the norms prescribed by the Metropolitan Commissioner. Built-up space thus constructed shall be handed over to concerned agency/ concerned public/ semi-public agency/ state or central Govt. dept. Thereafter the owner/ Airport Operator & Developer shall be entitled to have remaining permissible FSI (if any) of the plot for other permissible use/user of the plot.
(q) Tourist Complex/Centre	Maharashtra Tourism Development Corp. Ltd. OR Owner/ Airport Operator & Developer		
(r) Art Gallery	Owner/ Airport Operator & Developer		The owner/ Airport Operator & Developer may be permitted to develop the Art Gallery as per the norms prescribed by the Metropolitan Commissioner. Built-up space thus constructed shall be handed over to concerned agency/ concerned public/ semi-public agency/ state or central Govt. dept. Thereafter the owner/ Airport Operator & Developer shall be entitled to have remaining permissible FSI (if any) of the plot for other permissible use/user of the plot.

5. Public Utilities (a) Fire Brigade Station (FB) (b) Sewage Purification Works (SPS) (c) Reservoir (R) (d) Pumping Station (SPg. Stn.) (e) Sanitary Refuse Shed (SRS) (f) Refuse Transport Station (RTS) (n) Public Sanitary Convenience (PSC)	Owner/ Airport Operator & Developer/ Concerned Authority	A) For lands not owned by Appropriate Authority :- (i) The owner/ Airport Operator & Developer shall construct designated amenity according to norms prescribed by the said concerned Department (inclusive of provision for required parking spaces) for being used for the designated amenity. (ii) Built-up space thus constructed shall be handed over to concerned agency/ concerned public/ semi-public agency/ state or central Govt. dept. Thereafter, the owner/ Airport Operator & Developer shall be allowed to develop remaining permissible FSI (if any) of the plot for other permissible use/user of the plot and for other public utilities like maintenance office, UG water tanks, STPs, public parking etc.
(h) Receiving Station (RS) & Distribution Station (DS)	Electrical Licensee Corporation/ Public Authority or Owner/ Airport Operator & Developer	In addition to the principal use, the owner/ Airport Operator & Developer shall be allowed to develop other public utilities like maintenance office, UG water tanks, STPs, public parking etc. on the plot
(j) Post Office (PO) Post and Telegraph Office (PT)/Telephone Service Centre (TC) Police Chowky (PCKY)	The Government Department concerned or owner/ Airport Operator & Developer	The Government department concerned may develop and maintain the use. OR The owner/ Airport Operator & Developer may be permitted to develop the facility subject to his handing over to the Government department concerned free of charge the required built-up space for the facility constructed according to the norms prescribed by the said Government department. Provided that alternatively the owner may handover to the concerned Government Department free of charge the prescribed built up area for the said facility or any related facility of the said Government Department constructed according to the requirement of the said Government Department anywhere in the same ward or nearby location in adjacent ward at convenient place mutually agreed by the owner and the said Government Department. Thereafter the owner will be entitled to the remaining permissible FSI of both the plots.
(k) Telephone Exchange (TE)	Govt. department concerned or owner/ Airport Operator & Developer or basic Telephone Operating Company	A) For lands not owned by Appropriate Authority :- (i) The owner/ Airport Operator & Developer shall construct designated amenity according to norms prescribed by the said concerned Department (inclusive of provision for required parking spaces) for being used for the designated amenity. (ii) Built-up space thus constructed shall be handed over to concerned agency/ concerned public/ semi-public agency/ state or central Govt. dept. Thereafter, the owner/ Airport Operator & Developer shall be allowed to develop remaining permissible FSI (if any) of the plot for other permissible use/user of the plot and for public utilities like maintenance office, UG water tanks, STPs, public parking etc.
(l) Police Station	Concerned	A) For lands not owned by Appropriate Authority :-

		Govt. department or Owner/ Airport Operator & Developer	(i) The owner/ Airport Operator & Developer shall construct designated amenity according to norms prescribed by the said concerned Department (inclusive of provision for required parking spaces) for being used for the designated amenity. (ii) Built-up space thus constructed shall be handed over to concerned agency/ concerned public/ semi-public agency/ state or central Govt. dept. Thereafter, the owner/ Airport Operator & Developer shall be allowed to develop remaining permissible FSI (if any) of the plot for other permissible use/user of the plot and for public utilities like maintenance office, UG water tanks, STPs, public parking etc.
(m) (c) BEST Bus Station		BEST Undertaking/ Owner/ Airport Operator & Developer	A) For lands not owned by Appropriate Authority :- (i) The owner/ Airport Operator & Developer shall construct designated amenity according to norms prescribed by the said concerned Department (inclusive of provision for required parking spaces) for being used for the designated amenity. (ii) Built-up space thus constructed shall be handed over to concerned agency/ concerned public/ semi-public agency/ state or central Govt. dept. Thereafter, the owner/ Airport Operator & Developer shall be allowed to develop remaining permissible FSI (if any) of the plot for other permissible use/user of the plot and for public utilities like maintenance office, UG water tanks, STPs, public parking etc.

Explanation –

- (i) Even where an owner/ Airport Operator & Developer, in terms of column (3) in Table 4 above, is permitted to develop certain categories of reservations allocations or designations, concerned Authority may at any time develop the land thereunder without acquisition.

11 OTHER STIPULATIONS

- (1) **General-** In every case of development / re-development of any land, building or premises, the intended use shall conform to land use zones as per the provisions and proposals of Draft Development Plan of CSMIA.
- (2) **Development of land partly designated/allocated/designated-** Where a building/s exists on a site shown as an allocation, designation in the Development Plan, only its appropriate part as used for *such allocation, designation, shall be used for the* said purpose (provisions and proposals of Draft Development Plan of CSMIANA) and the remaining part of the building or of the developable land may be put to use in conformity with the purpose of development as otherwise permissible in the case of adjacent land.
- (4) **Shifting and/or interchanging the purpose of designations/ reservations-** In the case of specific designations/reservations in the Development Plan, the Metropolitan Commissioner , with the consent of interested persons / airport developer & operator may shift, interchange the designation/reservation in the same or/on, adjoining lands/building or in close proximity, to which an access is available or has to be provided and the same is not encumbered provided that the area of such designation/reservation is not reduced/ or equivalent or required built area is provided.

13 EXEMPTIONS**(1) Existing non-conforming uses to continue in certain circumstances**

- (a) Any lawful use of land/building premises existing before the coming into force of these Regulations may continue if in conformity with provisions and proposals of Draft Development Plan of CSMIA and with consent of / in agreement with airport developer & operator, and may continue with consent of / in agreement with airport developer & operator, on a new location even if it does not conform to the use provisions of these Regulations provided such non conforming use is not extended or enlarged except as provided in these Regulations.
- (b) In case a building accommodating any non-conforming use collapses, vacated, is pulled down or is destroyed, any new building on the site shall conform to these Regulations and to the land use as per the provisions and proposals of Draft Development Plan of CSMIA.

14 ANCILLARY USES PERMITTED

The ancillary uses permitted in various landuse zones and the conditions governing the same shall be as given in Regulation 49.

21 LAYOUT OF LAND AND LAND SUB-DIVISION

(1) Circumstances warranting preparation of a layout or sub-division:- A layout or subdivision shall be submitted for the following:-

- (b) When development or redevelopment of any tract of land includes its division or sub-division into plots or amalgamation of plots.

23 RECREATIONAL AMENITY/ OPEN SPACES**(1) Open space in residential and commercial plots/ layouts -**

(a) *Extent –*

- (1) In any single plot or layout or sub-division of land for residential and/or commercial use, open spaces shall be provided as under:

Sr. No.	Plot Area	Open Space Provision
1	1001 to 2500 sqm.	10%
2	2501 to 10,000sqm.	15%
3	Above 10,000sqm.	20%

These open spaces shall be exclusive of areas of vehicular accesses/ internal roads/ designations or reservations, development plan roads and shall as far as possible be provided in one place. Where however, the area of the plot or layout or sub-division is more than 5000 sq. m., open spaces may be provided in more than one place, but at least one of such places shall be not less than 750 sq. m. in size. Such recreational spaces will not be necessary in the case of land in aeronautical zone for operational uses; and land used for educational institutions with attached independent playgrounds.

- (2) In any single plot or layout or sub-division of land within Forecourt area of Terminals (land area defined by Terminal approach loop roads) for residential and/ or commercial

use, recreational amenity/ open spaces shall be 10% of net plot area. Admissibility of FSI shall be as indicated in Regulations 32.

- (d) *Access* - Every plot meant for a community/ common recreational open space shall have an independent means of access, unless it is approachable directly from every building in the layout.
- (e) *Ownership* - The ownership of such recreational space shall vest with airport operator & developer under the provision in a deed of conveyance between Airport Operator & Developer and AAI.
- (f) *Tree growth* - Excepting for the area covered by the structures permissible under (g) below, the recreational space shall be kept permanently open to sky and accessible to all airport users, visitors, and occupants for recreational purpose subject to the approval of security agencies, and as permissible under applicable regulations regarding airport restrictions/security and as per the provisions under the Draft Development Plan for CSMIA and trees shall be grown as under, subject to, and as per restrictions and concerns for bird menace and height regulations:-
- (a) at the rate of 5 tree per 100 sq.m. or part thereof of the said recreational space to be grown within the entire plot.
- (b) at the rate of 1 tree per 80 sq. m. or part thereof to be grown in a plot for which a sub-division or layout is not necessary.
- (g) *Structures/ uses permitted in recreational open spaces –*
- (ii) In a recreational open space or playground of 1000 sq.m, or more in area (in one piece and in one place), structures for pavilions gymnasia, club houses and other structures for the purpose of sports and recreation activities may be permitted with built-up area not exceeding 15 per cent the total recreational open spaces in one place. The area of the plinth of such a structure shall be restricted to 10 per cent of the area of the total recreational open space. The height of any such structure which may be single storey shall not exceed 8m. A swimming pool may also be permitted in such a recreational open space and shall be free of FSI. Structures for such sports and recreation activities shall conform to the following requirements:-
- (a) The ownership of such structures and other appurtenant users shall vest, with Airport Operator & Developer under the provision in a deed of conveyance between Airport Operator & Developer and AAI. The recreational open space is required to be kept as recreational open space or ground viz 'R. G', in the layout or sub-division of the land.
- (b) The proposal for construction of such structure should come as a proposal from the Airport Operator & Developer or federation of societies without any profit motive and shall be meant for the beneficial use of the Airport Operator & Developer/ members of such society/airport users.
- (c) Such structures shall not be used for any other purpose, except for recreational activities, for which a security deposit as decided by the Metropolitan Commissioner will have to be paid to the Authority.
- (d) The remaining area of the recreational open space or playground shall be kept open to sky and properly accessible to all airport users as a place of recreation, open space or garden or a playground as per provisions under the Draft

Development Plan for CSMIA.

- (e) The Airport Operator & Developer shall submit to the Metropolitan Commissioner a registered undertaking agreeing to the conditions in (a) to (d) above.

27 ADDITIONAL AMENITIES AND FACILITIES IN LAYOUT EXCEEDING 2 HA

In any layout exceeding two hectares in non-aeronautical zone/ area for residential and commercial use, where the development plan has not specifically provided for amenities and services or facilities, or if provided they are inadequate, 5 per cent of the total area shall be designated/reserved as amenity space for provision of primary schools, convenient shopping, car parking, sub-post offices, police posts, etc. as directed and approved by the Metropolitan Commissioner, and such amenities or facilities shall be deemed to be designations or reservations in the draft development plan of CSMIA thereafter. The foresaid amenity space requirement shall not be applicable for Aeronautical zone.

29 OPEN SPACE REQUIREMENT

Side and rear open space in relation to the height of the building for light and ventilation-

(1) Residential and Commercial Zones:

- (c) Building existing on 1st January 1964 and those constructed thereafter –

- (i) In respect of building existing on 1st January 1964, upper floors, may be permitted with set-back at upper levels in the case of new development to make up for deficiencies in the open space as required under these Regulations and in compliance with Draft Development Plan for CSMIA and as per provisions under Regulation 3 (Sub-regulation 1 to 5)
- (ii) With the permission of the Metropolitan Commissioner, and in compliance with Draft Development Plan for CSMIA and as per provisions under Regulation 3 (Sub-regulation 1 to 5) set-backs as in clause (i) above may be allowed for the buildings constructed after 1st January 1964 to avail of additional FSI that may become available due to road set-back, Transfer of Development Rights as in Appendix VII, FSI in lieu of staircase room/lift-wells or any change in the Regulations where by additional FSI may become available.

- (d) Set back at upper level:- The Metropolitan Commissioner in compliance with Draft Development Plan for CSMIA and as per provisions under Regulation 3 (Sub-regulation 1 to 5) may permit smaller setbacks at upper levels and also permit additional floor area upto a limit of 10 sq.m. over the permissible FSI to avoid structural difficulties or hardships but so as not to affect adversely the light and ventilation of an adjoining building or part thereof.

- (3) Provisions in marginal open spaces if the height of the building is restricted:** - Notwithstanding the provisions of sub-Regulations (1) of this Regulation the minimum open spaces in plots in residential and commercial zones may be relaxed to the values quoted in Table 9, if the number of Storeys are restricted to two.

