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To,
**Chief, Town and Country Planning Division,
MMRDA**
3rd Floor, MMRDA's New Administrative Building
Plot No. R-5, R-6, and R-12, E-Block
Bandra Kurla Complex, Bandra (E)
Mumbai – 400051

SB Supk
09/09/25
TOWN & COUNTRY PLANNING DIVISION
MUMBAI METROPOLITAN REGION
DEVELOPMENT AUTHORITY
Bandra-Kurla Complex,
Bandra (E), Mumbai - 400 051.

05 September 2025

Subject: Suggestions/Objections to the proposed modification in respect of 14,418 sq. mtrs. of land bearing S. No. 341, CTS No. 629 (pt.), Plot No. 5 of Village Bandra, Taluka Andheri, Ward H/E ("Subject Plot") as set out in Notice No. TCP (P-2) / BKC / Misc. / 1632 / 1472 / 2025 ("said Notice").

We write to object to the contents of the said Notice (a copy of which is annexed hereto for ease of convenience) which proposes the modification of the land reservation in respect of the Subject Plot from 'Municipal Stadium and Open Space' to "Social Facility' with specified user of 'State Museum, Education & Cultural Centre, Commercial and other allied users". We find the same deeply concerning.

Our suggestions/objections (in brief) are as follows:

Loss of Public Open Space

Mumbai currently suffers from an abysmal ratio of only 1.24 sq.m of public open space per person, whereas the Urban and Regional Development Plans Formulation and Implementation (URDPFI) Guidelines recommend 10 -12 sq.m per capita for Indian cities. Various reports highlight this dismal position. In fact, even courts have, on multiple occasions, taken judicial notice of the extreme shortage of open space in the city. In such a context, every square meter of open space reservation is precious, must be safeguarded and put to use for the well-being of present and future generations. The proposed modification fails to consider the pressing issue of the acute shortage of open spaces in Mumbai. In fact, the proposed action will result in exacerbating a grim situation and this ought not to be done. Instead of modifying the use, in fact, the MMRDA ought to put the Subject Plot to use in the manner intended as far back as in 1989.



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Contradiction with original reservation use

The original reservation of Municipal Stadium and Open Space was made with a clear public purpose to ensure accessible and affordable recreational open space etc. for all citizens. Reclassifying the Subject Land in the manner proposed severely undermines the rights of citizens to accessible, non-commercialised public open spaces. In fact, the proposed actions of the MMRDA will be violative of the public trust doctrine inasmuch as instead of protecting a public resource (being valuable public open space) for the use and enjoyment of the public, they will permit the use and exploitation of the same seemingly for private gain or commerce.

Public Interest and Equity

The importance of open space in the context of urban planning is well-known. There is a need to preserve and protect the same, since the same protects the residents from the ill-effects of urbanization etc. Public Open spaces and municipal stadiums are vital for youth sports, community well-being, and affordable recreation. This is the need of the hour particularly in a dense city such as ours where there is a premium on available open space. The proposed modifications will result in what was once a freely available facility risks becoming exclusionary, reducing opportunities for spontaneous recreation and community gathering. This undermines the very purpose for which the land was originally reserved.

Proposed actions/modifications are violative of the rights enshrined in the Constitution of India

The people have a right to a clean, healthy and sustainable environment and the authorities such as the MMRDA have a bounden duty to ensure that their actions are not inimical / adverse to the needs of the residents. However, the proposed modification fails to accord with this requirement, inasmuch as it will:

- Have the effect of reducing / denuding necessary and vital public open space;
- Permit the MMRDA to effectively monetize a valuable public resource; and
- Give a preference to private gain over public rights and concerns;

Instead of augmenting the much-required public open space, the proposed modification will have the opposite effect and would result in a further depletion to the detriment of the residents.

