

MUNICIPAL CORPORATION OF GREATER MUMBAI

No. CHE/2052/DP/GEN dt. 4.2.2011

CIRCULAR

Sub: Penalty for regularization of work carried out beyond approval / C.C. and procedure for regularization.

Ref. : 1. CHE/77/DPC/Gen dt. 17.6.2004
2. DyChE/BP/3307/WS of 8.7.2005

Procedure for regularizing unauthorized works / structures was circulated vide Circular No. CHE/77/DPC/Gen dt. 17.6.2004. The said circular is now revised as follows.

1. On receipt of application in prescribed manner as per DCR along with requisite documents u/s 44 of MR & TP Act requesting for regularization and due reasons for exceeding the work beyond approval / C.C., if concession/relaxations are involved approval of higher authorities shall be sought within 15 days. After receipt of approval, demand note shall be issued for payments to be made.
2. All the payments shall be made by the user / developer within seven days from receipt of demand note by him.

The revised rate of penalty shall be as under.

The premium rate shall be taken as 25% of developed land rates given in Stamp Duty Ready Reckoner issued by Government for the year of the date approval for regularization. The land rates shall be enhanced by factor 1.5 for industries and 2 for commercial.

Table A

Category	Type	Scale of penalty as % of premium rates
1.	Work carried out beyond CC but within the approved plan	20%
2.	Work carried out beyond cc and within the approved plan but after issue of stop work notice	40%
3.	Work carried out without approval but within plot potential (including setback area)	70%
4.	work carried out without approval but regularizable by way of utilizing TDR or amalgamation of additional plots or additional FSI as per DCR 33.	100%
5.	For change of user/activity within approved /authentic building	30%
6.	For alterations/ interior works i.e. erection of cabin / partitions within approved/authentic building or work of foundation of any type or excavation work	Rs.425/- per Sq.mt. (minimum Rs.25,000/-) to be increased 5% every two year's period

Table B

For redevelopment as per DCR 33 (5), 33 (7) and 33 (9)

Category	Type	Scale of penalty as % of premium rates
1.	Composite bldg	40% of normal penalty as per Table A.
2.	Non composite bldg	Normal penalty as per Table A for sale portion and 40% of normal penalty as per Table A for rehab component.
3.	Only for rehab. bldg	40% of the normal penalty as per Table A
4.	Sale Bldg	Normal Penalty as per Table A


4. The necessary condonation for any deficiency including Open Space, Parking etc. prior approval shall be obtained and premiums as per the policy in force shall be recovered.

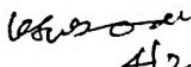
5. While calculating the penalty, the entire area including staircase, lift, lift lobby, balcony, basement, service floor, stilt parking floor shall be included and taken as a base for arriving penalty by applying the desired scale as mentioned in Table above.

6. For regularization of staircase room, lift machine room and overhead water tank, a lump sum penalty of Rs. 20,000 per wing of the bldg shall be recovered.

7. Necessary premiums for granting staircase, lift, passage area free of FSI or lucrative premium shall be levied as per policy in force.

This shall be given immediate effect.


for Director (E.S. & P.)


Municipal Commissioner

Copy to :

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S.E.(D.P.)

Copy forwarded for information and necessary action please.

Chief Engineer (D.P.)