Sr. No. (1)	Plot Area (sq. m.) (2)	Type of Development (3)	Minimum open spaces (in meters) (4)		
			Front	Rear	Side
1	21 and above but less than 30	Row	0.75 (ii)	1.5
2	30 and above but less than 40	Row	0.75 (ii)	2.25	
3	40 and above but less than 60	Row/Semidetached	1.00 (ii)	2.25	1.0 (i)
4	60 and above but less than 125	Row/Semi-detached	1.5	3.0	1.0 (i)
5	125 and above but less than 250	Row/ Semi-detached/ Detached	3.0	3.0	1.5 (i)
6	Exceeding 250	Semi-detached/ Detached	3.0	3.0	1.5 (i)

Explanation to Table 9:-

- (i) Such side open space will not be required for row housing a semidetached structure will have open spaces around the entire structure. Such side open space shall not be reckoned as the main source of light and ventilation for habitable rooms of the structure.

(6) Open spaces for various types of buildings -

- (b) Cinemas/theatres, convention centre:-

- (i) Front open space: - A minimum space 6 m. wide from the road
- (ii) Side and rear open space: - Subject to the provisions of sub-Regulation-(8) of Regulation 52 of MCGM DCR, the side and rear marginal distance to be left open shall not be less than 6m wide.

31 HEIGHTS OF BUILDING

(4) Additional height and other restrictions in certain areas-

- (f) Height for structure, installations or buildings in the CSMIA Notified Area shall be as permitted by Civil Aviation Authorities.

Explanations -

- (ii) Within CSMIA Notified Area, every structure/installation/building shall be so designed as to meet the pigeon/bird proofing requirements of the Civil Aviation Authorities. Such requirements may stipulate the prohibition of small cavity, niche, or other opening on the exterior of such building/installation/structure so as to prevent the nesting and habitation of pigeons or other birds.
- (g) Other restrictions in height:- For the purpose of operational requirement of buildings structure or installations or for the purpose of telecommunications or other forms of communications of the Departments of the Government of India or the State Government or public sector undertakings, the Metropolitan Commissioner in consent with concerned Civil Aviation Authority may for reasons to be recorded in writing, restrict the height of any building in the vicinity of such buildings, structures or installation, and may also permit the prescribed heights to be exceeded for such buildings, structures or installations themselves or for any other statutory communication requirement.

32 FLOOR SPACE INDICES AND TENEMENT DENSITIES

The Maximum Permissible Floor Space indices for various uses are given in Table 14 hereunder:

Sr. No.	Land Use Zone	Maximum permissible FSI
1	Aeronautical Zone	As required for the facilities
2	Non-Aeronautical Zone	Global FSI of 1.0 (after deducting FSI consumed in Sr. No. 1 above) subject to height availability and other regulations.
3	Aeronautical & Non-Aeronautical Zone-1	Max permissible FSI on the individual plots in the proposed subdivision/ layout limited to 4.0 subject to availability of height as permitted by Civil Aviation Authorities
4	Excluded Portion (E.P.)	---

In CSMIANA, maximum tenement density for residential development shall be considered as 900 per net hectare.

33 ADDITIONAL FLOOR SPACE INDEX WHICH MAY BE ALLOWED TO CERTAIN CATEGORIES

(1) Road widening and Construction of new Roads :-The Metropolitan Commissioner may permit additional floor space index on 100 per cent of the area required for road widening or for construction of new roads proposed under the development plan, or those proposed under the Mumbai Municipal Corporation Act, 1888, excluding areas of internal means of access, if the owner (including the lessee) of such land surrenders such land for road widening or new road construction without claiming any compensation. Such 100 per cent of the F. S. I. on land so developed will be utilisable on the remainder of the land upto a limit of 80 per cent in respect of plots situated in the notified area of CSMIA, of the area of the plot remaining after such development and the balance F.S.I. remaining thereafter shall be allowed to be utilised as a Development Right in accordance with Regulations governing Transfer of Development Rights (TDRs) in Appendix VII, or the full FSI on the land may be allowed to be used as a Development Right in accordance with the Regulations governing Transfer of Development Rights (TDRs) in Appendix VII.

(3) Buildings of Government and semi-Government offices and public sector undertakings:- The Metropolitan Commissioner may permit the Floor Space Indices specified in Table 14 above to be exceeded by 50 per cent in the case of buildings of Semi Government and Public Sector Undertakings in the notified area of CSMIA. Further, considering the specific requirement & with the previous approval of the Government, the Metropolitan Commissioner may permit the Floor Space Indices specified in Table no. 14 above to be exceed by 300% in the case of buildings of Government offices, in the notified area of CSMIA.

(A) Buildings of Government being used for staff quarters: The Metropolitan Commissioner may permit the Floor Space Indices specified in Table 14 above to be exceeded by 50 per cent in case of buildings of Government for use as their staff quarters in CSMIANA. However in cases of buildings of Department of Police, Government of Maharashtra for use as their Staff Quarters in notified area of CSMIA, the Metropolitan Commissioner may permit the Floor Space indices specified in Table No. 14 above to be exceeded up to 2.5 FSI.

(4) Building of Starred Category Residential Hotels and Conventional Center:-

In the case of - (i) Buildings of all starred category residential hotels on independent plots and under one establishment, as approved by the Ministry of Tourism, Government of India and (ii) Convention Center; the Metropolitan Commissioner may allow floor space index to be increased by 1.00, over and above the maximum allowable FSI of 4 on any individual plot in the Notified area of CSIA, where such use is otherwise permissible under these Regulations, subject to the following special conditions:-

- No condonation in the required open spaces, parking and other requirements, as mentioned in these Regulations, shall be allowed by MMRDA while permitting such increased floor space index.
- Such Starred Category Hotel, utilizing such increased FSI, shall keep reserved and make available, Hotel Rooms corresponding to 5% built area of such increased FSI, for use as directed by the Govt. from time to time, for 30 days in a calender year and such Hotel Rooms shall be made available free of cost.
- Such Convention Center utilizing such increased FSI, shall be made available to the Govt. at its request for 30 days in a calender year, free of cost.
- The responsibility of administering the aforesaid conditions on behalf of the Govt. and handling the issue of allotment of aforesaid Hotel Rooms and Convention Center for the Govt. shall vest with MMRDA.

(sanctioned as per Urban Development Department, Government of Maharashtra, Notification No TPB 4313/1267/CR-183/2013/UD-11 dated 03/03/2014)

(13)Development of sites reserved for Resettlement & Rehabilitations of Project Affected

Persons:- For Development of sites reserved for resettlement and rehabilitation for the purpose of housing slum dwellers who are displaced by projects undertaken by the Authority for CSMIA development, the FSI shall be 2.5 or as applicable for CSMIA and as per guidelines of GoM specific to slum rehabilitation.

35 FLOOR SPACE INDEX COMPUTATION

- (1) Floor Space Index / Built -up calculations - The total area of a plot shall be reckoned in floor space index/built -up area calculations, with max. allowable FSI of 4.0, subject to Regulation 32 and height approval from Civil Aviation Authorities:-

Plot size in sq.m. (1)	Area in sq.m. for FSI Computation (2)
(1) Upto 1000 sq.m.	Total area
(2) 1001 to 2500 sq.m.	Total areas subject to a maximum of 2125 sq.m.
(3) 2501 to 10,000 sq.m.	Total area excluding 15 per cent of the area for recreational/amenity open space vide item (ii) in clause (a) of sub-Regulations (1) of Regulations 23.
(4) Above 10,000 sq.m.	Total area excluding 15 percent of the area for recreational open space under item (iii) of clause (a) of sub-Regulations (1) of Regulations 23.
(5)Area of the amalgamated plots (2 or more) is more than 2125 sq. mt.	Total area subject to following conditions:- At least 15% recreation open space shall be kept open to sky as per size of total amalgamation. All other provisions of D.C. Regulations shall be followed while allowing development of such amalgamated plots. If the amalgamated plot is developed by taking advantage of these Regulations at no time in future any sub - division would be allowed.

Note –

- (ii) In view of Global FSI for CSMIA development, for computing the available total floor space index the total Notified Site area shall be taken as a single plot and FSI shall be applicable

for distribution and consumption on overall CSMIANA as per GoM Government Resolution No. TPB-4308/3709/CR-347/08/UD-11. For computing the available floor space index, the area of lands for following purpose shall be excluded:-

A. DP Roads/ Major Roads

B. Recreational Green area and Natural Features

38 (2)(ii) Height of a Habitable Room

The minimum and maximum height of a habitable room shall be as given in Table 19 hereunder:-

Notwithstanding the above restriction as stated in Table 19, any telematic equipment storage erection facility can have a height as required for effective functioning of that system

Notwithstanding the above restrictions as stated in Table 19, for cinema/ TV films production, shooting, editing, recording studios, more height as required for their effective functioning shall be permitted.

Table 19 : Height of Habitable Room

Sr. No. (1)	Occupancy (2)	Minimum height (in meters) (3)	Maximum Height (in meters) (4)
1	Flat roof -		
	(a) Any habitable room	2.75	3.9
	(b) Habitable room in High Density Housing	2.6	3.9
	(c) Air-conditioned habitable room	2.4	3.9
	(d) Assembly halls, residential hotels of 3 star category and above institutional, educational, industrial, hazardous or storage occupancies department stores, entrance halls and lobbies to department stores and assembly halls.	3.6	4.2 / subject to the written permission of the Metropolitan Commissioner greater height may be permitted.
	(e) Convention Centre, Auditorium, Cinema Theaters, Exhibition Halls, Sports Arena, Indoor Sports Facilities etc.	3.6	12.0 / as per specific requirement of occupancy subject to the written permission of the Metropolitan Commissioner greater height may be permitted.
2	(f) Aircraft Hangar & Maintenance Buildings	As per aircraft dimensions	As per aircraft dimensions
	(g) Cargo warehouses, related, aviation sheds	4.0	As per functional requirement of occupancy
	Pitched roof-		
	(a) Any habitable room	2.75 (average with 2.1 m. at the lowest point)	3.9 (average with 2.8 m. at the lowest point)
	(b) Habitable room in High Density Housing	2.6 (average with 2.0m. at the lowest point)	3.9 (average with 2.7 m. at the lowest point)
	(c) Convention Centre, Auditorium, Cinema Theaters, Exhibition Halls, Sports Arena, Indoor Sports Facilities etc.	3.6	12.0 / as per specific requirement of occupancy subject to the written permission of the Metropolitan Commissioner greater height may be permitted.

(d) Aircraft Hangar & Maintenance Buildings	As per aircraft dimensions	As per aircraft dimensions
(e) Cargo warehouses, related, aviation sheds	4.0	As per functional requirement of occupancy

Provided that-

(ii) in all occupancies, except those included in Serial No. 1(d), (e), (f), (g) & 2 (c), (d), (e) in the Table above, any height in excess of 3.9 m. shall be deemed to have consumed an additional FSI of 50 per cent of the relevant floor area.

38 (9) Basement:-

(i) *Area and Extent:-* The total area of any basement may exceed twice the plinth area of the building or the area of the plot subject to the uses permitted as per the latest provisions/ guidelines of GoM regulations. It may be in one or two or more levels.

49 USES AND ANCILLARY USES

49.1 LAND USE ZONES

The uses and specified ancillary uses as indicated in these Regulations will be permitted in each of the predominant landuse zones as shown in the Draft Development Plan of Notified Area of CSMIA. Such ancillary uses will be subject to fulfillment of the prescribed conditions.

Predominant Landuse Zones in Draft Development Plan of Notified Area of CSMIA are:

- Aeronautical Zone
- Non-Aeronautical Zone
- Aeronautical & Non-Aeronautical Zone-1
- Excluded Portion (E.P.)

49.2 USE PROVISIONS

Principal and ancillary uses permitted in the land use zone described in Regulation 49.1 above are specified below;

a. Aeronautical Zone

The Airport Operator & Developer shall ensure that the detailed land use in this zone is consistent with the operational requirements of the Airport as prescribed in Draft Development Plan for CSMIA Notified area or as required by Director General of Civil Aviation (DGCA) or Airport Authority of India (AAI) or any other regulatory authority as may be directed by MoCA. The land uses permitted in this zone are described in Table 49-A.

b. Non-Aeronautical Zone

The development in this zone shall be consistent with the Draft Development Plan for CSMIA Notified area and detail landuses prescribed in Table 49-B.

c. Aeronautical & Non-Aeronautical Zone-1

The development in this zone shall be consistent with the Draft Development Plan for CSMIA Notified area and detail landuses prescribed in Table 49-C.

d. Excluded Portion (E.P.)

