

**THE BANDRA-KURLA NOTIFIED AREA
DEVELOPMENT CONTROL REGULATIONS,
1979.**

1. **Preamble:** Whereas it is expedient to make Regulations for the development of lands in the Bandra-Kurla Notified Area, it is hereby provided as follows:

2. **Short Title, Extent and Commencement.**

- (i) These Regulations may be called the MMRDA Bandra-Kurla Notified Area Development Control Regulations, 1979.
- (ii) They shall apply to any development of land in the Bandra-Kurla Notified Area.
- (iii) They shall come into force from the date on which the proposals for the development of lands in the Bandra-Kurla Notified Area are approved by the Government of Maharashtra in accordance with the provisions of Clause (d) of Sub-Section (3) of Section 40 and other applicable provisions of the Maharashtra Regional and Town Planning Act, 1966.

3. **Definitions:** In these Regulations, unless the context otherwise requires,

- (i) **"Architectural Control Drawing"** means a drawing or drawings issued or approved by the Metropolitan Commissioner, or by any officer designated by him with the approval of the Authority, and specifying matters as stated in Regulation 5.
- (ii) **"Authority"** means the Mumbai Metropolitan Region Development Authority constituted and established under the Mumbai Metropolitan Region Development Authority Act, 1974.
- (iii) ¹
- (iv) **"Hoarding"** means any surface or structure erected on ground or any portion of a roof of a building or on or above the wall or parapet, with characters, letters or illustrations applied thereto and displayed in any manner whatsoever out of doors for the purpose of advertising or to give information regarding or to attract the public to any place, persons, public performance, article or merchandise whatsoever.
- (v) **"Land Use"** means the use or uses of land for purposes allocated by the planning proposals.
- (vi) **"Notified Area"** means the part of the area specified by the Maharashtra Government Notification No. U.D. & P.H.D. No. BKR-1177/262-UD-5, dated the 7th March, 1977, in respect of which part, the foregoing proposals for the development of the lands are approved by the State Government under the provisions of Clause (3) of Section 115, as incorporated in Clause (d) of Sub-Section (3) of Section 40 of the Maharashtra Regional and Town Planning Act, 1966.
- (vii) **"Open Space"** means an area forming an integral part of any plot and left permanently open to the sky. Front open space means an open space adjacent to the street from which a vehicular access to the plot has been permitted by the Authority. In case of access to a plot from two or more streets, the open space adjacent to the street wider of the two or widest of them, as the case may be, shall be deemed as the front open space. Side and rear open spaces shall be construed with reference to the front open space.
- (viii) **"Planning Proposals"** means the proposals of the Metropolitan Authority for the development of lands contained in the Notified Area, and approved by the Government.
- (ix) **"Social Facilities"** means primary school, secondary school, college, fire brigade station, dispensary, maternity home, hospital, cemetery, community centre, public convenience, stadium, and such other facilities.
- (x) ²

¹ Deleted vide Government Notification in Urban Development Department No. BKR-1177/262/UD-11, dated the 14th October, 1994.

² Deleted in view of Maharashtra Act 30 of 1983.

- (xi) All words and expressions used in these Regulations and not defined herein shall have meanings assigned to them under the Maharashtra Regional and Town Planning Act, 1966 or the Mumbai Metropolitan Region Development Authority Act, 1974, or the National Building Code, or the Building Regulations and Bye-Laws or the Development Control Regulations of the Municipal Corporation of Greater Mumbai, as amended from time to time.

4. General Aspects :

- (i) No land shall be used otherwise than for the purpose allocated to it by the Planning Proposals.
- (ii)³ Floor Space Index for the purpose of development shall be as follows, that is to say:-

USER	FSI
Residential	'G' Block – 3.00# Remaining – 1.50# Area in BKC *(Except that in respect of the land agreed to be leased or leased before 14/6/1977 by the Maharashtra Housing Board constituted and established under the Bombay housing Board Act, 1948, the Floor Space Index shall be 2.0)
Commercial	'G' Block – 4.00# Remaining – 2.00# Area in BKC
	⁴ Plot in D1 Block earmarked for Railway use modified for commercial use – 4.00**
Social Facilities	1.5#

Subject to the payment of premium as may be decided by the authority from time to time.