No reason for the reservation of the Subject Land to be modified

While the sudden necessity to modify the reservation affecting the Subject Land is unclear, including since the letters on the basis of which the MMRDA has issued the said Notice are not available in the public domain, it is submitted that no rationale can



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be provided necessitating such a change/modification. Not only is there no reasonable rationale provided, but even the empirical / objective data available would militate against further development/construction at the cost of a significant reduction of open space. Assuming for the sake of argument that any reasons are forthcoming from the authorities necessitating such a modification, while we reserve our rights to comment on the same, we state that the same will be arbitrary and contrary to the constitutional mandates and duties cast upon the authorities such as the MMRDA.

Increase in the maximum FSI up to 5 is alarming

The proposed increase in maximum permissible FSI to 5.00 is alarming. For Municipal Sports Complex, the maximum permissible FSI is 1.00 and 15% of the permissible built up area as per zonal FSI can be used for ancillary activities. Allowing a built-up area five times the plot area (being roughly 72000 sq. mtrs. of constructed area) will:

- Irreversibly alter the site's original purpose.
- Severely affect ground permeability, leading to greater surface runoff and urban flooding risks.
- Contribute to the heat island effect and exacerbate already deteriorating air quality in Mumbai.
- Increase traffic congestion and strain on civic infrastructure.

All of the above are merely illustrative and not exhaustive of the issues that will arise on account of further construction/development on such a large scale. It appears that none of this has been considered while issuing the said Notice. This would also demonstrate a dereliction of duty on the part of the planning authority.

Loss of Environmental Value due to Concretization

The open space in its current form ensures ecological balance by providing natural ventilation, tree cover, and pervious ground surfaces. Converting this into a high-rise built form with large-scale concretization will permanently diminish its environmental value and reduce resilience against climate change impacts.

Possible (and likely) misuse of "Commercial and other allied users" as specified in the said Notice

The inclusion of commercial and other allied uses under the guise of "Social Facility" raises serious concerns. This modification risks becoming a backdoor entry for private profiteering on land originally earmarked for public welfare. It also sets a dangerous precedent for eroding public amenities across Mumbai, particularly when this city is already starved of public amenities including accessible and usable public open space.



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In conclusion, we strongly urge the planning authority to:

- Retain the original reservation of Municipal Stadium and Open Space and in fact ensure that the same is given effect to in a holistic manner.
- Prevent dilution of open spaces by categorizing them under mixed-use facilities with commercial usages.
- Withdraw the said Notice and/or forthwith cease to propose and/ or carry out any change to the reservation in respect of the Subject Land from the existing reservation of Municipal Stadium and Open Space.
- Consider the adverse implications of reducing ground permeability and ignoring the sponge effect through concretization. This will further worsen the annual flooding and intensify the urban heat island effect that Mumbai experiences.
- Uphold principles of equity, sustainability, and public interest in urban planning, including by not acting upon the said Notice in any manner.

We request that our objections be duly recorded and considered in the decision-making process. We are willing to provide any additional information/documents that you may require in respect of the above submissions. NAGAR wishes to place on record that all the above points have been given in the best public interest. We look forward to an affirmative response.



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About NAGAR:

NAGAR is a not-for-profit organization established in 2000, born out of the passion of several citizens with a goal to improve life in the city of Mumbai. NAGAR's former constituents are CitiSpace, CLEAN-Air and CLEAN-Sweep. NAGAR continues to work in the area of preservation of public open spaces, solid waste management, improving air quality, preservation of water bodies, beaches, mangroves, built and natural heritage, efficient road space management and water conservation. The organization is committed to advocating for better enforcement of existing laws, recommending policy changes for improved governance on civic matters, and contributing to urban renewal efforts. NAGAR has a broad network of citizens across the city and collaborates with other civic NGOs to address specific issues.

Yours Sincerely,

Nayana Kathpalia
Trustee

On behalf of Trustees

Atul Kumar D M Sukthankar Dinesh Ahir Kunti Oza
Meher Rafaat Nayana Kathpalia Neera Punj Parul Kumtha

MUMBAI METROPOLITAN REGION DEVELOPMENT AUTHORITY

(Under Section 37(1) of Maharashtra Regional & Town Planning Act 1966)

NOTICE

No. TCP (P-2)/ BKC / Misc./1632/ 1472 /2025

Whereas, State Government vide Urban Development and Public Health Department's Notification no. BKR 1177/262-UD-5 dated 07/03/1977 has appointed Mumbai Metropolitan Region Development Authority (hereinafter referred to as "the said Authority") formed under the provisions of Mumbai Metropolitan Region Development Authority Act, 1974 as Special Planning Authority for Bandra-Kurla Complex Notified Area (hereinafter referred to as "BKC") under section 40(1)(c) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act").