Table (49-A) : Permitted Uses in Aeronautical Zone		
Sr. No.	Uses / Activities	
1	Runways, Taxiways, Aprons, aircraft parking, aircraft hangars, etc.	Permitted
2	Terminals – Passenger, Cargo and General Aviation Terminals; with all requisite sub-uses, services and utilities like Check-in Counters, Baggage Handling, Airlines Counters/ Offices, Airport Management Offices, Security Area/Offices, Restaurants, Bars, Retail Shops, Kitchens, Immigration and Custom Offices, Baggage Claim, Utility (water, power, sewerage, IT, telecom, etc) & Air-conditioning Plants & Networks, Baggage Make-up Area, Lounges, AOCC, Training Centers, IT Systems and Offices, Security Gates, Security & Police Offices, Bank & Post Office Counters, Residential Accommodation/ Guest Rooms, Gymnasium, Art Gallery, Aquarium, Health/ Emergency Service/ Medical Centers, Radio & Television, Media Broadcast & Recording Centers, VVIP & VIP Lounges, Parking, Multi-level Car Parking, Safe Deposit Vaults, Foreign Exchange Facilities, Travel & Tourism Offices, Ground Transport Service Centre, etc.	Permitted within / as part of Terminals
3	ATC Tower, ATS Offices, MET Offices, Hangars, Warehouses, Workshops, Security Offices/ installations, Fire Station, Water Storage & Pumping Stations, Power Sub-stations, Septic Tanks & STPs, Offices (Radar, ATC, Airlines, Airport Security, etc), NAVAIDs, Radar Installations. Aircraft, Maintenance Workshops, Mechanical Workshops, Vehicle Maintenance Workshops, GSD- Ground Service Depots, ULD Parking, Vehicle Parking, Internal Roads, Security Gates, Airline Support Offices & Warehouses, Cargo Warehouses, Cargo Cold Storage, Bulk Cargo (perishable, non perishable, vegetable, pharmaceuticals, meat and other cold storage materials) Storage, Ground Support Equipment Area, Transport Workshops, Stores of all kinds, etc.	Permitted
4	Flight Kitchens, Staff Canteens, Staff Kitchens, Staff Dining Lounges, Restaurants/Eating-houses/establishments for preparation and sale of eatables for staff, Convenient Store, Medicine Store, Stationery Store, etc.	Permitted
5	Bulk storage of ATF/ Petrol/Kerosene/ LPG/ Storage of Liquefied Petrol and Gas Cylinders (bottled gas) & other such products.	Permitted in designated area
6	Storage of obnoxious or hazardous materials.	Permitted in designated areas with special permission.
7	Clinics, Dispensaries, Emergency Service/ Medical Centers, Crèches	Permitted
8	Offices including Airport Operation/Management Offices, Airline Offices, Police Stations, Telephone Exchanges, Government Offices, Posts & Telegraph Offices, Banks, Cargo Offices, Cargo Warehouses, Bank/Post Office Extension Counters, Dormitory, etc.	Permitted

Table (49-B) : Permitted Uses in Non-Aeronautical Zone		
Sr. No.	Uses / Activities	
1	<i>Residential</i>	
	Residential, Lodging Houses, Lodging and Boarding Houses and Residential Hotels, Hostels, Community Centers	Permitted
2	<i>Commercial</i>	
	a) Hotels, Convention Centre, Performing Arts Centre, Exhibition Centre, Health and Wellness Centre, Holiday Resorts and Holiday Houses, Motels and Club Houses. Multiplexes, Cinema Houses, etc b) Shops, Offices and Stores, Restaurants, Bars, Eating-houses, F&B establishments for preparation and sale of eatables. c) All kinds of shops for retail business including departmental stores, Show-rooms, Offices, Commercial establishments, d) All offices including Professional Offices, Airline Offices, Banks, ATMs, Safe Deposit Vaults, Foreign Exchange Facilities, Travel & Tourism Offices, Service sector & Corporate Offices, Convenient Shopping, Raw meat and fish stalls, Vegetables, Fruit Markets, Milk Booths, etc	Permitted
	e) Bulk storage of ATF/ Petrol/Kerosene/ LPG, storage of Liquefied Petrol and Gas Cylinders (bottled gas), storage of obnoxious or hazardous materials.	Permitted in designated plots
3	<i>Social Infrastructure Facilities(Public, Semi-public): Institutional</i>	
	a) Clinics/ Dispensaries, Polyclinics, Health Centers, Gymnasiums, and Institutions for health care, hospitals, Multi-specialty Hospitals and Medical Facilities, etc	Permitted
	b) Schools, and other educational buildings, Community Halls, Crèches, Clubs, Community Centres, Gymkhanas, Public Libraries, Art Galleries, Museums, Auditoria, Theatres, Public Halls, etc.	Permitted.
	c) Police Stations, Central and State Government Security Agencies' Offices, Telephone Exchanges, Government Offices, Posts, Telegraphs, etc.	Permitted.
4	<i>Social Infrastructure Facilities(Public, Semi-public): Public Utilities and Roads & Parking</i>	
	Public Utilities, Electrical Sub-stations, Water Storage Tanks, Receiving Station, Fire Station, Water Treatment Plant, Pumping Station, Sewage Treatment and Disposal Plant, Bus Parking, Bus Stations, Metro Stations, Taxi Parking & Staging Areas, Multi-level Car Parking areas, Ground Transport Service Centres, etc.	Permitted
5	<i>Social Infrastructure Facilities(Public, Semi-public): Assembly and Recreation</i>	
	Fair Grounds, Stadia, Swimming Pools, Sports Complexes, Exhibition Grounds, Recreational Centres, Temple, Gymnasia, Gymkhana, Club, Pavilion, Stadia etc,	Permitted.

Table (49-C) : Permitted Uses in Aeronautical / Non-Aeronautical Zone 1

Sr. No.	Uses / Activities	
1	All Aeronautical and Operational uses as given in Table 49.A, excluding uses given in Sr. No.1. (Runways, Taxiways, Aprons, Aircraft Parking, Aircraft Hangars, etc) and 2 (Terminals)	Permitted
2	Existing uses as given in Table 49.B	Permitted

50 POWER OF GRANTING PERMISSION

Where it is specified that a particular use is to be allowed only with Metropolitan Commissioner's special permission, the power of granting such permission shall be exercised by the Metropolitan Commissioner or an Officer not below the rank of Deputy/ Additional Metropolitan Commissioner.

SECTION - B**List of additional Regulations/ Sections of MCGM DCR modified in CSMIANA DCR:**

Regulation/ Section as per MCGM DCR	Modifications made to the DCR
	First Para added : MMRDA's appointment as SPA for CSMIANA
1	<i>Short Title, Extent and Commencement</i>
1 (1)	<i>Title: regulations for CSMIA</i>
1 (2)	<i>Jurisdiction : CSMIANA</i>
1 (3)	<i>Date of coming into force</i> <ul style="list-style-type: none"> Specific date is not mentioned and till such approval authority will consider the application for permission which is inline with the Draft proposals.
2	<i>Definitions of Terms and Expressions</i>
2 (3)	<ul style="list-style-type: none"> Following definitions added/ modified – Act, Authority, Airport Operator & Developer, CSMIANA, Draft DP of CSMIA, Global FSI, MIAL
2 (3) (20) (xxii)	<ul style="list-style-type: none"> Sub-regulation modified – 'Corporation' is replaced by 'Authority'
3	<i>Applicability</i>
3 (2)	<i>Part Construction</i> <ul style="list-style-type: none"> in case of the part construction, demolition, reconstruction work these regulations will be applicable to total site in compliance with Draft DP of CSMIA
3 (3)	<i>Change of Occupancy</i> <ul style="list-style-type: none"> in case of change of occupancy these regulations shall apply to whole plot as per provisions of Draft DP
3 (4)	<i>Reconstruction</i> <ul style="list-style-type: none"> reconstruction of land uses in conformity with the provisions of Draft DP will only be permitted
3 (5)	<i>Exclusion</i> <ul style="list-style-type: none"> lawfully established use or occupancy can also be excluded if its incompatible as per the permissions of Draft DP of CSMIA
4	<i>Development Permission and Commencement Certificate</i>

Regulation/ Section as per MCGM DCR	Modifications made to the DCR
4 (2)	<ul style="list-style-type: none"> Operational construction of authorities like AAI, MIAL, Airport Operator & Developer, NACIL, Metro rail, Met. Dept., CISF, BCAS, State Police, aviation fuel companies etc. shall be excluded. All such constructions shall, however, conform to the prescribed requirement for the provision of essential services, water supply connections drains, etc. as may be required to support the functions/ uses/ buildings to the satisfaction of the Metropolitan Commissioner.
4 (3)	<ul style="list-style-type: none"> Operational construction will be excluded
4 (5)	<ul style="list-style-type: none"> <i>Applicability to partially completed works:</i> "Applicability to partially completed works or works already commenced/ started" – text added
5 (4) (ii)	<i>Qualification and competence of the Licensed Surveyor/ Engineer/ Structural Engineer/ Supervisor</i> <ul style="list-style-type: none"> Deleted – not required
8	<i>Inspection</i>
8 (4) (a)	<ul style="list-style-type: none"> Sub-regulation modified <i>(4) Unauthorized development: - In case of unauthorised development, the Metropolitan Commissioner shall -</i> <i>(a) take suitable action which may include demolition of unauthorised works as provided in section 53 of the Maharashtra Regional and Town Planning Act, 1966.</i>
9	<i>Land uses and the manner of Development</i>
9 (I) (a)	<i>Residential</i> <ul style="list-style-type: none"> <i>Person/ Authority who may develop:</i> Airport Operator & Developer added
9 (I) (b)	<i>Public Housing (PH)</i> <ul style="list-style-type: none"> Use deleted – not applicable to CSMIA development
9 (I) (c)	<i>Housing the dishoused (HD):</i> <ul style="list-style-type: none"> Use deleted – not applicable to CSMIA development
9 (I) (d)	<i>Public Housing/ High Density Housing (PH/HDH):</i> <ul style="list-style-type: none"> Use deleted – not applicable to CSMIA development
9 (I) (e)	<i>Municipal Staff Quarters (MSQ)/ Municipal Housing (MH):</i> <ul style="list-style-type: none"> Use deleted - not applicable to CSMIA development
9 (I) (f)	<i>Govt. Staff Quarters/ Housing</i> <ul style="list-style-type: none"> <i>Person/ Authority who may develop:</i> Airport Operator & Developer added <i>Condition subject to which development is permissible' – condition modified</i>
9 (I) (g)	<i>Police Quarters/ Housing, Police Station Cum Police Housing</i> <ul style="list-style-type: none"> Use Modified - Police / CISF Quarters/ Housing <i>Person/ Authority who may develop:</i> Airport Operator & Developer added <i>Condition subject to which development is permissible' – condition modified</i>
9 (II)	<ul style="list-style-type: none"> Use Zone Modified – "Uses/ Activities in Non-aeronautical Zone (commercial)"
9 (II) (a)	(i) Local Commercial (ii) District Commercial <ul style="list-style-type: none"> <i>Person/ Authority who may develop:</i> Airport Operator & Developer added
9 (II) (b)	<i>Retail Market (RM)</i> <ul style="list-style-type: none"> <i>Person/ Authority who may develop:</i> Airport Operator & Developer added <i>Condition subject to which development is permissible' – condition removed: not applicable to CSMIA development</i>
9 (II) (c)	<i>Shopping Centre (SC)</i> <ul style="list-style-type: none"> <i>Person/ Authority who may develop:</i> Airport Operator & Developer added <i>Condition subject to which development is permissible' – condition removed: not applicable to CSMIA development</i>

Regulation/ Section as per MCGM DCR	Modifications made to the DCR
9 (II) (d)	<i>Open Market (OM)</i> • <i>Person/ Authority who may develop:</i> Airport Operator & Developer added
9 (II) (e)	<i>Municipal Wholesale market (MWM)</i> • Use deleted - not applicable to Airport development
9 (II) (f)	<i>Municipal Semi-Wholesale market (MSWM)</i> • Use deleted - not applicable to Airport development
9 (II) (g)	<i>Godown/ Warehousing/ Cold Storage</i> • Use added • <i>Person/ Authority who may develop:</i> Airport Operator & Developer added
9 (III)	<i>Industrial</i> • Use deleted – not applicable to CSMIA development
9 (IV) (a)	<i>Proposed Road/ Street</i> • <i>Person/ Authority who may develop:</i> Owner & Airport Operator & Developer added
9 (IV) (b)	<i>Proposed Widening of existing road/ street</i> • <i>Person/ Authority who may develop:</i> Owner & Airport Operator & Developer added
9 (IV) (c)	<i>Best Bus Depot (BBD) and Housing (BBDH)</i> • Use deleted - not applicable to CSMIA location
9 (IV) (d)	<i>Best Bus Station (BBS) and Housing (BBS & H)</i> • Use Deleted - Best Bus Station and Housing (BBS & H) - not applicable to CSMIA location • <i>Person/ Authority who may develop:</i> Airport Operator & Developer added
9 (IV) (e)	<i>Municipal Transport Garage (TG)/Workshop (MW)</i> • Use deleted - not applicable to CSMIA location
9 (IV) (f)	<i>Municipal Road Depot (RD)</i> • Use deleted - not applicable to CSMIA location
9 (IV) (g)	<i>Car Pound</i> • Use deleted - not applicable to CSMIA location
9 (IV) (h)	<i>Truck Terminal(TT)</i> • Use deleted - not applicable to CSMIA location
9 (IV) (i)	<i>Parking Lot (PL)</i> • <i>Person/ Authority who may develop:</i> Corporation/ Public Authority/ Public Organization deleted and Airport Operator & Developer added • <i>'Condition subject to which development is permissible'</i> – condition modified
9 (IV) (j)	<i>Jetty</i> • Use deleted - not applicable to CSMIA location
9 (IV) (k)	<i>Railway Siding, Workshops and other Railway uses</i> • Use added • <i>Person/ Authority who may develop:</i> 'Concerned Authority' added
9 (V) (1) (a), (b), (c), (d)	• <i>Person/ Authority who may develop:</i> 'Airport Operator & Developer' & 'Concerned Authority' added • <i>Condition subject to which development is permissible:</i> the regulation of 'acquisition and development by Authority' is deleted, as the CSMIA land belongs to Central Govt.
9 (V) (1) (e), (i)	• <i>Person/ Authority who may develop:</i> Airport Operator & Developer added
9 (V) (1) (f), (g), (h)	<i>(f) Home for Retarded Destitutes/ Mentally Retarded (g) Sanatorium (SM) (h) Leprosarium</i> • Use deleted - not applicable to Airport development