** Subject to condition that railway shall use 2/3 of the proceeds from additional FSI for MUTP II and 1/3rd for rest of Maharashtra Railway works.

These values of Floor Space Index (except the one marked by asterisk*) are the values of the aggregate Floor Space Index in respect of total buildable area in a block of plots in the respective zones. The maximum permissible floor space in any plot shall be in accordance with the Architectural Control Drawing for that plot.

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⁷Built-up space equivalent to the FSI of 0.45 shall be allowed to be used for commercial purpose, out of the normally permissible 1.5 FSI, in respect of Educational Institutions and Medical Institutions who have received ISO or equivalent subject to following conditions.

- 1) Commercial use to be allowed should be ancillary to the principal use of educational/medical institutions.
- 2) It shall be applicable only to the plots fronting on road having minimum width of 18.30 mt.

³ Inserted vide Government Notification no. TPB-4307/2594/2617/CR-65/2008/UD-11 dated 2nd May 2008.

⁴ Inserted vide Government Notification no. CMS/TPB-4307/654/CR-125/2008/UD-11 Dated 21st August 2008.

⁵ Deleted vide Government Notification no. CMS/TPB-4306/218/CR-267/06/UD-11 Dated 25th June 2008.

⁶ Deleted vide Government Notification no. CMS/TPB-4306/218/CR-267/06/UD-11 Dated 25th June 2008.

⁷ Modified vide Notice No. TCP/(P-2)/BKC-11.22/462/2003 published in Govt. Gazette dated 27th Feb 2004.

⁸ **(iii)** Additional Floor space index for Education Institutions.

With the previous approval of Govt. FSI specified above may be permitted to be exceeded upto 4.00 in respect of buildings in independent plots of educational institutions subject to terms and conditions as enumerated below:

- a) Such additional FSI will be permissible subject to the payment of premium as may be decided by the Government.
- b) The additional built-up area over and above the permissible FSI shall be utilized for bonafide educational purposes only.
- c) As and when required, some rooms of Educational buildings shall be made available to the Government by the concerned institutions.
- d) 10% seats, out of the total capacity, shall be reserved for Government nominees as may be recommended by the Department of School Education, Department of Higher and Technical Education, Government of Maharashtra.
- e) The Director of School Education, Government of Maharashtra and Director of Higher and Technical Education, Government of Maharashtra shall be the competent authority to monitor as to whether the Educational institution is observing the terms and conditions referred to as (c) and (d) above and in case of any breach thereof or in case the Education being rendered by the Educational Institution are not to the satisfaction of the said Department, the Director of School Education and the Director of Higher and Technical Education shall have the right to suitably penalize the Education Institution.
- f) The Educational Institution shall maintain records regarding free/concessional education rendered to the needy persons, which shall be made available to the Director of School Education, Higher and Technical Education on demand.
- g) The trustees of the Educational Institution shall furnish the requisite periodical statements to the Director of School Education Higher and Technical Education in regard to (d), (e) and (f) above.
- h) A building for an Educational Institution containing mixed users (area under non-education users not exceeding 20% of the normal permissible FSI 1.50) shall also be eligible for further additional FSI to be considered on the total net plot area.
 - (a) Commercial use to be allowed should be ancillary to the principal use of educational /medical institutions.
 - (b) It shall be applicable only to the plots fronting on roads having minimum width of 18.30 mt.
- i) The Educational Institution shall file an undertaking that it shall abide by the above enumerated terms and conditions.
- j) Development in CRZ area shall be as per the provisions of CRZ notification, amended from time to time.

⁸ **(iv)** Additional Floor space index for Medical Institutions.

With previous approval of the Govt., FSI specified above may be permitted to be exceeded upto 4.00 in respect of buildings in independent plots of Medical Institutions subject to terms and conditions as enumerated below:

- a) Such additional FSI will be permissible subject to the payment of premium as may be decided by the Government.