And whereas, in exercise of its powers under sub-section (1) of section 115 as substituted by subsection (3) of section 40 of the said Act, the Government in the Urban Development, Public Health and Housing Department vide Notification No. BKR-1177/262/UD-5, dated 09/04/1979 approved the Planning Proposals submitted by the Authority (hereinafter referred to as "the said Planning Proposal") for the development of lands in the Bandra-Kurla Complex Notified Area together with the Bandra-Kurla Complex Notified Area Development Control Regulations, 1979 (hereinafter referred to as "the said Regulation")

And whereas, in exercise of its powers under sub-section (2) of section 37 of the said Act the State Government vide Urban Development Department Notification No. TPB 4304/237/CR-164/04/UD-11 dated 15/01/2008, the State Government has modified the designation of land admeasuring 0.40 hectare from "Stadium and Open Space" to "Institutional Purpose" in 'F' Block of BKC.

And whereas, in exercise of its powers under sub-section (2) of section 37 of the said Act the State Government vide Urban Development Department Notification No. TPB 4304/1625/CR-219/2004/UD-11 dated 15/01/2008, the State Government has modified the designation of land admeasuring 1.00 hectare from "Stadium and Open Space" to "Institutional Purpose" in 'F' Block of BKC.

And whereas, the land bearing S. No. 341, CTS No. 629 (pt), Plot No.5 of Village Bandra, Taluka--Andheri, in Ward "H/E" (hereinafter referred to as the said land") having approximate area of 14,418 sq.m. is located in 'F' block of BKC and is shown as 'Municipal Stadium and Open Space' in the Sanctioned Planning Proposal Plan of BKC read with the Collector, Mumbai Suburban District letter dated 17/07/2009.

And whereas, the Directorate of Archaeology & Museum, Department of Tourism & Cultural Affairs of State Government vide letter dated 01/04/2025 & 16/05/2025 has proposed the development of 'Maharashtra State Museum, Educational & Cultural Centre' on the said land located in 'F' Block of BKC.

मुंबई महानगर प्रदेश विकास प्राधिकरण

वांद्रे-कुर्ला संकुल, वांद्रे (पूर्व), मुंबई ४०००५१.

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<https://mmrda.maharashtra.gov.in>

And whereas, the State Government vide Urban Development Department's letter bearing no. TPB-4325/1316/C.R.87/2025/ UD-11 dated 03/07/2025 has directed the said Authority that being the Special Planning Authority for the said land, MMRDA has to verify the proposed modification of existing sanctioned land use of 'Municipal Stadium & Open space' to 'Social Facility' allowing the specific user of 'Maharashtra State Museum, Educational & Cultural Centre, Commercial and other Allied Users' with respect to the road width and maximum permissible potential and submit the modification proposal to State Govt. by following due process u/s 37(1) of MR&TP Act, 1966 so that the appropriate decision regarding the same can be taken at State Government level.

And whereas, the said Authority has verified that the said land is abutting the proposed 30 mt. wide road as per the said Planning Proposal of BKC. And as per the said regulation read with Reg. No. 33(3) of sanctioned Development Control & Promotion Regulation (DCPR) - 2034 for Greater Mumbai, considering the specific requirement of Government, the maximum permissible FSI of upto 5.00 for minimum road width of 27 mt. is permissible for buildings of Government/ BMC/ Statutory Bodies, Semi Government and PSU offices.

