

DP 2034 eliminates room for manipulation in city's building norms

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AT the cost of wrecking Mumbai's already fragile infrastructure by allowing a higher floor-space index (FSI) to all projects, depending on its proximity to transit corridors, Development Plan (DP) 2034 has for the first time stamped out any room for manipulation in the city's building norms.

FSI determines the extent of construction and is the ratio of the built-up area to the plot area.

Since the time the concept of low FSI was introduced in DP 1991 to maintain the city's density levels, it was implemented more by way of exception to the rule. The chief minister-led Urban Development Department, under successive governments, has introduced 25 categories under which the norms can be circumvented and higher FSI can be granted as an incentive for specific kinds of projects. The revised rules have eliminated all such exceptions barring four. While a pre-determined higher FSI of between 2.5 and 8 will now be allowed across Mumbai, FSI as an incentive will be permitted only in case of redevelopment of single or clusters of tenanted cessed structures in the island city, reconstruction of slums and colonies belonging to the Maharashtra Housing and Area Development Authority (MHADA).

The new FSI regime has thus weeded out both misuse in the interpretation of FSI norms by builders, as well as the discretionary powers wielded by CMs and BMC commissioners who can grant FSI on a case-to-case basis.

"Even in the case of reconstruction of slums and cessed structures, where the use of incentive FSI has been retained, rules have been revised so that additional FSI is not allotted in absolute terms but indexed to land and construction price," said V K Phatak who led the BMC team that prepared DP 2034. He added that the same would be the case for TDR (transfer of development rights or floating FSI) that was granted to those who surrendered their plots to implement various

reservations such as roads and open spaces. “For instance, if 1,000 sq m of TDR is generated in South Mumbai, it will be worth 3,000 sq m if used in Dahisar and vice versa,” he said, adding that the revised rules would ensure that redevelopment of slums and cessed structures was taken up even in less lucrative areas and reservations plots were handed over even in prime locations. The Development Control Rules (DCR) 1991, complementing the last DP, allows a modest FSI of 1.33 in the island city and 1 in suburbs as outlined in its clause No. 32. However, the much-controversial DCR 33, which lists the situations in which “additional FSI which may be allowed to certain categories” has been an ever-expanding clause. Over the years, groups of builders have been granted FSI as an incentive for everything from educational and medical institutions, luxury hotels, IT and biotechnology parks, reconstructing slums and cessed structures, mill workers’ housing, gaothans to creating parking lots, religious structures and even shifting cattle sheds out of Mumbai. The urban planning tool has also been used as a fiscal instrument where extra fungible FSI was offered to projects on payment of a premium amount to the BMC.

Urban planner P K Das said while it was good that there was no longer an element of discretion in giving FSI, merely hiking FSI was counter-productive to Mumbai’s interest in terms of affordable housing, infrastructure and open spaces. “Already 57,000 new apartments constructed by builders are unsold which proves that the problem is not supply but affordability which won’t be solved by increasing volumes of construction. During the participatory process for DP preparation, we had suggested that slum land be reserved for affordable housing but all public suggestions have been dumped by the BMC,” said Das.

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