⁸ Inserted vide Government Notification no. CMS/TPB-4306/218/CR-267/06/UD-11 Dated 25th June 2008.

- b) The additional built-up area over and above the permissible FSI shall be utilized for bonafide medical purposes only.
- c) Free medical treatment to the extent of at least 20% of the total number of beds shall be given to persons from economically weaker sections of society or to persons below the poverty line. In addition, 10% of the total number of patients in OPD shall be provided treatment at concessional rates that are being charged in Government Hospitals.
- d) The Director of Health Services, Government of Maharashtra shall be the competent authority to monitor as to whether the Medical Institutions is observing the terms and conditions referred to at (c) & (d) above and, in case of any breach thereof or in case the medical services being rendered by the Medical Institution are not to the satisfaction of the Director of Health Services, the Director of Health Services shall have the right to suitable penalize the medical institution.
- e) The Medical Institution shall maintain records regarding free/concessional medical treatment rendered to the needy persons, which shall be made available to the Director of Services on demand.
- f) The trustees of Medical Institution shall furnish the requisite periodical statements to the Director of Health Services in regard to (c) & (d) above.
- g) A building for a Medical Institution containing mixed users (area under non-medical users not exceeding 10% of the normal permissible FSI 1.50) shall also be eligible for further additional FSI to be considered on the total net plot area.
 - (a) Commercial use to be allowed should be ancillary to the principal use of education/ medical institutions.
 - (b) It shall applicable only to the plots fronting on roads having minimum width of 18.30 mt.
- h) Development in CRZ area shall be as per the provisions of CRZ notification amended from time to time.

4A(i)⁹ "Floor Space" means the combined gross floor area of all floors including the area occupied by all walls and mezzanine floors of a building, but excluding –

- a) Areas of structures permitted in recreational open space under Clause (g) of Sub-Regulation (1) of Regulation 23 of Development Control Regulations for Greater Mumbai, 1991.
 - ¹⁰ However, in a recreational open space or playground exceeding 50000 sq.m. or more in area (in one piece and in one place), structures for pavilion, gymnasias, club houses and other structures for the purpose of sports and recreation activities may be permitted with built up area not exceeding 20% of the total recreational open spaces in one place. The area of plinth of such structure shall be restricted to 15% of the area of total recreational open space."
- b) Areas covered by features permitted in open spaces as listed in Regulation 30 of the Development Control Regulations for Greater Mumbai, 1991.
- ¹¹ c) Areas covered by stair-case rooms, lift rooms above the topmost storey, lift wells and stair cases and passages thereof architectural features, chimneys and elevated tanks of permissible dimensions with the special permission of the Metropolitan Commissioner by charging premium on the lines of Municipal Corporation of Gr. Mumbai.
- d) Area of fire escape stairways and cantilever fire escape passages according to the Chief Fire Officer's requirements as in sub-regulation (5) of Regulation 44 of Development Control Regulations for Greater Mumbai, 1991.

⁹ Inserted vide Government Notification in UDD, No. BKR-1177/ 262/UD-11, dtd 14th October, 1994.

¹⁰ Inserted vide Govt. Order No.TPB-4308/829/CR-144/08/UD-11 dated 12th December 2008.

¹¹ Inserted vide Govt. Notification No.TPB-4307/2617/CR-65/UD-11 dated 5th July 2008.