Now, therefore, in accordance with the provisions contained in section 37(1) of the said act, the said Authority hereby publishes this Notice inviting Suggestions and/ or Objections in respect of the proposed modification described in the schedule herein below from the general public within 1 (one) month from the date of publication of the notice in the Maharashtra Government Gazette. The suggestions and/or objections shall be addressed to Chief, Town & Country Planning Division, 3rd Floor, MMRDA's New Administrative Building, Plot No. R-5, R-6 & R-12, E- Block, Bandra Kurla Complex, Bandra (E), Mumbai – 400 051. The suggestions and/or objections received within the aforesaid stipulated period shall only be considered by the said Authority.

SCHEDULE

The land use and permissible FSI of the land bearing S. No. 341, CTS No. 629 (pt), Plot No.5 of Village Bandra, Taluka Andheri; Ward "H/E" in Mumbai Suburban having approximate area of 14,418 sq.mt, more specifically marked as 'A-B-C-D-E-F' on accompanying plan is proposed to be modified as tabulated as follows:

Plot No. & Village	Approximate Area in sq.mt.	Existing Sanctioned Land Use	Proposed Modified Land Use & User	Proposed Permissible FSI
Survey No. 341, CTS No. 629 (pt), Plot No.5 of Village Bandra, Taluka Andheri	14,418	Municipal Stadium & Open Space	'Social Facility' with specified user of 'State Museum, Education & Cultural Centre, Commercial and other allied users'	5.00*

Note:

1. The landuse shall be 'Social Facility' and the composition within the users shall be as decided by Metropolitan Commissioner, MMRDA from time to time.

2. The land in 'F' block of BKC is owned by Collector, Mumbai Suburban District and the proposed modification shown as 'A-B-C-D-E-F' on part plan is subject to actual measurement by the office of Collector, Mumbai Suburban District.
3. * This modification in Floor Space Index for the purpose of development of the plot under reference shall be duly incorporated in the Reg.4(ii) of the Sanctioned Development Control Regulations of BKC Notified Area.
4. As per the State Govt. directives dt.19/08/2003, the proposed modification is subject to the Cabinet Approval at State Govt. level.

A copy of the part plan showing proposed modification shall be kept open for inspection by the general public in the following offices for the period of one month from the date of publication of this Notice in the Maharashtra Government Gazette :-