Regulation/ Section as per MCGM DCR	Modifications made to the DCR
9 (V) (2) (a)	<i>(a) Municipal Primary School</i> • Use deleted - not applicable to Airport development
9 (V) (2) (b), (c)	<i>(b) Primary School (PS), (c) Secondary School (SS)</i> • <i>Person/ Authority who may develop:</i> Airport Operator & Developer added
9 (V) (2) (d)	<i>(d) College</i> • Use deleted - not applicable to CSMIA development
9 (V) (2) (e)	<i>(e) Polytechnic</i> • Use deleted - not applicable to CSMIA development
9 (V) (2) (f)	<i>(f) Technical School</i> • <i>Person/ Authority who may develop:</i> Airport Operator & Developer added
9 (V) (3) (a)	<i>(a) Govt. Office (GO)</i> • <i>Person/ Authority who may develop:</i> Airport Operator & Developer • <i>Condition subject to which development is permissible'</i> – condition modified
9 (V) (3) (b), (c)	<i>(b) Municipal Office, (c) Town Duty Office (TD)</i> • Use deleted - not applicable to CSMIA development
9 (V) (4) (a), (b), (c), (d), (e), (f), (g), (h), (i)	<i>(a) Cinema Theatre (CN), (b) Drama Theatre (DTH), (c) Open Air Theatre (OTH), (d) Children's' Theatre (CTH), (e) Museum, (f) Public Hall, (g) Gymnasium/Gymkhana (GYM) (h) Club, (i) Stadium</i> • <i>Person/ Authority who may develop:</i> Airport Operator & Developer added
9 (V) (4) (j), (k), (l), (m), (n), (o)	<i>(j) Swimming Pool, (k) Recreation Ground (RG), (l) Playground (PG), (m), Garden (G), (n) Park, (P), (o) Sports Complex-cum Shopping Centre</i> • <i>Person/ Authority who may develop:</i> Airport Operator & Developer added
9 (V) (4) (p)	<i>(p) Library</i> • <i>Person/ Authority who may develop:</i> Airport Operator & Developer added • <i>Condition subject to which development is permissible:</i> the regulation of 'acquisition and development by Authority' is deleted, as the CSMIA land belongs to Central Govt.
9 (V) (4) (q)	<i>(q) Tourist Complex/Centre</i> • <i>Person/ Authority who may develop:</i> Airport Operator & Developer added
9 (V) (4) (r)	<i>(r) Art Gallery</i> • <i>Person/ Authority who may develop:</i> Airport Operator & Developer added • <i>Condition subject to which development is permissible:</i> the regulation of 'acquisition and development by Authority' is deleted, as the CSMIA land belongs to Central Govt.
9 (V) (5) (a), (b), (c), (d), (e), (f)	<i>Public Utilities (a) Fire Brigade Station (FB), (b) Sewage Purification Works (SPS), (c) Reservoir (R), (d) Pumping Station (SPg. Stn.), (e) Sanitary Refuse Shed (SRS), (f) Refuse Transport Station (RTS)</i> • <i>Person/ Authority who may develop:</i> Airport Operator & Developer and Owner added • <i>Condition subject to which development is permissible'</i> – condition modified
9 (V) (5) (g)	<i>(g) Cattle Pound (CP)</i> • Use deleted - not applicable to CSMIA development
9 (V) (5) (h)	<i>(h) Receiving Station (RS) & Distribution Station (DS)</i> • Use added – <i>Distribution Station (DS)</i> • <i>Person/ Authority who may develop:</i> Airport Operator & Developer and Owner added
9 (V) (5) (i)	<i>(i) Cemetery/Cremation Ground (C)</i> • Use deleted - not applicable to CSMIA development
9 (V) (5) (j)	<i>(j) Post Office (PO) Post and Telegraph Office (PT)/Telephone Service Centre (TC) Police Chowky (PCKY)</i>

Regulation/ Section as per MCGM DCR	Modifications made to the DCR
	<ul style="list-style-type: none"> Person/ Authority who may develop: Airport Operator & Developer and Owner added Condition subject to which development is permissible' – condition modified
9 (V) (5) (k)	<p>(k) Telephone Exchange (TE)</p> <ul style="list-style-type: none"> Person/ Authority who may develop: Airport Operator & Developer and Owner added Condition subject to which development is permissible' – condition modified
9 (V) (5) (l)	<p>(l) Police Station</p> <ul style="list-style-type: none"> Person/ Authority who may develop: Airport Operator & Developer and Owner added Condition subject to which development is permissible' – condition modified
9 (V) (5) (m) (a)	<p>(a) BEST Receiving Station (BRS)</p> <ul style="list-style-type: none"> Use deleted – use covered under section 9 (V) (5) (h)
9 (V) (5) (m) (b), (d)	<p>(b) BEST Bus Depot (BBD), (d) BEST Terminal</p> <ul style="list-style-type: none"> Use deleted - not applicable to CSMIA development
9 (V) (5) (m) (c)	<p>(m) (c) BEST Bus Station</p> <ul style="list-style-type: none"> Person/ Authority who may develop: Airport Operator & Developer added Condition subject to which development is permissible' – condition modified
9 (V) (5) (n)	<p>(n) Public Sanitary Convenience (PSC)</p> <ul style="list-style-type: none"> Use combined with the other Public Utilities of Regulation 9 (V) (5) (a), (b), (c), (d), (e), (f)
9 (V) (5) (o)	<p>(o) Municipal Training Institute</p> <ul style="list-style-type: none"> Use deleted - not applicable to CSMIA development
9 Explanation (i)	<ul style="list-style-type: none"> Airport Operator & Developer and Owner added
9 Explanation (iii)	<ul style="list-style-type: none"> Regulation deleted
11	Other Stipulations
11 (1)	<ul style="list-style-type: none"> Text Modified (1) General- In every case of development / re-development of any land, building or premises, the intended use shall conform to landuse zones as per the provisions and proposals of Draft Development Plan of CSMIA.
11 (2)	<ul style="list-style-type: none"> Text Modified (2) Development of land partly designated/allocated/designated- Where a building/s exists on a site shown as an allocation, designation or reservation in the Development Plan, only its appropriate part as used for such allocation, designation, shall be used for the said purpose (provisions and proposals of Draft Development Plan of CSMIA) and the remaining part of the building or of the developable land may be put to use in conformity with the purpose of development as otherwise permissible in the case of adjacent land.
11 (4)	<ul style="list-style-type: none"> Text Modified (4) Shifting and/or interchanging the purpose of designations/ reservations- In the case of specific designations/reservations in the Development Plan, the Metropolitan Commissioner, with the consent of interested persons/ airport developer & operator may shift, interchange the designation/reservation in the same or/on, adjoining lands/building or in close proximity, to which an access is available or has to be provided and the same is not encumbered provided that the area of such designation/reservation is not reduced/ or equivalent or required built area is provided.

Regulation/ Section as per MCGM DCR	Modifications made to the DCR
13	Exemptions
13 (1)	<p>(1) Existing non-conforming uses to continue in certain circumstances.</p> <ul style="list-style-type: none"> (a) Regulation modified to state that existing non-conforming uses shall be in conformity with provisions and proposals of Draft Development Plan of CSMIA and with consent of / in agreement with airport developer & operator, and may continue with consent of / in agreement with airport developer & operator, on a new location (b) Regulation modified to state that if a building accommodating any non-conforming use collapses, vacated, is pulled down or is destroyed, any new building on the site shall conform to these Regulations and to the land use as per the provisions and proposals of Draft Development Plan of CSMIA. (C) Regulation deleted – Industrially zoned lands
13 (2)	<p>(2) Non-conforming industries</p> <ul style="list-style-type: none"> Regulation deleted - not applicable to CSMIA location
13 (3)	<p>(3) Other non-conforming uses (existed before 18th September, 1958)</p> <ul style="list-style-type: none"> Regulation deleted - not applicable to CSMIA development
14	Ancillary Uses Permitted
14	<ul style="list-style-type: none"> Permissible uses shall be as per Regulation 49
16	Requirements of Sites
16 (h)	<ul style="list-style-type: none"> Regulation deleted – not applicable to CSMIA location
16 (j)	<ul style="list-style-type: none"> Regulation deleted – not applicable for Airport development
17	Public Street & Means of Access
17 (3) (b) (iv)	<p>permission of access from street more than 52 m</p> <ul style="list-style-type: none"> Regulation deleted – no 52 m wide road in the CSMIA development
21	Layout of Land and Land Sub-division
21 (1) (b)	<p>(1) Circumstances warranting preparation of a layout or sub-division</p> <ul style="list-style-type: none"> Amalgamation of plots - added
22	Internal Means of Access to each Plot
22 (6)	<p>access provided in town planning schemes and improvement trust schemes</p> <ul style="list-style-type: none"> Regulation deleted – Not applicable for CSMIA location
23	Recreational/ Amenity Open Spaces
23 (1) (a) (1)	<ul style="list-style-type: none"> % of open space provision in layout/ sub-division has been reduced considering the provision of Recreational Green at site level in the form of large central greens, parks and garden, etc. Operational uses in Aeronautical Zone has been excluded for provision of open spaces/ recreational spaces
23 (1) (a) (2)	<ul style="list-style-type: none"> In view of the envisaged intense development in Terminal forecourt area recreation al open space shall be 10%
23 (1) (d)	<ul style="list-style-type: none"> Access - Every plot meant for a community/common recreational open space shall have an independent means of access, unless it is approachable directly from every building in the layout.
23 (1) (e)	<ul style="list-style-type: none"> Text Modified Ownership - The ownership of such recreational space shall vest with Airport Operator & Developer under the provision in a deed of conveyance between Airport Operator & Developer and AAI.
23 (1) (f)	<ul style="list-style-type: none"> Text Modified Tree growth - Excepting for the area covered by the structures permissible under (g) below, the recreational space shall be kept permanently open to sky and accessible to all airport users, visitors, and occupants for recreational purpose subject to the approval of security agencies, and as

Regulation/ Section as per MCGM DCR	Modifications made to the DCR
	permissible under applicable regulations regarding airport restrictions/security and as per the provisions under the Draft Development Plan for CSMIA and trees shall be grown as under, subject to, and as per restrictions and concerns for bird menace and height regulations:-
23 (1) (g) (ii) (a)	• 'Airport Operator & Developer' - added
23 (1) (g) (ii) (b)	• 'Airport Operator & Developer' and 'Airport users' - added
23 (1) (g) (ii) (c)	• Sub-regulation modified – 'Corporation' is replaced by 'Authority'
23 (1) (g) (ii) (d)	• 'As per provision of Draft Dev. Plan of CSMIA' - added
23 (1) (g) (ii) (e)	• Airport Operator & Developer' - added
23 (2)	<i>Open Spaces in Industrial plots/ layout of industrial plots</i> • Sub-regulation deleted - not applicable to CSMIA development
27	<i>Additional Amenities and Facilities in Layouts Exceeding 2 ha</i>
27	• Text added – 'in non-aeronautical zone/ area'
29	<i>Open Space Requirements</i>
29 (1) (c) (i), (ii)	• Text added - in compliance with Draft Development Plan for CSMIA
29 (1) (d)	• Sub-regulation modified - in compliance with Draft Development Plan for CSMIA
29 (1) (g)	• Sub-regulation deleted – not applicable to CSMIA development
29 (2)	<i>Open Spaces requirement in Industrial zone</i> • Sub-regulation deleted - not applicable to CSMIA development
29 (3)	<i>Provisions in marginal open spaces if the height of the building is restricted</i> • 'Provisions in Open Spaces for Plots in Residential and Commercial Zones' for plot area exceeding 250 sq.m. – added in Table 9, Sr. No. (6)
29 (5)	<i>Front set-back from the street line</i> • Table 10-C and Explanation to Table 10-C deleted - <i>Set-back from Zonal/ Plot Boundary in Industrial Plot</i> - not applicable to CSMIA development
29 (6) (b)	• In the Regulation for 'Open spaces for various types of buildings' - 'convention centre' added and Front Open Space reduced.
31	<i>Height of Buildings</i>
31 (3)	• Sub-Regulation related to 'Height of Industrial Chimney' deleted - not applicable to CSMIA development
31 (4) (a), (b), (c), (d) & (e)	• Sub-Regulation deleted – Not applicable to CSMIA location
31 (4) (f)	• Regulation and Explanations Modified and Table 13 deleted Height for structure, installations or buildings in the CSMIA Notified Area shall be as permitted by Civil Aviation Authorities. <i>Explanations -</i> (iii) Within CSMIA Notified Area, every structure/installation/building shall be so designed as to meet the pigeon/bird proofing requirements of the Civil Aviation Authorities. Such requirements may stipulate the prohibition of small cavity, niche, or other opening on the exterior of such building/installation/structure so as to prevent the nesting and habitation of pigeons or other birds.
31 (4) (g)	<i>Other restrictions in height</i> • Text added - in consent with concerned Civil Aviation Authority

Regulation/ Section as per MCGM DCR	Modifications made to the DCR
32	<i>Floor space indices and Tenement Densities</i>
32	• 'Regulation and Table 14 modified as per requirements of Airport development and Draft Dev. Plan of CSMIANA.
33	<i>Additional Floor Space Index which may be allowed in certain categories</i>
33 (1)	<i>Road Widening and Construction of new Roads</i> • Sub-regulation modified
33(3)	<i>Buildings of Government and semi-Government offices and public sector undertakings</i> • Regulation Modified as per CSMIA Development
33(4)	<i>Building of Starred Category Residential Hotels</i> • Sub-regulation Modified, 'Corporation' is replaced by 'Authority' and 'Notes' deleted
33(5)	<i>Low cost housing schemes of MHADA</i> • Regulation deleted – Not applicable to CSMIA development
33(6)	<i>reconstruction of buildings destroyed by fire</i> • Regulation deleted – Not applicable to CSMIA development
33(7)	<i>Reconstruction or redevelopment by Co-operative Housing Societies or of bldg. belonging to corporation</i> • Regulation deleted – Not applicable to CSMIA development
33(8)	<i>Construction for Housing Dishoused</i> • Regulation deleted – Not applicable to CSMIA development
33(9)	<i>Repair and reconstruction of cessed buildings</i> • Regulation deleted – Not applicable to CSMIA development
33 (11)	<i>Sites and Services, Small Size Tenement, under the Urban Land (Ceilings and Regulations) Act., 1976</i> • Regulation deleted – Not relevant to CSMIA development
33 (12)	<i>Development by Maharashtra Housing and Area Development Authority with World Bank Assistance</i> • Regulation deleted – Not relevant to CSMIA development
33 (13)	<i>Development of sites reserved for Resettlement & Rehabilitations of Project Affected Persons</i> • Text modified - For Development of sites reserved for resettlement and rehabilitation for the purpose of housing slum dwellers who are displaced by projects undertaken by the Authority for CSMIA development, the FSI shall be 2.5 or as applicable for CSMIA and as per guidelines of GoM specific to slum rehabilitation.
33(15)	<i>Redevelopment of contravening structures</i> • Regulation deleted – Not applicable to CSMIA development
33(17)	<i>Shifting of cattle sheds outside Greater Mumbai</i> • Regulation deleted – Not applicable to CSMIA development
	Buildings of commercial use: Notwithstanding anything contained in this regulation, for buildings of commercial use, the Metropolitan Commissioner may allow the utilization of floor space index to be increased by 1.00, over and above the maximum allowable FSI of 4.00 on any individual plot in the Notified Area of CSMIA subject to the overall FSI sanctioned for the project area, where such use is otherwise permissible under these Regulations, subject to Regulation 32 with height restrictions imposed by the Civil Aviation Authorities and on payment of premium to the extent of 100% of the land rates of Annual Statement of Rates (ASR) of the year in which such FSI is permitted (out of which 50% shall be

Regulation/Section as per MCGM DCR	Modifications made to the DCR
	payable to the State Government). (sanctioned as per Urban Development Department, Government of Maharashtra, Notification No TPB 4313/1267/CR-183/2013/UD-11 dated 06/05/2015)
35	<i>Floor Space Index computation</i>
35 (1) & (ii)	<ul style="list-style-type: none"> Table Modified as per Airport development requirements of CSMIA Item (a), (b), (c), (d), (e), (f), (g) and (h) of Clause (ii) deleted and replaced by new/ modified Clause (ii) with (A) & (B).
38	<i>Requirements of parts of buildings</i>
38 (2) (ii)	<i>Height of Habitable Room</i> <ul style="list-style-type: none"> Table modified - Height for occupancies like 'Aircraft Hangar & Maintenance Buildings, Cargo warehouses, related, aviation sheds, Convention Centre, Auditorium, Cinema Theaters, Exhibition Halls, Sport Arena, Indoor Sport Facility etc. added in Table 19.
38 (9) (i)	<i>Basement: Area & Extent</i> <ul style="list-style-type: none"> Regulation Modified The total area of any basement may exceed twice the plinth area of the building or the area of the plot subject to the uses permitted as per the latest provisions/ guidelines of GoM regulations. It may be in one or two or more levels.
49	<i>Use & Ancillary Uses</i>
49	<ul style="list-style-type: none"> Regulation Modified - Land Use Classification & Uses Permitted in CSMIANA shall be as defined in this Regulation
49.1, 49.2	<i>Land Use Zones, Use Provisions</i> <ul style="list-style-type: none"> Regulation added/ modified as per landuse provisions in Draft Dev. Plan of CSMIANA
50	<i>Power of Granting Permission</i>
50	<ul style="list-style-type: none"> Text modified - the power of granting such permission shall be exercised by the Metropolitan Commissioner or an Officer not below the rank of Deputy/ Additional Metropolitan Commissioner
51	<i>Purely Residential Zone (R-1 Zone) – Ancillary uses permitted</i>
	<ul style="list-style-type: none"> Permissible uses in Non-Aeronautical zone shall be as per provisions in Table 49-B under Regulation 49 of these Regulation and shall also include uses permissible in R-1 Zone under Regulation No.51 of the MCGM, DCR 1991, but without any restriction on the size of Office. (sanctioned as per Urban Development Department, Government of Maharashtra, Notification No TPB 4313/1267/CR-183/2013/UD-11 dated 03/03/2014)
52	<i>Residential Zone with Shop Line (R-2 Zone)</i>
	<ul style="list-style-type: none"> Regulation deleted – uses permitted as per provisions in Regulation 49
53	<i>Local Commercial Area/ Zone (C-1 Zone)</i>
	<ul style="list-style-type: none"> Regulation deleted – uses permitted as per provisions in Regulation 49
54	<i>District Commercial Area/ Zone (C-2 Zone)</i>
	<ul style="list-style-type: none"> Regulation deleted – uses permitted as per provisions in Regulation 49
55	<i>Service industries Zone (I-1 Zone)</i>
55	<ul style="list-style-type: none"> Regulation deleted – Not applicable to airport development
56	<i>General Industrial Zone (I-2 zone)</i>
56	<ul style="list-style-type: none"> Regulation deleted – Not applicable to airport development
57	<i>Special Industrial Zone (I-3 zone)</i>
57	<ul style="list-style-type: none"> Regulation deleted – Not applicable to CSMIA Location

Regulation/Section as per MCGM DCR	Modifications made to the DCR
58	<i>Development or redevelopment of lands of cotton textile mills</i>
58	<ul style="list-style-type: none"> Regulation deleted – Not applicable to CSMIA Location
59	<i>Coastal Area Classification and Regulation of Development</i>
59	<ul style="list-style-type: none"> Regulation deleted – Not applicable to CSMIA Location
60	<i>No Development Zone (NDZ)</i>
60	<ul style="list-style-type: none"> Regulation deleted – Not applicable to CSMIA Location
67	<i>Regulations for the grant of Transferable Development Right to owners/ Lessees of Heritage Building/ Heritage Precincts and conditions for grant of such Rights</i>
67	<ul style="list-style-type: none"> Regulation deleted – Not applicable to CSMIA Location

Regulation 68: Slum Rehabilitation Schemes:

MIAL may undertake Rehabilitation of all hutment dwellers in the slums located in CSMIA Notified Area by implementing one or more Slum Rehabilitation Schemes (SRS) and, if necessary, one or more Contributory Rehabilitation Schemes (CRS) , in accordance with the provisions contained in the Appendix-A to these Regulations.
(sanctioned as per Urban Development Department, Government of Maharashtra, Notification No TPB 4314/626558/CR-168/2014/UD-11 dated 29/06/2021).

APPENDIX- A**Part – I****1. Applicability of Provisions**

Provisions of this Appendix under Regulation 68 shall be applicable to :—

1.1. The slums which have been declared and notified as “Slums” by the Metropolitan Commissioner, MMRDA (hereinafter referred to as the Competent Authority) under the provisions of Maharashtra Slum Areas (Improvement, Clearance & Redevelopment) Act, 1971 (hereinafter referred to as ‘Slum Act’) and also the encroachments on the existing or proposed roads or encroached areas under electric H.T. power lines or Nalla banks and any partially or fully encroached areas, shown towards any buildable or non-buildable amenities of the Layout plan of the CSMIA Notified Area ; or

1.2. Any area which the said Competent Authority may declare as “Slum Rehabilitation Area”; and to the Hutment Dwellers in such Slums or Slum Rehabilitation Areas.

1.3. Any Slum Rehabilitation Scheme undertaken for rehabilitation of CSMIANA Hutment Dwellers outside of CSMIANA and anywhere in MMR.

1.4. Save and except provision for amenities which shall be as per Development Control and Promotion Regulations for Greater Mumbai 2034 (DCPR 2034) [Regulation 33 (10) (VIII) (8)] or Unified Development Control and Promotion Regulations for Maharashtra State (UDCPR) (applicable regulation) as the case may be. Further, at area out of CSMIANA, applicable provision for reservation for public purpose under DCPR 2034 and UDCPR, as the case may be, shall also be applicable and only ground floor Hutment Dwellers be eligible.

2. Definitions

2.1 Terms and expressions other than those specifically defined herein shall have the same meaning as in :—

- The Maharashtra Regional and Town Planning Act, 1966,
- National Building Code (2005) as amended from time to time.

2.2 “Censused Slum” shall mean those slums located on lands belonging to AAI/MIAL, and incorporated in the records of the land owning authority as having been censused in 1976, 1980, 1985, prior to 1st January 2000 or Relevant Documents.

2.3. “Slum Rehabilitation Area”.—If any area has been enumerated as Slum in the Census or fulfils the condition laid down in section 3C of the Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 and is declared and notified as such, the same shall be deemed to be and treated as “Slum Rehabilitation Area”.

Slum Rehabilitation Area shall also mean any area declared as such by the Competent Authority for implementation of the SRS and/or any AAI/MIAL land required for implementation of “Slum Rehabilitation Scheme (SRS)”.

Any area required or proposed for the purpose of construction of temporary transit camps required for execution of SRS approved by the Competent Authority shall also be deemed to be treated as Slum Rehabilitation Areas.

2.4 A “Slum Structure” shall mean the ground floor dwelling areas of all persons who were enumerated as living in that numbered house in the Relevant Documents (as per Clause 2.5) regardless of the number of persons staying therein, or location of rooms in such structure or number of accesses to that structure.

2.5 “Eligible Hutment Dweller” is an actual inhabitant of ground floor of a hutment or Slum Rehabilitation Area referred to in Clause 1 of this Appendix and whose name appears in the Legislative Assembly Electoral Roll with cut-off date of 1st January, 2000 or any other prescribed documents by the Competent Authority (herein referred to as the Relevant Documents).

2.6 The “Competent Authority” referred to hereinafter in this Appendix shall mean the Officer appointed under Section 3 of the Maharashtra Slum Area (Improvement, Clearance and Redevelopment Act, 1971).

2.7 “Gross Plot Area” shall mean total plot area.

2.8 “Carpet Area” would have the same meaning as defined in Real Estate (Regulation and Development) Act, 2016.

2.9 “Floor Space Index (FSI) or Floor Area Ratio (FAR)” shall mean the quotient of the ratio of the total built up area on all floors, excepting the areas specifically exempted from computation under DCR CSMIANA to the gross area of the plot.

2.10 “Global FSI” means the FSI of the entire area under the SRS, where FSI from one slum pocket may be used at another slum pocket within the area of such SRS.

2.11 “Recreation Ground (RG)” shall mean any common open space required to be kept in any layout and left permanently open to the sky and accessible to all members as a place of recreation.

2.12 “Hazardous Building” shall mean any building or part thereof which is used for the storage, handling, manufacture, or processing of any Hazardous Material. “Hazardous Material” means any material as mentioned in Regulation 1(71) of DCPR 2034.

2.13 “Rehabilitation Component” shall mean the total construction area computed in the Rehabilitation Building(s) for the rehabilitation of Hutment Dwellers in the Slum Rehabilitation Scheme.

2.14 “Amenity Component” shall mean the constructed amenities prescribed by the Competent Authority for rehabilitation of the Hutment Dwellers in the Slum Rehabilitation Scheme.

2.15 “Annual Schedule of Rates (ASR)” is the average statement of rates prepared annually by Inspector General of Registration and Controller of Stamps, Maharashtra State, Pune.

2.16 “AAI” means Airports Authority of India

2.17 “Airport Specific Rehabilitation Scheme” means Slum Rehabilitation Scheme (SRS) under this Appendix which includes Contributory Rehabilitation Scheme for Non-Protected Hutment Dwellers.

2.18 “Hutment Dwellers” means inhabitants of the Slum or Slum Rehabilitation Area, such Hutment Dwellers may be Eligible Hutment Dwellers or Non-Protected Hutment Dwellers.

2.19 “Non-Protected Hutment Dweller” is an occupant of ground floor in Slum or Slum Rehabilitation Area on or before 1st January 2011 but after 1st January 2000. Determination of date of occupancy for the purpose of an inhabitant to be declared as Non-Protected Hutment Dweller shall be based on documents prescribed by the Competent Authority. Rehabilitation of such Hutment Dwellers shall be governed by the provisions of Part III of this Appendix.

2.20 “MIAL” in this Appendix means Mumbai International Airport Limited and, subject to context, includes any developer, agency or representative duly appointed by it, hereinafter referred to as MIAL/ developer.

2.21 “Pavement” shall mean any Municipal/Government/Semi Government pavement and shall include stretch of the pavement as may be considered viable for the purpose of the SRS.

2.22 “Rehab BUA” means total of actual built up area required to rehabilitate residential, commercial and residential *cum* commercial tenements in SRS.

2.23 “Slum Rehabilitation Authority” means the Authority appointed by the State Government under section 3A or under any other applicable provision of Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971. For Slum Rehabilitation Scheme under this Appendix, Slum Rehabilitation Authority shall be Metropolitan Commissioner, Mumbai Metropolitan Region Development Authority (MMRDA).

2.24 “Transferable Development Rights (TDR)” shall have the same meaning as per DCPR 2034 or UDCPR as the case may be.

2.25 MMR means Mumbai Metropolitan Region as notified under MMRDA Act, 1974.

PART-II

3. Slum Rehabilitation Scheme (SRS)

3.1. *Slum Rehabilitation Scheme*.—Slum Rehabilitation Scheme shall mean an Airport Specific Slum Rehabilitation Scheme for rehabilitation of Eligible Hutment Dwellers of one or more slum areas at CSMIANA, in accordance with the provisions of this Appendix and shall include transit camps, infrastructure, amenities, rehabilitation component of the development, as permitted on the area of SRS by the Competent Authority which shall be competent to approve the Slum Rehabilitation Schemes under this Regulation, being the Planning Authority and Competent Authority for the CSMIA Notified Area. SRS shall also include Contributory Rehabilitation Scheme for Non-Protected Hutment Dwellers.

3.2. Mumbai International Airport Limited (MIAL) may implement one or more Slum Rehabilitation Schemes (SRS) for rehabilitation of Hutment Dwellers either directly or by appointing a developer.

3.3. MIAL may use any of the following options for rehabilitation of Hutment Dwellers.

3.3.1. Eligible Hutment Dwellers may be rehabilitated by relocation to another location but within CSMIANA or outside CSMIANA or both but within MMR as per provisions of this Appendix. Such rehabilitation shall take place as per the provisions of this Appendix.

3.3.2 Hutment Dwellers may also be rehabilitated by relocation to any alternative location, as far as possible within the limits of Greater Mumbai or in the Mumbai Metropolitan Region (MMR). Such ex-situ Rehabilitation shall take place as per the provisions of this Appendix and further subject to the provisions of the Development Control Regulations applicable to such alternative areas.

For the purpose of rehabilitation of Hutment Dwellers of CSMIANA, MIAL may utilise vacant plots at CSMIANA or may acquire or purchase additional land, adjacent to CSMIANA or elsewhere in the MMR. For such ex-situ rehabilitation of Hutment Dwellers within the limits of MMR, MIAL shall be eligible for land TDR of 2 times of land area used for such ex-situ rehabilitation.

3.4 The procedure to be adopted for the implementation of any Slum Rehabilitation Scheme (SRS) shall be as per the provisions of this Appendix.

4. Eligibility for Rehabilitation under Slum Rehabilitation Scheme

4.1 Inhabitants of the slums or Slum Rehabilitation Areas referred to in Clause 1 of this Appendix, whose names appear in the Relevant Documents, shall be eligible for allotment of rehabilitation tenement as per the provisions of this Appendix.

4.2 Subject to the foregoing provisions, only the actual occupants of the hutments shall be treated as eligible for rehabilitation under the SRS and any person claiming ownership of such structure who is other than the actual occupant, shall have no right whatsoever to allotment of rehabilitation tenement even if his name is shown in the Relevant Documents.

4.3 Any Hutment Dweller whose name appears in the Relevant Documents and who is an actual occupant of such hutment shall not be held eligible for rehabilitation if his name is also included in any other electoral roll of any other non-slum area.

5. Contributory Rehabilitation Scheme (CRS)

MIAL may implement one or more Contributory Rehabilitation Schemes to rehabilitate Non-Protected Hutment Dwellers as per Clause 2.19, by procuring tenements from the market or buying tenements constructed under any Scheme of the State Government or the Central Government or by constructing tenements as per the provisions of Part III of this Appendix, anywhere in the MMR.

6. Joint Ownership of Rehabilitation Tenement with Spouse

The rehabilitation tenement under SRS or CRS shall be jointly owned by the Pramukh Hutment Dweller and the spouse, if applicable. The details of the ownership including Share Certificate and other relevant documents, shall be so entered and shall be deemed to be entered in the records of the Co-operative Housing Society (CHS), to be formed after the allotment of rehabilitation tenements to the Hutment Dwellers in the completed Rehabilitation Building(s).

7. Denotification as Slum Rehabilitation Area

The Competent Authority for the SRS shall denotify partly or fully the Slum Rehabilitation Area as per provisions of the Slum Act, 1971, on being satisfied that it is necessary to do so or when directed by the State Government.

8. The following provisions shall apply to construction of accommodation for rehabilitation of Hutments Dwellers/ Pavement dwellers under SRS to be executed by MIAL either directly or through a developer.

8.1 Eligible Hutment-Dweller, in the Slum or on the Pavement, shall, in lieu of his residential structure, be given free of cost a residential tenement, having a carpet area of 27.88 sq. m. (300 sq. ft.), which shall include living room, bedroom kitchen / alcove, bath and water closet, but shall exclude common areas.

However the 25 sq. m. (269 sq. ft.) carpet area tenement already constructed and available with MIAL, may be offered to Hutment Dwellers and they will not be compensated or given the difference between 27.88 sq. m (300 sq. ft.) and 25 sq. m (269 sq. ft.).

Where a person has both residential and commercial premises without common wall between residential and commercial premises, for commercial/ office/ shop/ economic activity in the Slum/ Pavement, he shall be considered eligible for a residential/ commercial unit including BUA for commercial / office/ shop/ economic activity both free of cost and carpet area of such unit shall not exceed 27.88 sq. m. (300 sq. ft.)

The eligible existing area under commercial/ office/ shop/ economic activity shall be computed on the basis of official documents such as Licence under the Shops and Establishment Act, electricity bills, photo pass etc.. BUA for commercial/ office/ shop/ economic activity upto 20.9 sq. m. (225 sq. ft.) carpet area or actual area whichever is less shall be provided to the Hutment Dweller as part of the SRS. For Industrial user, the Hutment Dweller may be provided a commercial unit in the Rehabilitation Component as applicable to a commercial unit.

8.2 Pavement-dwellers and Hutment Dwellers in the slum situated on lands required for airport development, vital public utility/ purpose or on the hazardous location or on amenity spaces / open spaces plots shall not be rehabilitated in-situ but in other available plots.

8.3 Commercial godowns, Cowsheds/ gothas, scrap godowns/ yards; hazardous users/ structures shall not be permitted in the SRS. These shall be evicted and shall be moved away from the Slum Rehabilitation Area as nonconforming uses.

8.4 For the approval of the SRS, consent of the concerned slum dwellers shall not be necessary. The Competent Authority shall finalise the list of Hutment Dwellers on the declared Slum Rehabilitation Area with reference to area proposed under the SRS; and it shall be obligatory on all Hutment Dwellers to participate in the Slum Rehabilitation Scheme, once the same is approved by the Competent Authority.

8.5 MIAL or developer appointed by MIAL shall enter into an individual agreement with the Eligible Hutment Dweller of each structure in the slum area under the SRS. The agreement will be in the joint name of Pramukh Hutment Dweller and spouse, if applicable, for every structure.

9.0 Building Permission under SRS and Release of TDR

9.1 Approval to the Airport Specific Slum Rehabilitation Schemes for CSMIANA under this Appendix shall be granted by the Competent Authority.

9.2 The Competent Authority shall approve the proposal for the SRS along with the list of Hutment Dwellers.

9.3 On compliance with the terms and conditions for approval to the SRS, and the requirements of DCR CSMIANA, the necessary building permission under section 45 of MRTP Act, 1966, shall be admissible in accordance with these provisions for constructing the Rehabilitation Component of the SRS and release of TDR as per the provisions in this Appendix and DCR CSMIANA.

9.4 Release of TDR shall be linked to the stages of construction of Rehabilitation Component as per Table 2 :—

Table 2

S. No.	Stage of Construction of Rehabilitation Component	Percentage of release of TDR
(1)	(2)	(3)
1	After completion of rehab plinth work	25%
2	After completion of Rehab R.C.C.work	25%
3	After completion of rehab masonry and plaster work.	25%
4	After completion of all rehab work with Occupancy Certificate and also handing over of the same to MIAL	25%

9.5 MIAL or the developer appointed by MIAL shall deposit with the Competent Authority an amount of Rs 40000 for each tenement including welfare hall(s) and balwadi(s) in the Rehabilitation Component of the SRS.

9.6 MIAL or the developer appointed by MIAL shall pay an amount of Rs. 1000 per sq. m. as “Infrastructure Charge” for the Built-up area under the SRS, over and above the Base FSI of 1.0, for the Rehabilitation Component under the SRS. 90% amount will go to the concerned Local Authority and 10% amount will remain with the competent Authority.

10.0 Rehabilitation Component and TDR—

10.1 Admissible FSI for the Slum Rehabilitation Scheme shall be the admissible FSI for the Rehabilitation Component. The ratio between Rehabilitation Component and TDR shall be as mentioned in Clause No. 10.4.

10.2 The Rehabilitation component shall mean the total built-up area of all residential tenements as well as non-residential built-up premises required for rehabilitation of the Hutment Dwellers in accordance with the provisions of this Appendix and DCR CSMIANA or UDCPR, including what is set down in Clauses 10.8.1, 13.8.1, 15.2, 15.3, of this Appendix. Built-up area for Rehabilitation component shall include the total construction area of Rehabilitation component including areas under passages, balwadis, welfare centres, office of the Co-operative Housing Society of Hutment Dwellers.

10.3 The Rehabilitation Component shall include all rehabilitation tenements for Residential/Residential + Commercial/ Commercial users and what is set down in Clauses 10.8.1, 13.8.1, 15.2, 15.3.

10.3.1 For computation of Rehabilitation Component, it shall exclude what is set down in DCR CSMIANA or UDCPR except Meter Room, Pump Room and Fire-Control Room.

10.4 For each 10 sq.m of the built-up area under the Rehabilitation Component, TDR shall be as per Table 3

Table 3

S. No.	Rehabilitation Component	TDR
1	10.00 Sq.mtr.	11.00 Sq.mtr.

10.5 Maximum FSI admissible on the gross plot area of the SRS shall be 4.00 or the FSI required to construct the Rehabilitation Component, Amenity Component under the SRS, whichever is higher.

10.6 On submission of development proposal to the Competent Authority, it shall be obligatory to obtain no objection certificate from MIAL, subject to approval by the Competent Authority in consultation with MIAL, the decision of MIAL shall be final and binding on all

concerned regarding the proportion and location of the land area to be used for the Rehabilitation Component and Amenity Component.

10.7 The admissible FSI and development in CRZ Area shall be governed by the MOEF&CC Notifications issued from time to time.

10.8 The areas exempted from computation of FSI shall be as per provisions of this Appendix and DCR CSMIANA or UDCPR, and subject to Clause 10.8.1 herein below, while the areas referred to in Clauses 13.8.1, 15.2, and 15.3 of this Schedule shall not be included for computation of FSI.

10.8.1 Carpet area admeasuring 27.88 sq. m of the rehabilitation tenement shall include the area of the balcony, if any, and the same shall be counted towards FSI calculation.

10.8.2 Subject to maximum height permissible by AAI, it shall be mandatory for the developer to provide minimum density of 500 Tenement/Ha. on the net plot area for rehabilitation of Hutment Dwellers.

10.9 CSMIANA Plots identified to be part of the SRS shall be available for the SRS in accordance with their ‘use’ as shown in the CSMIANA Layout/Interim DP Plan. It shall be permissible to implement SRS on any encumbered CSMIANA plot, in CSMIANA Layout plan.

10.10 Any land declared as SRS area shall be notionally treated as one plot, even if it is spread on part or parts of boundary of different CTS Nos. or Survey Nos. Separate approval shall not be necessary for such deemed amalgamation and such notionally amalgamated plot shall be treated as a single plot for the purpose of FSI computation. However such an amalgamation shall not include existing nalla, water body or transmission line zone if any.

10.11 All the plots involved in any SRS under which rehabilitation of Hutment Dwellers is envisaged under Clauses 3.3.1 shall be notionally treated as one, for the purpose of computation of FSI.

10.12 The areas of plots under the SRS shall be certified by the Competent Authority after actual on-site measurement of the areas of plots. Such certified boundaries and areas of plots shall be the basis adopted for planning purposes, for calculation of tenement density and FSI and other aspects of planning.

10.13 At the time of granting approval to the Slum Rehabilitation Scheme (SRS), the land earmarked for SRS area may be further subdivided, if necessary, to carve out separate plots for the Rehabilitation Component and the Amenity Component. Both, the Plot area and the Built-up area of the said plots shall be treated as independent plots and mentioned separately in sq. m in the lease agreements.

11. Temporary Transit Tenements

11.1 The Temporary Transit Tenements for rehabilitation of Hutment Dwellers may be allowed to be constructed by MIAL or the developer appointed by MIAL, on Rehabilitation site itself, or on any other land located within CSMIANA or elsewhere in MMR. “Transit Tenement” shall mean habitable residential accommodation constructed from detachable material such as tubular/ prefabricated light structures or such other material. Such temporary structure must be constructed in such a manner that it ensures safety of the inhabitants. Design criteria for structural elements of transit camps shall be similar to those of the rehabilitation tenements, however, the area shall remain the same as for regular building components with a minimum carpet area of 16.72 sq. mt. (180 sq. ft.) for each transit tenement.

11.2 Multi-storeyed temporary transit tenements may be allowed to be constructed on any suitable plot within SRS area with prior permission of the Competent Authority.

11.3 The area of temporary transit tenements shall be excluded from the computation of FSI.

11.4 Building permission for the Temporary Transit Tenements shall be given within 30 days from the date of application by MIAL/developer, subject to the following conditions:—

11.4.1 Building permission for the temporary transit tenements to be erected shall be given by the Competent Authority on the plot earmarked for such purpose by MIAL (hereinafter referred to as Transit Plot) and the Temporary Transit Tenements shall remain on such plot only for the duration of the SRS as approved by the Competent Authority on the basis of the time required for construction of the Rehabilitation tenements.

11.4.2 MIAL/developer shall provide necessary infrastructure for services like water, electricity, etc. for the temporary transit tenements.

11.5 Construction of Temporary Transit Tenements may be allowed on any existing vacant land within the CSMIANA, including any site of Amenity Space/ Open Space, with the prior permission of the Competent Authority.

11.6 The Temporary Transit Tenements shall be demolished by MIAL/developer within the time period prescribed by the Competent Authority unless such time period is extended further as per Clause 11.4.1 above.

11.7 If the MIAL/developer fails to demolish the temporary transit tenements as per Clause 11.6, the Competent Authority shall demolish the temporary transit tenements, in which case, all the costs pertaining to demolition and removal of debris shall be recovered from the MIAL/developer, along with additional penal amount as determined by the Competent Authority.

11.8 If the development in the SRS takes place in a phase-wise manner as per the plan approved by the Competent Authority requiring repeated use of Temporary Transit Tenements, then for the final phase of implementation of the SRS, only a Provisional Occupancy Certificate shall be given for a period not exceeding 60 days, during which time MIAL/ developer shall ensure that all the hutment dwellers are shifted from Temporary Transit Tenements to their allotted Rehabilitation tenements. The MIAL/developer shall also ensure all the Temporary Transit Tenements are demolished and debris and other material, removed from the site. Occupancy Certificate for final phase of implementation of the SRS development shall only be granted when all the Temporary Transit Tenements have been demolished and the Transit Plot site has been cleared to the satisfaction of Competent Authority.

12. Rehabilitation Entitlements for Industrial /Commercial/ Business/ Office Users

12.1 The built-up area for Commercial / Industrial user (for example business / office / shop) that existed prior to 1st January 2000 in the Rehabilitation Component, shall be admissible to the concerned person, subject to the provisions in the Clause 12.2 below. In case a Hutment Dweller has both, residential and commercial premises within the area of SRS without a common wall between such residential and commercial premises, in the slum/ pavement, in respect of which the SRS is being or is to be implemented, he shall be eligible for a residential tenement of 27.88 sq.m carpet area free of cost.

12.2 The existing area under Residential+ Commercial/ Commercial/ Industrial uses shall be computed on the basis of actual measurement and production of official documents such as Licence under the Shops and Establishment Act and Electricity bills or any other document as prescribed by the State Government from time to time. The admissible rehabilitation built-up area for commercial/ office/ shop/ economic activity user in the Slum/ Pavement that existed prior to 1st January 2000 as reflected in the Relevant Documents shall be based on the actual area or 20.9 sq. mt. (225 sq. ft.) carpet area whichever is less.

12.3 All existing industrial users may be provided a commercial unit in the Rehabilitation Component as applicable to a commercial unit.

12.4 Commercial/ office/ shop/ economic activity may be allowed to be constructed on any side of the plot abutting minimum 3 m wide pathway and deriving access from minimum 3 m wide

pathway. Back-to-back shopping on ground floor shall also be allowed for the purpose of rehabilitation. In case the plot is fully constructed at the ground level as per the provisions above, similar constructions may be permitted on the 1st floor if needed. These provisions may be allowed on the first floor, to the extent found necessary.

12.5 All activities which existed as on date of eligibility shall be allowed to be relocated within the area of the SRS, except those activities which are hazardous and polluting (as mentioned in Clause 8.3). Further relocation of such hazardous and polluting activities shall not be permitted within SRS.

13. Relaxation in Building and Other Requirements

13.1 The ratio between the length of the pathway and the width thereof shall be as follows:—

Length	Width
Up to 75	6.0 m
above 75	7.5 m

13.1.1 Between the dimensions prescribed for the pathway and the marginal distances, the larger of the two shall prevail. The pathway shall serve as access wherever necessary. The construction of buildings may be permitted abutting the pathways.

13.2 For a building having height upto 32 m in the rehabilitation component the front and marginal open space shall be 3.0 m and in case of such buildings having height more than 32m. the minimum marginal open space shall be 6.0 m or as may be prescribed by Chief Fire Officer, MCGM or other relevant Municipal authority.

13.2.1 For the plot abutting a road having width of 18 m or above, the front marginal open space shall be at least 6 m., provided the road is not a Classified Road.

13.2.2 The distance between any two rehabilitation buildings shall not be less than 6 m.

13.3 The following areas, shall not be counted towards the “Open Spaces”:—

- land under Nallas
- land under cart tracts
- land under transmission lines, telephone lines and corridors left for such services

13.3.1. The provisions in DCR CSMIANA relating to balcony shall apply to the SRS, subject to the condition that the balcony shall not reduce marginal open space to less than 1.5m.

13.3.2. Norms for the clear distance to be kept from water courses shall be governed by the provisions of DCR CSMIANA and the norms for the clear distance to be kept from HT electric lines shall be governed by the requirements of Central Electricity Authority / Electricity Act, 2003/ DCPR 2034/ UDCPR, as amended from time to time.

13.3.3. Where the plot abuts a nalla, the marginal open space along the nalla shall not be insisted upon beyond 3 m from the edge of the trained nalla.

13.4. Parking - Common parking lots shall be provided as per the norms specified in DCR CSMIANA or this Appendix. Any relaxation required may be granted as per the provisions contained therein. However, 25% additional parking lots required for areas in the Mumbai Metropolitan Region shall not be insisted upon for the SRS.

Provision for Parking shall be as follows :

- Residential :
 - one car parking per 8 tenements having carpet area upto 45 sq. mt. each, or

(ii) one parking space per tenements for two wheeler shall be provided, above parking spaces may be provided in any combination. Parking for visitors may be provided to the extent of maximum 5% of the number stipulated above, subject to minimum one parking.

(b) Commercial: one parking for every 150 sq. mt. of floor area or part thereof. Provided that no parking space need to be provided floor area upto 50 sq. mt.. Parking for visitors may be provided to the extent of 5% of the number of parking stipulated above, subject to minimum one parking.

13.5 Requirements of parts of buildings shall be governed as per the following provisions:

13.5.1 Plinth - The minimum plinth height shall be 45 cm and in flood prone areas, the plinth shall be at least 30 cm higher than the Highest Flood Level.

13.5.2 Habitable Rooms - The minimum width for any habitable room shall not be less than 2.4 m.

13.6 Kitchen: Separate kitchen shall not be necessary, and cooking space (alcove) shall be allowed without any minimum size restriction. Where kitchen is provided, the minimum width shall be 1.5 m.

13.7 Bathroom and Water Closets: Bathrooms and Water Closets shall be governed by the provisions made in DCR CSMIANA.

13.7.1 In a Water Closet, flushing cisterns may not be essential and toilets without this provision may be permitted. Water closet seat shall be of a minimum length of 0.46m (18 inches).

13.8 Common Areas:

13.8.1 Common Passage –

13.8.1.1 The minimum width of Common Passage in the Rehabilitation Component shall be 1.5 m.

13.8.1.2 The area of common passage not exceeding 2.0 m in width provided in Rehabilitation Component, shall not be counted towards the computation of FSI.

13.8.1.3 If podium is proposed, the corridors having a width of 6.0 m or less formed under the podium for Rehabilitation of Commercial/ Industrial units under Rehabilitation Component and Amenities, may be up to a width of 6.0 m and shall not be counted towards computation of FSI. RG required under these Regulation shall not be provided on podium.

13.9 Stairways –

13.9.1 The minimum width of each flight, mid-landing and corridor of the staircase shall not be less than 1.5 m for building height upto 70 m and 2 m for building height above 70 m.

13.9.2 No flight shall contain more than 12 risers, but in residential buildings, in narrow plots and High Density Housing a single flight staircase may be permitted.

13.9.3 The minimum height of all risers shall be 15 cm and maximum 17.5 cm. in a residential building.

13.9.4 The minimum width of the tread without nosing shall be 25cm. for any staircase of a residential building, other than stairs provided in fire escapes.

13.9.5 The minimum head-room in a passage under the landing of a staircase and under the staircase shall be 2.2 m.

13.9.6 The ordinal number of each floor shall be conspicuously displayed, painted in figures of the size of at least 15 cm. on the wall facing the flights of a stairway or at such suitable place as is distinctly visible from the flights.

13.9.7 Handrails or parapet wall having a minimum height of 0.9 m. from the centre of the treads shall be provided

13.10 Lifts

13.10.1 In case of buildings having a height of more than 32 m, at least two lifts shall be provided, one of which shall be capable of accommodating a stretcher.

13.10.2 Provisions of Lifts for people as well as accommodating stretcher, in any building under the Rehabilitation Component shall be as per the Table 5 below:

Table 5

S.No.	Height of Building	Minimum No. of lifts	
		General	Stretcher
1	Up to G+4	—	—
2	Up to G+9	1	—
3	Up to G+15	1	1

13.11 Floor Height - The minimum clear floor height of rehabilitation tenement room shall be 2.75m (finished floor to finished ceiling) and any toilet shall have a clear minimum floor height of 2.40m.

13.12 All Regulations mentioned hereinabove under Clauses 13.1.1, 13.2, 13.2.1 shall be applicable to the buildings under the Rehabilitation Component under SRS.

13.13 Even if the amenity space may be allowed to be reduced to make the SRS technically and/or financially viable, at least 5% of gross plot area shall be provided as amenity space. Moreover, 5% of net plot area shall be maintained as Recreation Ground (RG)/ open space.

13.13.1 Recreation Ground/ Open space shall only be used as a Playground, or for Tree Plantation or Landscaping. Construction in any RG/ Open spaces may be allowed by the Competent Authority.

13.14 In the event of any proposed road widening, the computation of permissible FSI shall be made on the gross plot area, without deducting the area under such road widening.

13.15 Provision for Light and Ventilation shall be governed by the provisions made in DCR CSMIANA.

13.16 Fire Protection Requirements –

13.16.1 The planning, design and construction of any building under SRS shall be such as to ensure safety from fire. For this purpose, unless otherwise specified in these Regulations, the provisions of Regulation 47 (1) (A) and 48 of DCPR 2034 and similar provision of Regulation 9.32 and 9.28 in UDCPR will be applicable.

13.16.2 For multi-storeyed, high rise and special buildings, additional provisions relating to fire protection shall conform to the requirement of open space on all sides having minimum width of 6 m. and the layout of such buildings shall conform to the requirements prescribed by the Chief Fire Officer. The aforesaid open spaces shall be free of any obstruction and shall be motorable.

13.16.3 Fire protection requirements for the buildings and structures to be constructed under SRS components shall be governed by the provisions made in DCR CSMIANA.

14. Slums and Layout Amenities :—

14.1 The provisions of this Appendix shall prevail over the corresponding provisions of DCR CSMIANA or DCPR 2034 or UDCPR, in case of any conflict.

14.2 Existing hutments in the slum pockets occupying lands in dangerous locations such as hill slopes, marshy lands, in close proximity of water bodies, lands abutting Railway tracks and sites immediately required for the public and semi-public projects may be relocated on other suitable locations with the prior approval of the Competent Authority.

14.3 Existing hutments in the slums shall be allowed to be rehabilitated only where the amenities such as water-supply, sewage disposal, drainage and electricity are available. Additionally, the Competent Authority may also provide for other facilities, if required as a part of the SRS.

14.4 Wherever any CSMIANA Layout road passes through a plot under SRS, entire 100 percent FSI of such road shall be given for utilisation in the same site, on the remaining area of such plot area or as TDR.

14.5 In case of a Slum Rehabilitation Area, if the land on which the SRS is undertaken is adjoining railway tracks, a boundary wall of minimum 2.4 m in height shall be constructed on the side of the plot abutting the railway line. The developer shall be required to furnish a No Objection Certificate (NOC) from the concerned Railway Authority before being granted permission for construction of a building planned under SRS within a distance of 30 m from the railway boundary. Any development on such plot shall be carried out as per the terms and conditions stipulated by the concerned Railway Authority.

15. Aanganwadi, Health Centre / Outpost, Gymnasium / Fitness Centre, Skill Development Centre, Women Entrepreneurship Centre, Yuva Kendra, Library, and Religious Structures:

15.1 There shall be Balwadi, Welfare hall, society office and any of two amenities, as proposed by the developer, mentioned above of size 27.88 sq. m for every multiple or part of 500 Hutment Dwellers. There shall be a community hall for rehab building of the SRS as a part of the Rehabilitation Component. The area of such hall shall be 2% of rehab built up area of all the buildings or 200 sq. m whichever is less.

Religious structures existing prior to redevelopment, if allowed in accordance with the guidelines issued by the State Government from time to time as part of redevelopment, shall not exceed the area that existed prior to redevelopment.

Other social infrastructure like school, Dispensary, and Gymnasium run by Public Authority or Charitable Trust that existed prior to the rehabilitation and certified by the Competent Authority shall be allowed to remain or shift to another location. However, there shall be no increase in the existing built-up area occupying such social infrastructure.

15.2 Welfare Centre, Society Office, Balwadi, Health Centre, Multipurpose Community hall, Neighbourhood Market and religious structures, in the Rehabilitation Component shall not be counted towards the computation of FSI.

15.3 In addition to amenities such as the Welfare Centre, Balwadi, Society Office, Health Centre, Multipurpose Community hall, Neighbourhood Market and Religious Structures, the Competent Authority shall have rights to prescribe other necessary social amenities in any SRS, which shall have to be provided by MIAL/ developer on the rehabilitation site. The area constructed for such amenities shall not be counted towards computation of FSI.

16. Payments to Special Planning Authority/ Competent Authority:

16.1 The premium agreed upon between MIAL/ developer and the Competent Authority for any SRS shall be paid to the Competent Authority by MIAL/developer as per the installments and time schedule decided by the Competent Authority.

17. Procedure For Determining Eligibility For Rehabilitation:

17.1 A certified extract of the Relevant Documents shall be considered as evidence to establish the eligibility of a person for rehabilitation provided he is found to be occupying any Slum Structure. This is to avoid the possibility of persons who have left the structure coming back to claim free tenement under the scheme even though they have in the normal course left the slum and gone away. In case of doubt or dispute, the decision of the Competent Authority shall be final and binding on all the parties concerned.

The eligibility of a person including transferees under the SRS shall be established in accordance with Chapter I-B of the Maharashtra Slum Area (Improvement, Clearance and Redevelopment) Act, 1971 and orders issued there under.

17.2 Eligible Hutment Dwellers having a physically handicapped person or a widow household shall be given first preference in allotment of tenements to the Hutment Dwellers. Thereafter lots shall be drawn for allotment of tenements from the remaining tenements to the rest of the Eligible Hutment Dwellers, before grant of OC to the rehabilitation building.

17.3 Ownership and Terms of Lease- The part of AAI/MIAL land on which the Rehabilitation Component of the SRS will be constructed and will be leased to Hutment Dwellers for a period up to year 2036, on lease rent as decided by MIAL from time to time, and shall be renewable for further periods, as per the provisions of Operation, Management and Development Agreement (OMDA). The said lease deed shall be executed within 60 days from the date of issue of occupation certification.

17.4 Recovery of pending dues such as assessment, compensation, occupational charges, non-agricultural tax/ dues etc. pending with public authorities such as State Government, AAI/ MIAL, Municipal Corporations, City and Industrial Development Corporation etc. if any, shall not be linked to grant of approval or building permission to the SRS.

17.5 The developer shall register a Co-operative Housing Society for the rehabilitated slum dwellers immediately after occupation of rehab tenements by the slum dwellers. Stamp duty under Bombay Stamp Act, 1958 for registration of such rehabilitation tenement's document shall be fully exempted.

17.6 After construction of transit camp, the developer shall ensure the shifting of slum dwellers to the transit accommodation. In case of refusal/ objection by the slum dwellers, Clause 17.10 below shall be applied to those slum dwellers.

17.7 After the completion of permanently constructed rehabilitation building, the Competent Authority shall allot rehabilitation tenements by lottery system publicly. In case of refusal/ objection by the slum dwellers, Clause 17.10 below shall be applied to those slum dwellers.

17.8 In case after occupation of rehabilitation tenement, any new hutment or structure is reconstructed or occupied by the slum dweller, such unauthorised structure shall be immediately evicted and demolished without giving any notice by the Competent Authority in consultation with MIAL.

17.9 The MIAL or the developer appointed by MIAL shall register an agreement in favour of the rehabilitated beneficiaries for the constructed rehabilitation built up area and land spared for the same, along with common areas, access, marginal spaces left for the building, immediately after the final occupancy of all beneficiaries in the Rehabilitation Component.

17.10 In respect of those Hutment Dwellers on site, who do not join the project willingly, the following steps shall be taken:

- (i) Provision for all of them shall be made in the Rehabilitation Component of the scheme.

(ii) The details of the actual tenements that would be given to them by way of draw of lots on the same basis as for those who have joined the project, will be communicated to them in writing by the Competent Authority.

(iii) In case of dispute, decision of the Competent Authority shall be final and binding on all the parties concerned.

17.10.1 Hutment Dwellers on site, who do not join the SRS willingly shall be considered for allotment of tenements with due regard to the priority spelt out in Clause 17.2 above.

17.10.2 The transit tenements allotted shall also be earmarked for those slum dwellers that have not joined the SRS.

The transit tenements that would be allotted to such unwilling Hutment Dwellers would also be indicated along with the details of the transit accommodation allotted to those who have joined the SRS.

17.10.3 Action under the provisions of the Slum Act, 1971, including section 33/ 33A and 38 of the said Act shall be taken against any Hutment Dweller who is not willing to join the SRS within 15 days after approval on site has been granted for the SRS. The hutment of such a Hutment Dweller shall be removed and it shall be ensured that no obstruction is caused to the SRS.

In case of any Hutment Dweller not joining the scheme within 15 days after the approval has been granted to the SRS on a site, the action under the provisions of the Slum Act as amended from time to time, shall be taken and their hutments shall be removed. Further, and it shall be ensured that no obstruction is caused to the SRS.

17.10.4 Any slum dweller not joining the scheme till the building permission to the SRS is given, shall completely lose the right to any rehabilitation tenement, and their rehabilitation tenement shall be taken over by MIAL/ Competent Authority and used for the purpose of accommodating pavement dwellers and other slum dwellers which cannot be rehabilitated in-situ. At this stage the non-participating slum dwellers shall lose their right to rehabilitation.

17.11 The Managing Committee of the proposed as well as registered Co-operative Housing Society of Hutment Dwellers shall have women members as per provisions of Maharashtra Co-operative Society Act, 1960.

17.12 The Competent Authority shall issue Identity Cards to each rehabilitated family in the name of the head of the family, jointly with his/ her spouse, if applicable. Selling/ Transfer/ Rent/ Lease of the rehabilitation tenement shall not be allowed for a period of 10 years (except to their heirs) from the date of possession of the tenement. In case of breach, the Competent Authority shall cancel the allotment in respect of the Hutment Dweller and take over the tenement. These conditions shall appear on the identity card as well.

18. Building Permission under SRS—

18.1 For the Slum Rehabilitation Schemes to be implemented under the provisions of this Appendix, MIAL shall finalize the schemes for inviting tenders and also evaluate the technical as well as the financial bids for the same, on the basis of which the MIAL will take final decision regarding selection of the suitable developer for implementation of such SRS.

18.2 The approval to any SRS shall be given by the Competent Authority within a period of 60 days from the date of submission of proposal, complete in all respect along with all relevant documents. In the event of a failure by the Competent Authority to do so, the said approval shall be deemed to have been granted, provided the SRS is strictly in accordance with the provisions in this Appendix.

18.3 The Competent Authority while granting the approval to any SRS may lay down such terms and conditions not inconsistent with the provisions of this Appendix as may be deemed necessary in interest of MIAL or effective rehabilitation of Hutment Dwellers.

19. Payments to be made to MMRDA/ SRA / MCGM/ any Local Authority/ any Planning Authority

Provisions of DCPR 2034 or UDCPR shall be applicable as regard payments to be made to MMRDA/ SRA/MCGM/ any Local Authority/ any Planning Authority.

20. Transferable Development Rights.—The TDR generated at CSMIANA from implementation of SRS under this Regulation shall be available to developer for use anywhere in Greater Mumbai. Provided that this Regulation shall be in consonance with the respective provision in DCPR 2034 or UDCPR.

20.1 Development Rights Certificate (DRC) for the TDR shall be issued by the Municipal Commissioner, MCGM, himself/or the administrative head of any planning Authority under UDCPR on a recommendation made by the Competent Authority in this regard. The FSI credit in square meter of built-up area will be stated in figures and in words along, with the particulars of the place where TDR is earned.

20.2 When a buildable amenity on the reserved plot for which Slum Rehabilitation Scheme is sanctioned and handed over free of cost to the Planning Authority, such Planning Authority may grant a further TDR due for the construction of the said amenity.

20.3. A DRC will be issued only on the satisfactory compliance with the conditions prescribed in this Appendix.

20.4. If developer or the holder of a DRC intends to transfer it to any other person he will submit it to the Municipal Commissioner, MCGM/ or administrative Head of any Planning Authority under UDCPR, as the case may be, with an appropriate endorsement of the new holder's name. Without such endorsement by the Municipal Commissioner, MCGM himself/ or administrative Head of any Planning Authority himself under UDCPR, the transfer shall not be valid, and will be available for use only by the original holder.

20.5. Developer or the holder of a DRC who desires to use the FSI credit certified therein on a particular plot shall attach to his application for development permission, valid DRCs to the extent required.

20.6. Irrespective of the location in which they originate, DRCs may be used anywhere within the jurisdiction of MCGM as per indexation as per the formula given in DCPR 2034. However DRCs originating in MMR, other than the area within the jurisdiction of MCGM, may be used as per provisions of UDCPR.

20.7. The DRCs generated under this Regulation may be used as per the provisions of DCPR 2034/ UDCPR.

20.8. A DRC shall not be valid for use on receiving plots in the areas listed in the related Regulations of DCPR 2034 / UDCPR.

20.9 Procedure relating to issue of TDR under DCPR 2034/ UDCPR shall be applicable as the case may be.

PART- III

21. Contributory Rehabilitation Scheme for Non-Protected Hutment Dwellers—

21.1 MIAL may, at its discretion, implement one or more Contributory Rehabilitation Schemes for rehabilitation of Hutment Dwellers of Slums or Slum Rehabilitation Areas in CSMIANA who are non-protected as per Clause 2.19, wherein any individual Non-Protected Hutment Dweller may, in lieu of his slum structure, be provided a residential rehabilitation tenement having a carpet area of 27.88 sq. m (300 sq. ft). Such Rehabilitation tenement will be

provided on payment of such contribution by the concerned Non-Protected Hutment Dweller, as the Competent Authority may specify.

However the 25 sq. m. (269 sq. ft.) carpet area tenement already constructed and available with MIAL, may be offered to Hutment Dwellers and they will not be compensated or given the difference between 27.88 sq. m. (300 sq. ft.) and 25 sq. mt. (269 sq. ft.).

21.2 The Non-Protected Hutment Dwellers shall not be preferably rehabilitated in-situ but in other available plots procured or arranged by MIAL, outside CSMIANA and anywhere in MMR.

21.3 The Competent Authority shall finalise list of "Non-Protected Hutment Dwellers" for whom Contributory Rehabilitation Scheme is proposed to be implemented by MIAL and it shall be obligatory for all the listed families of Non-Protected Hutment Dwellers to participate in such Scheme.

21.4 Subject to approval of the Competent Authority, the decision of MIAL shall be final and binding on all concerned parties regarding the location of plots for rehabilitating the "Non-Protected Hutment Dwellers".

21.5 For commercial/ office/ shop/ economic activity upto 20.90 sq. m (225 sq. ft.), carpet area or actual area, whichever is less, shall be provided to the Non-Protected Hutment Dwellers. Industrial users may be provided a commercial unit in the Rehabilitation Component as applicable to a commercial unit.

21.6 Where a person has both residential and commercial, for commercial/ office/ shop/ economic activity in the Slum/ Pavement, he shall be considered eligible for residential/ commercial unit but for commercial/ office/ shop/ economic activity carpet area of such unit shall not exceed 27.88 sq. m (300 sq. ft.).

PART IV

22. General Provisions.—

22.1 Eligibility criteria for the developer shall be decided by MIAL, which shall include, inter alia, solvency certificate of such amount as may be decided by MIAL.

22.2 MIAL may decide the appropriate policies for effective implementation of the provisions in this Appendix. MIAL shall formulate and adopt appropriate procedure and policies in this regard from time to time.

22.3 The fees for scrutiny of layout/ building permission etc. shall be as decided by the Competent Authority and it shall be revised from time to time. However, this fee shall not exceed the fee charged by SRA for this purpose.

22.4 In specific cases where genuine hardship is clearly demonstrated, the Competent Authority may grant relaxations wherever necessary for reasons to be recorded in writing in order to make the SRS viable.

22.5 In case of any ambiguity or doubt regarding interpretation of the provisions contained in this Appendix, the decision of the State Government shall be final and binding on all concerned parties.

22.6 If there is any conflict between the provisions of this Appendix and DCPR 2034 or UDCPR, provisions of this Appendix shall prevail.

22.7 Subject to approval by the Competent Authority, the decision of MIAL shall be final and binding on all concerned regarding the proportion and location of the land area to be used for the Rehabilitation Component.

22.8 It shall be permissible to implement SRS on an encumbered or vacant plot in CSMIANA and anywhere in MMR, except hilltops, hill slope etc. wherever construction is not permissible.

22.9 After date of coming into force of this Regulation, any change in provisions regarding the Slum Rehabilitation in DCPR 2034/ UDCPR shall be deemed to be incorporated in this Appendix, if so opted by MIAL at its sole discretion but subject to prior approval from Government of Maharashtra.