- e) Area of the Basement shall be permitted to the extent of twice the plinth area of building(s) or the area of the plot whichever is higher. It may be in one level or two. The additional basement area over the above requirement shall be allowed subject to the following conditions:-
- i.¹²
 - ii. That the additional area shall be used only for vehicular parking.
 - iii. That a premium¹³ {at the rate of 5 per cent} of the rate of the lease premium paid by the allottee shall be charged by the Bombay Metropolitan Region Development Authority while granting permission for such additional area of the basement.
- f) Area of covered parking spaces as provided in Sub-Regulation (5) of Regulation 36 of Development Control Regulations for Greater Mumbai, 1991.
- g) Area of one office room of a co-operative housing society or apartment owners' association as provided in Sub-Regulation (11) of Regulation 38 of the Development Control Regulations for Greater Mumbai, 1991.
- h) Area of the sanitary block(s) consisting of a bathroom and a water closet for each wing of each floor of a building of prescribed dimensions deriving access from a common passage as provided in Sub-Regulation (4) of Regulation 38 of D.C. Regulations for Greater Bombay, 1991, for the use of domestic servants engaged in the premises.
- i) Refuge area as provided in Sub-Regulation (7) of Regulation 44 of D.C. Regulations for Greater Mumbai, 1991,
- j) Areas covered by-
- i. Lofts (vide Sub-Regulation (5) of Regulation 38 of D.C. Regulations for Greater Mumbai, 1991);
 - ii. Meter rooms (vide Sub-Regulation (13) of Regulation 38 of D.C. Regulations for Greater Mumbai 1991);
 - iii. Porches (vide Sub-Regulation (20) of Regulation 38 of D.C. Regulations for Greater Mumbai 1991);
 - iv. Canopies (vide Sub-Regulation (21) of Regulation 38 of D.C. Regulations for Greater Mumbai, 1991);
 - v. Air-conditioning plant rooms;
 - vi. Electric sub-stations (vide Regulation 26 of D.C. Regulations for Greater Mumbai, 1991);
 - vii. Service floor of height not exceeding 1.5 mtr. with the special permission of the Commissioner.
- k) Area of balconies as provided in Sub-Regulation (22) of Regulation 38 of D.C. Regulations for Greater Mumbai, 1991, except in reconstruction schemes with F.S.I. 2 or more.
- l) Area of structures for an effluent treatment plant as required to be provided by industries as per the requirements of the Maharashtra Pollution Board or other relevant authorities. Provided however, in the case of an existing industry, if no vacant land is available, the Commissioner may permit structures with dimensions to be approved by him for such effluent treatment plant on 10 per cent amenity open space.
- m) Areas covered by service ducts, pump rooms, electric sub-station, niches up to 1 mtr. depth below window sill, passages and additional amenity of lift and/or staircase beyond those required under the Regulations with the permission of the Commissioner;
- n) Area covered by new or additional lifts and staircases, including passages to be provided in a building with the permission of the Commissioner;
- o) Area of one milk booth under the public distribution system with the permission of the Commissioner;
- p) Area of one public telephone booth and one telephone exchange (PBX) per building with the permission of the Commissioner ;
- q) Area of one room for installation of telephone connections as per requirements of Mahanagar Telephone Nigam Limited, but not exceeding 20 sq. mtrs. per building, with the permission of the Commissioner;

¹² Deleted vide Govt. Notification No.TPB-4309/393/CR-292/09/UD-11 dated 28th May 2012.

¹³ Inserted vide Govt. Notification No.DCR-1097/2007/CR-12/98/UD-11 dated 15th January, 1999.

- r) Area of separate letter box on the ground floor of residential and commercial buildings with five or more storeys to the satisfaction of the Commissioner (vide Sub-Regulation (12) of Regulation 38 of Development Control Regulations for Greater Mumbai, 1991);
- s) Area of a covered passage of clear width not more than 1.52 mt. (5 ft.) leading from a lift exit at terrace level to the existing staircase so as to enable descent to lower floors in a building to reach tenements not having direct access to a new lift in a building without an existing lift ;
- t) ¹⁴Area covered by arcade, which is a sheltered pedestrian passage open to the general public and provided below a building on its front side or elsewhere as required by the Authority, and of a height as prescribed by the Authority and subject further to such other specifications of the Authority as will, in its opinion, impart an aesthetically homogeneous continuity to the feature and to the built environment ;
- u) ¹⁵Area covered by staircase rooms, lifts lobbies, lift wells in cases of buildings exclusively used for Educational and Medical Institutions and for Institutional purposes.

Provided further that where the permissible FSI has not been exhausted in the case of existing buildings and cases decided by the Mumbai Metropolitan Region Development Authority/Corporation prior to coming into force of these regulations, the exclusions from FSI computation as in these Regulations will be available for construction of balance potential.

4A(ii) ¹⁶ **Additional Floor Space Index for rehabilitation of slum-dwellers through owners/developers co-operative housing societies** - For redevelopment or restructuring of censused slums or such slums whose structures and inhabitants, names appear in the Legislative Assembly Voters' list of 1985 by the owners/developers of the land on which such slums are located or by Co-operative Housing Societies of such slum-dwellers a total floor space index of up to 2.5 may be granted in accordance with schemes to be approved by special permission of the Commissioner in each case. Each scheme shall provide inter alia the size of tenements to be provided to the slum-dwellers, the cost at which they are to be provided on the plot and additional tenements which the owners/ developer can provide to accommodate/rehabilitate slum-dwellers/project-affected persons from other areas, etc., in accordance with the guidelines laid down in the Regulations in Appendix IV of Development Control Regulations for Greater Mumbai, 1991.

4A (iii) ¹⁷Entry at Sr. No. 1(d) in Table 19 of Sub-Clause (ii) of Sub-Regulation 2 of Regulation 38 of the Development Control Regulations for Greater Mumbai, 1991, for the G and G/North and H Blocks of Bandra-Kurla Complex, shall read:

TABLE 19

Height of Habitable Room

Sr. No	Occupancy	Minimum Height (in meters)	Maximum Height (in meters)
1 (d)	• Assembly Halls, Residential Hotels of 3-Star category and above, institutional, educational, industrial hazardous or storage occupancies, departmental stores, including entrance halls, lobbies and atriums of all aforesaid categories and the commercial buildings from G and G/North & H blocks of Bandra-Kurla Complex.	3.6	4.2 Subject to the written permission of the Commissioner, greater height may be permitted.

- “Exhibition Hall” to be treated at par with the “Assembly Hall”¹⁸.

¹⁴ Inserted vide Government Notification in UDD no. BKR-1097/1281/CR-169/97UD-11 dated 11th January 2000.

¹⁵ Inserted vide Government Notification in UDD no. BKR-1097/1281/CR-169/97UD-11 dated 11th January 2000.

¹⁶ Inserted vide Government Notification in UDD no. BKR-1177/262/UD-11 Dated 14th October 1994.

¹⁷ Inserted vide Government Notification in UDD no. BKR-1177/262/UD-11 Dated 14th October 1994.

¹⁸ Clarification inserted vide Govt. Notification in UDD no. TPB -4307/CR-216/2007/UD-11 Dated 3rd Dec 2007.

5. Notwithstanding anything contained herein to the contrary, but subject to provision of Regulation 4 & 4A, the development of land shall be carried out in accordance with the Architectural Control Drawing which may specify, amongst others, the following matters, that is to say the maximum permissible floor space, height, coverage on the ground, connections with roads, pedestrian paths and other buildings, any projections such as balconies, galleries, overhangs, marginal open spaces on all sides, space for signboards, nameplates and hoardings, elevational or facade treatment, shopping line, parking areas, compound wall and such other details, which govern the total aspect of the building on the plot and its aesthetics. The maximum permissible height of buildings shall be subject to limitations, if any, set out from time to time by the International Airport Authority of India constituted amongst others for the International airport in Bombay under the International Airport Authority Act, 1971.
 6. **Application of the Development Control Rules:** Subject to the Regulation No. 5, the provisions of the Development Control Rules for Greater Mumbai framed by the Municipal Corporation of Greater Mumbai from time to time in exercise of its powers under Clause (m) of Section 22 and all other applicable sections of the Maharashtra Regional and Town Planning Act, 1966, shall apply *mutatis mutandis* to the development of land, with the modification that the expressions "Bombay Municipal Corporation" and "Municipal Commissioner" shall be substituted by the expressions "Metropolitan Authority" and "Metropolitan Commissioner" respectively.
 7. Nothing contained herein shall derogate from any right or power exercisable by the Municipal Corporation of Greater Mumbai under the provisions of the Brihanmumbai as Municipal Corporation Act, 1888, and the rules, regulations and bye-laws made thereunder. Any development of land shall be carried out without prejudice to such provisions.
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