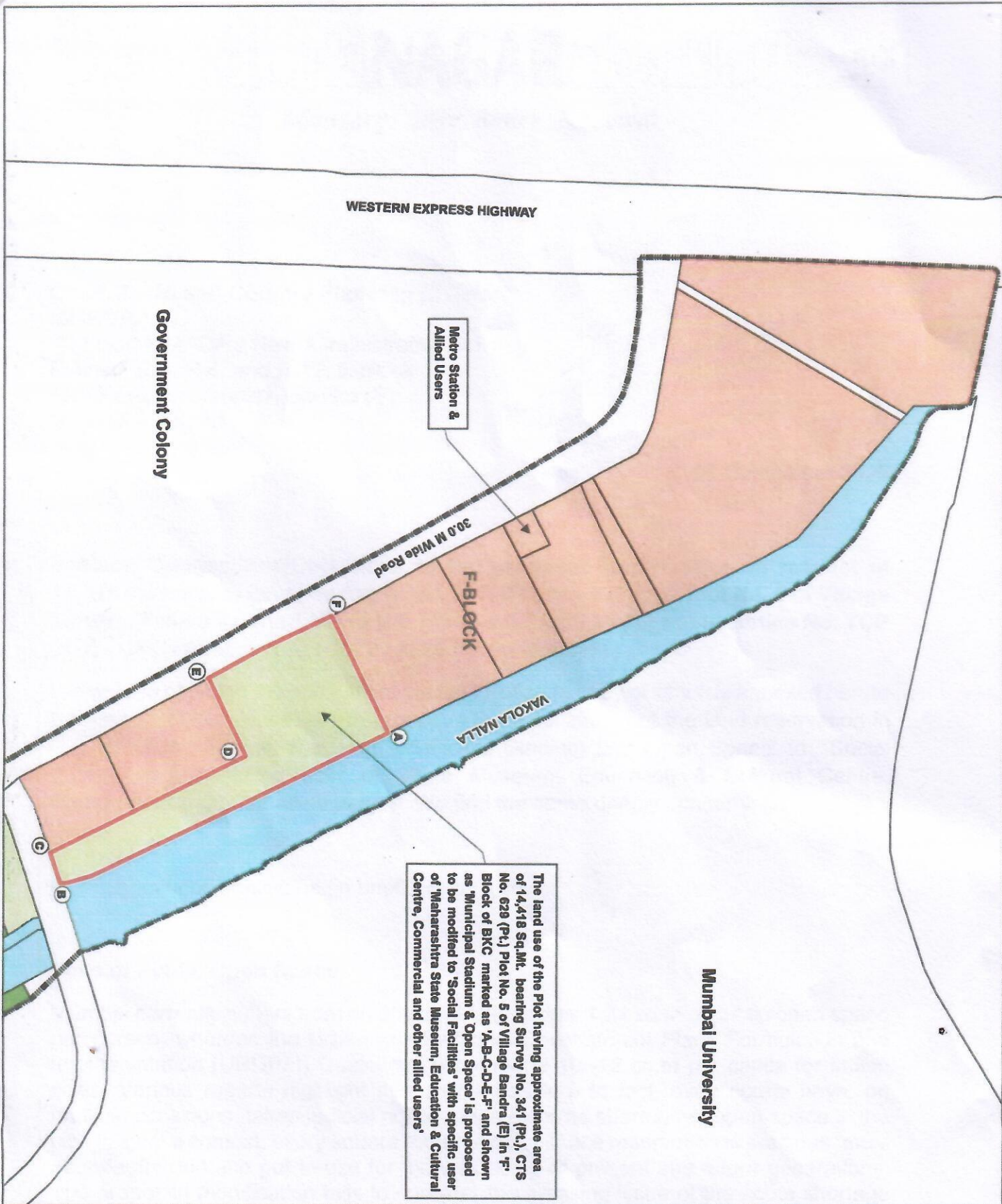
1. **Chief, Town & Country Planning Division,**
3rd Floor, MMRDA's New Administrative Building, Plot No. R-5, R-6 & R-12,
E- Block, Bandra Kurla Complex, Bandra (E), Mumbai – 400 051.
2. **Chief Engineer (Development Plan),**
Brihanmumbai Municipal Corporation, Municipal Head Office,
Mumbai – 400 001.
3. **Deputy Director of Town Planning,**
ENSA – Hutments, Azad Maidan, Mumbai – 400 001.
4. **Collector, Mumbai Suburban District,**
10th Floor, New Administrative Building, Near Chetana College,
Government Colony, Bandra (East), Mumbai – 400 051.

This Notice is also available on MMRDA's website at mmrda.maharashtra.gov.in.

Bandra (E), Mumbai
Date: 07/08/2025


(Dr. Sanjay Mukherjee, IAS)
Metropolitan Commissioner,
MMRDA

PART PLAN SHOWING THE PROPOSED MODIFICATION U/S 37(1) OF MR&TP ACT, 1966



KEY MAP



LEGEND

- LOCATION OF PLOT U/R
- MUNICIPAL STADIUM & OPEN SPACE
- SOCIAL FACILITIES
- CHANNEL
- 15 M. WIDE WOODED AREA
- AREA TO BE KEPT UNRECLAIMED
- SPAREA BOUNDARY

NOTE

The land in 'F' Block of BKC is owned by Collector, Mumbai Suburban District and the proposed modification shown as 'A-B-C-D-E-F' on part plan is subject to actual measurement by the office of Collector Mumbai Suburban District.

SHEET CONTENT

PART PLAN SHOWING THE PROPOSED
 MODIFICATION OF SANCTIONED PLANNING
 PROPOSAL OF BANDRA-KURLA COMPLEX
 NOTIFIED AREA FOR LAND BEARING S. NO.
 341 (PT.) CTS NO. 629 (PT.) PLOT NO. 5 IN
 VILLAGE BANDRA (E). 'F'-BLOCK OF BKC
 MARKED AS 'A-B-C-D-E-F'

DATE:

VERSION:

DRAWN BY:

CHECKED BY:

APPROVED BY:

