

MUNICIPAL CORPORATION OF GREATER MUMBAI
MAHAPALIKA MARG, FORT,
MUMBAI

DRAFT RULES FOR FIXING CAPITAL VALUE OF LANDS
AND BUILDINGS

No. AC/NTC/530 of 2010-11 dated 08.10.2010. In exercise of the powers conferred by clause (e) of sub-section (1A) and sub-section (1B) of section 154 of the Mumbai Municipal Corporation Act (Act No.Bom.III of 1888), and of all other powers enabling him in this behalf, the Commissioner, after having obtained the approval of the Standing Committee, as required under the said sub-section (1B), hereby makes the following rules to provide for the factors and categories of users of buildings or lands and the weightage by multiplication to be assigned to various such factors and categories for the purpose of fixing the capital value of buildings and lands in Brihan Mumbai, namely :-

1. *Short title and commencement* : – (1)These rules may be called the Factors and Categories of Users of Buildings or Lands (Assignment of Weightage by Multiplication) Fixation of Capital Value Rules, 2010.

(2) They shall come into force forthwith.

2. *Definitions* - In these rules, unless the context otherwise requires :-

(a) “Act” means the Mumbai Municipal Corporation Act (Bom.III of 1888);

(b) “flat” means a separate part or portion of a building used or intended to be used for residence, or office, or show-room, or shop, or godown, or for carrying on any industry, or business, or profession, or vocation.

(d) “hoarding” includes boards used to display advertisements, erected on poles, on the ground or on a building;

(e) “Ready Reckoner” means the Stamp Duty Ready Reckoner, for the time being in force, referred to in sub-section (1A) of section 154 of the Act;

(f) “schedule” means a schedule to these rules;

(g) “section” means a section of the Act;

(h) “star hotel” means hotel classified as a star hotel with a specific number of stars assigned thereto by the Ministry of Tourism, Government of India;

(i) “storage tank” includes a tank, whether underground or on any floor of a building, used for the storage of commodities, except

the one used for storage of water for drinking purposes or for fire protection;

(j) “tower” includes television tower, cable tower, telecom tower or any other such tower, transmission tower, cellular antenna, broadcasting antenna or the like, erected on the surface, or on top, or on any other open space, of a building;

(k) “open land” includes vacant land not built upon or land being built upon, but does not include land appurtenant to a building;

(l) “luxurious RCC building” includes a RCC building having a swimming pool, whether in use or not, and also any one or more of the following amenities or facilities, namely: –

(i) gymnasium,

(ii) club house,

(iii) jogging track,

(iv) multilevel car parking having three or more levels,

(v) health club,

(vi) servants’ quarters with toilet facility, or

(vii) private terrace as a part of each flat in a building;

(m) words and expressions used in these rules and not defined,-

(i) but defined in the Act, shall have the meanings respectively assigned to them in the Act, or

(ii) where defined in the Maharashtra Regional and Town Planning Act, 1966 or in the Development Control Regulations for Greater Mumbai, 1991, or any such Regulations, for the time being in force, shall have the meanings respectively assigned to them in the said Town Planning Act or in the Development Control Regulations, as the context may require.

3. *Capital value of open land* :- Save as otherwise provided in these rules, where, within the precincts of a building there is vacant land other than the land appurtenant to the building, such land shall be treated as open land and the capital value thereof shall be fixed accordingly, as provided for in rule 4.

4. *User categories of open land and weightages by multiplication to be assigned thereto*: - User categories of open land shall be as specified in column (2) of Part I of schedule ‘A’ and the weightages by multiplication to the base value, to be respectively assigned thereto for the purpose of fixing capital value, shall be as shown in column (3) of the said Part I of schedule ‘A’.

5. *User categories of buildings or part thereof and weightages by multiplication to be assigned thereto*:- User categories of buildings or part thereof shall be as specified in column (2) of each of Parts II, III and IV of schedule ‘A’ and the weightages by multiplication to the relative base value, to be respectively assigned

thereto for the purpose of fixing capital value, shall be as shown in column (3) of each of the said Parts II, III and IV of schedule 'A'.

6. *The nature and type of building and the weightage by multiplication to be assigned thereto:* - The nature and type of a building shall be as specified in column (2) of schedule 'B' and the weightages by multiplication to be assigned thereto for the purpose of fixing capital value, shall be as shown in column (3) of the said schedule 'B'.

7. *The weightage by multiplication to be assigned to a building on account of the age thereof:* - The weightage by multiplication to be assigned to a building on account of age factor, for the purpose of fixing capital value, shall be according to the age of the building as shown in column (2) of schedule 'C' and the weightage by multiplication to be assigned thereto shall be as shown in column (3) of the said schedule 'C'.

8. *The weightage by multiplication on account of floor factor to be assigned to RCC building with lift:* - Weightage by multiplication on account of floor factor to be assigned to a RCC building with lift, for the purpose of fixing capital value, shall be according to the number of floors as shown in column (2) of schedule 'D' and the weightage by multiplication to be assigned thereto shall be as shown in column (3) of the said schedule 'D'.

9. *Area of hoarding or tower for the purpose of fixing capital value:* -

Area of hoarding or tower for the purpose of fixing capital value thereof shall mean,-

(a) in the case of a hoarding, the area of the square of the extremities of the poles on which the hoarding is erected plus the area of the hoarding; and

(b) in the case of a tower, the area covered by the extremities of the foundation multiplied by the total height of the tower.

10. *Built-up area for the purpose of arriving at capital value:*— (1) The total built-up area to be considered for fixing the capital value of a building at the respective rates of base value provided for in the Ready Reckoner --

(a) shall include the following, namely :—

(i) terrace in exclusive possession, (ii) mezzanine floor, (iii) service floor, (iv) podium, (v) basement, (vi) stilts, (vii) loft, (viii) flower bed, (ix) watchman cabin, (x) refuge area, (xi) canopy, (xii) porches, (xiii) entrance lobby, (xiv) lounge, (xv) air-conditioning plant including air-conditioning plant room, (xvi) air-handling room, (xvii) area of the structure for an effluent treatment plant, (xviii) ducts and (xix) niches,

(b) but shall not include the following, namely :-

(i) lift room above topmost storey (ii) lift wells, (iii) staircase and passage thereto including staircase room, (iv) chimney and elevated tank, (v) meter room, (vi) pump room, (vii) underground and overhead water tank and (viii) septic tank.

(2) Where the carpet area of a building is available on the record of the Corporation and the built-up area cannot easily be ascertained, then the built-up area shall be arrived at as shown below:-

(a) built-up area = 1.2 x carpet area, plus

(b) the area or areas of any or all of the items specified in clause (a) of sub-rule (1)

11. *Fixation of capital value of open terrace:* - If an open terrace in exclusive possession is attached to a flat, the capital value thereof shall be fixed at 40% of the rate applicable to such flat.

12. *Fixation of capital value of mezzanine floor, loft and attic floor,-*

(a) the capital value of mezzanine floor shall be fixed at 70% of the rate applicable to the flat beneath the mezzanine floor;

(b) the capital value of loft or attic floor shall be fixed at 50% of the rate applicable to the flat beneath the loft or as the case may be, the attic.

13. *Fixation of capital value in respect of demolished building:-*

(1) Where a building is fully demolished, the land beneath it shall be deemed to be vacant land and treated as 'open land', the capital value of which shall be fixed accordingly, as provided for in rule 4.

Explanation. -For the purpose of this rule, it is hereby declared that where a building is, or is being, demolished, resulting in the land on which it stood or stands being rendered vacant, or only walls or the like are standing but there is no structure as such which can be occupied, and on such demolition, debris or any remains of the demolished building are not yet removed, the land beneath such building shall be deemed to be vacant land.

(2) Where only part of a building is demolished and the remaining part is yet occupied by occupiers, land beneath the portion of the building which is demolished shall be deemed to be vacant land and the portion of the structure which is occupied shall be treated as a building, for the purpose of fixing the capital value thereof.

(3) Notwithstanding anything contained in sub rules (1) and (2), where a cessed building is, or is being, demolished, the land beneath the building or portion of the building which is demolished shall be deemed to be vacant land and the capital value thereof shall be fixed by treating it as open land and assigning thereto a weightage by multiplication of 0.30 of the base value of open land.

14. *The capital value of storage tank* .-The capital value of storage tank shall be fixed in the following manner, namely : –

(1) storage tank above the ground level :-

(a) land - at the rate of open land in the Ready Reckoner and weightage by multiplication to be assigned thereto shall be 1.25,

(b) storage tank - capacity of storage tank in litres multiplied by the rate of Rs.40 per litre, with weightage by multiplication to be assigned thereto on account of age factor as in schedule ‘C’,

(c) total capital value of a storage tank = total of items (a) and (b).

(2) storage tank below the ground level :-

(a) land - at the rate of open land in the Ready Reckoner and weightage by multiplication to be assigned thereto shall be 1.25,

(b) storage tank - capacity of storage tank in litres multiplied by the rate of Rs.50 per litre, with weightage by multiplication to be assigned thereto on account of age factor as in schedule ‘C’,

(c) total capital value of a storage tank = total of items (a) and (b).

15. *Capital value of amenities luxurious RCC building not to be separately fixed again*.- Where the capital value of a luxurious RCC building is fixed under these rules, then no capital value of the amenities specified in the definition of the expression ‘luxurious RCC building’ shall be separately fixed for the purpose of levy of property tax.

16. *Valuation of open land capable of utilising more than 1 floor space index (F.S.I.) or transfer of development right (T.D.R.)* –As the Ready Reckoner provides for the rate of base value of open land with 1 floor space index, open land which is capable of utilizing more than 1 floor space index or any transfer of development right shall be valued at an increased rate in proportion to the higher floor space index or transfer of development right proposed to be utilized and approved under the building plan submitted to the Corporation for approval.

17. *Capital value of open land or building shall be fixed under the provisions of the Act and these rules in the following manner, namely:-*

(1) Capital value (CV) of open land -

Base value (BV) of a open land according to Ready Reckoner X weightage by multiplication as per user category (UC) (Part I of schedule ‘A’) X permissible or approved floor space index (FSI) X area of land (AL) .

$$CV = BV \times UC \times FSI \times AL$$

(2) Capital value (CV) of a building -

Relative base value (BV) of a building according to Ready Reckoner X weightage by multiplication as per user category(UC) (Parts II, III, or as the case may be, IV of schedule 'A') X weightage by multiplication as per the nature and type of building (NTB) (schedule 'B') X weightage by multiplication on account of age of building (AF) (schedule 'C') X weightage by multiplication on account of floor factor (FF) for RCC building with lift (schedule 'D') X built-up area (BA) .

$$CV = BV \times UC \times NTB \times AF \times FF \times BA$$

Examples: - Some examples based and worked out on the formulae as aforesaid are shown in the Appendix.

18. *Non-application of Guidelines of Stamp Duty Valuation.* - Notwithstanding anything contained in the "Important Guidelines of Stamp Duty Valuation" as specified in the Ready Reckoner, the provisions made in these rules shall have primacy over those guidelines and none of those guidelines shall apply for fixing capital value under the Act and these rules.

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Details of factors and user categories of buildings and land and weightages by multiplication to be assigned thereto

SCHEDULE – A

(See rule 4)

Part - I

Open land

User categories of open land and corresponding weightages by multiplication

Sr. No	User category of open land	Weightage by multiplication to the base value
(1)	(2)	(3)

1. Open land – residential

1.00

2. Open land – non-residential:-

(a) Commercial	1.25
(b) Industrial	1.10
3. Open land under reservation:-	
(a) Partial impermissibility	0.10
(b) Total impermissibility	0.01
4. Open parking on land other than appurtenant land	0.25
5. Open air electric substation	1.25
6. Salt pan	0.01
7. Quarry	1.25
8. Land around weighbridge	1.25
9. Racecourse:-	
(a) Land occupied by racing track	1.25
(b) Land other than the land of racing track	0.01
10. Golf course	1.25
11. Airport land :-	1.25
(a) Land used for movement and parking of aircraft including runway and taxiing bay	1.25
(b) Any land other than land covered by entry (a)	1.00
12. Land of stadium belonging to educational institution where no tickets are sold for entry	0.01
13. Land of stadium where tickets are sold for entry	1.00
14. Land of open air theatre	1.25
15. Amusement park	1.25
16. Land of petrol pump / service station / LPG, CNG station / kerosene station	1.25
17. Water reservoir	0.01

PART – II

Residential Buildings

User categories of residential buildings and corresponding weightages by multiplication

Sr. No.	User category of residential building or part thereof	Weightage by multiplication to the related base value
(1)	(2)	(3)
1.	Room, or flat, or apartment, or tenement and the like	1.00

2. Bungalow	1.25
3. Penthouse	1.25
4. Duplex flat / apartment	1.25
5. Row house	1.25
6. Car park in stilt, or basement, or podium	0.25
7. Enclosed garage	0.30
8. Society office	0.30
9. Swimming pool	1.00
10. Clubhouse and any other amenity in co-operative housing society used by its members	1.00

PART - III

Shops / Commercial Buildings

User categories of Shops / Commercial Buildings and corresponding weightages by multiplication

Sr. No	User category of Shop / Commercial Building or part thereof	Weightage by multiplication to the related base value
(1)	(2)	(3)
1.	Shop	1.00
2.	Restaurant with bar	1.10
3.	Departmental store and shopping center	1.10
4.	Dispensary, clinic and pathological laboratory	1.00
5.	Private health club, gymnasium	1.00
6.	Office	1.00
7.	Airport buildings	1.10
8.	Passenger terminal at airport	1.10
9.	Hangar and workshop at airport	1.10
10.	<i>Mangal karyalaya</i> / hall / community hall / convention hall / party hall, etc. (air-conditioned)	1.20
11.	<i>Mangal karyalaya</i> / hall / community hall / convention hall / party hall, etc. (non-air-conditioned)	1.10
12.	Godown / storage / warehouse	1.00
13.	Unstarred hotel	1.00
14.	Hotel upto four star and service apartment	1.10
15.	Hotel – five star and above	1.25

16. Bank	1.20
17. Non-banking financial institution	1.20
18. Life and non-life insurance corporation or company	1.20
19. Asset management company and trustee company of Mutual Fund	1.20
20. Stock exchange	1.20
21. Commodity exchange	1.20
22. Security Exchange Board of India	1.20
23. Automatic Teller Machine Centre and Money Changing Centre	1.20
24. Co-operative credit society	1.00
25. Mall	1.25
26. Educational institution	0.70
27. Nursery, kids' corner, playgroup	0.70
28. Car parking in stilt / basement / podium	0.25
29. Enclosed garage	0.30
30. Society office	0.30
31. Electric sub-station	0.80
32. Hospital	1.00
33. Superspeciality hospital	1.20
34. Nursing home	1.00
35. Advertisement hoarding	1.00
36. Tower	1.00
37. Cinema hall / theatre / drama theatre	1.00
38. Club house, etc. (excluding the one in co-operative housing society used by its members)	1.00
39. Coaching class	1.00
40. Special car parking structure (with or without mechanical lift)	1.00
41. Multiplex	1.25
42. Film shooting studio	1.00
43. Open air theatre - stage and other structures	1.00
44. Swimming pool (where entry fee or membership fee is charged)	1.00
45. Structures ancillary to petrol pump or service station or LPG or CNG station or kerosene station	1.00
46. Stable	0.80
47. Weighbridge	1.00

PART - IV
Industrial Buildings

User categories of industrial buildings and corresponding weightages
by multiplication

Sr. No	User category of industrial building or part thereof	Weightage by multiplicatio n to the related base value
(1)	(2)	(3)
	1. Industrial estate	1.25
	2. Service industrial estate	1.05
	3. Workshop	1.25
	4. Factory including refinery	1.25
	5. Car parking in stilt /basement /podium	0.25
	6. Enclosed garage	0.30
	7. Society office	0.30

SCHEDULE – B

(See rule 5)

Weightages by multiplication to be assigned to a building on account
of nature and type of building

Sr. No	Nature and type of building or part thereof	Weightage by multiplicatio n
(1)	(2)	(3)
	1. Luxurious RCC building	1.20
	2. RCC building other than luxurious RCC building	1.00
	3. <i>Pucca</i> building	0.70
	4. Semi permanent building	0.50
	5. <i>Kachcha</i> building	0.30

Explanation:- For the purposes of this schedule –

(a) RCC building means a building having RCC slabs, columns, beams; brick walls plastered with cement mortar; tiled flooring;

(b) *pucca* building means load-bearing structure having RCC slabs; brick wall plastered with cement mortar; *kachcha* or cement flooring;

(c) semi-permanent building means load-bearing structure, having walls made of brick or stone with mud; *shahabad*, mud or other type of flooring; roof other than RCC slabs;

(d) *kachcha* building includes a temporary building, any other structure having mud walls with bricks, mud *gelao*; with roof of clay tiles or asbestos sheets or corrugated iron sheets; and such structure being of masonry, wood, metal, or any other material whatever and shall also include a hoarding.

SCHEDULE – C

(See rule 6)

Weightages by multiplication to be assigned to a building on account of age of the building

Sr. No	Age of a building in completed years	Weightage by multiplication
(1)	(2)	(3)
1	0 to 5 years	1.00
2	More than 5 years up to 10 years	0.97
3	More than 10 years up to 15 years	0.94
4	More than 15 years up to 20 years	0.91
5	More than 20 years up to 25 years	0.88
6	More than 25 years up to 30 years	0.85
7	More than 30 years up to 35 years	0.82
8	More than 35 years up to 40 years	0.79
9	More than 40 years up to 45 years	0.76
10	More than 45 years up to 49 years	0.73
11	More than 49 years	0.70

SCHEDULE – D

(See rule 7)

Weightages by multiplication to be assigned to a building on account of floor factor for a RCC building with lift

Sr. No	Floor	Weightage by multiplication
(1)	(2)	(3)
1.	Basement used for other than car parking	1.00
2.	Lower ground floor	1.00
3.	Upper ground floor	1.00

4. Ground floor	1.00
9. From 1 st to 4 th floor	1.00
10. From 5 th to 10 th floor	1.05
11. From 11 th to 20 th floor	1.10
12. From 21 st to 30 th floor	1.15
13. From 31 st to 50 th floor	1.20
14. From 51 st to 75 th floor	1.25
15. From 76 th to 100 th floor	1.30
16. Above 100 th floor	1.35

APPENDIX

(See Rule 17)

EXAMPLES FOR FIXATION OF CAPITAL VALUE

(1) RESIDENTIAL FLAT ON 12TH FLOOR IN A BUILDING WITH LIFT

		Weightage
Base value	Rs.80,600	not applicable
User category	Residential	1.00
Nature and type of building	RCC building other than luxurious RCC building	1.00
Age of building	6 years	0.97
Floor number	12	1.10
Built-up area	80 sq. mtr.	not applicable

$$CV = BV \times UC \times NTB \times AF \times FF \times BA$$

$$= 80600 \times 1.00 \times 1.00 \times 0.97 \times 1.10 \times 80$$

$$\mathbf{C.V. = Rs.68,80,016}$$

(2) RESIDENTIAL FLAT IN A BUILDING WITHOUT LIFT

		Weightage
Base value	Rs.80,600	not applicable
User category	Residential	1.00
Nature and type of building	RCC building other than luxurious RCC building	1.00
Age of building	6 years	0.97
Floor number	2	not applicable
Built-up area	80 sq. mtr.	not applicable

$$CV = BV \times UC \times NTB \times AF \times BA$$

$$= 80600 \times 1.00 \times 1.00 \times 0.97 \times 80$$

$$\mathbf{C.V. = Rs.62,54,560}$$

(3) RESIDENTIAL FLAT ON 12TH FLOOR IN A BUILDING WITH LIFT

		Weightage
Base value	Rs.80,600	not applicable
User category	Residential	1.00
Nature and type of building	RCC building other than luxurious RCC building	1.00
Age of building	36 years	0.79
Floor number	12	1.10
Built-up area	80 sq. mtr.	not applicable

$$CV = BV \times UC \times NTB \times AF \times FF \times BA$$
$$= 80600 \times 1.00 \times 1.00 \times 0.79 \times 1.10 \times 80$$

C.V. = Rs.56,03,312

(4) RESIDENTIAL FLAT IN A BUILDING WITHOUT LIFT

		Weightage
Base value	Rs.80,600	not applicable
User category	Residential	1.00
Nature and type of building	RCC building other than luxurious RCC building	1.00
Age of building	36 years	0.79
Floor number	2	not applicable
Built-up area	80 sq. mtr.	not applicable

$$CV = BV \times UC \times NTB \times AF \times BA$$
$$= 80600 \times 1.00 \times 1.00 \times 0.79 \times 80$$

C.V. = Rs.50,93,920

(5) OFFICE ON 12TH FLOOR IN A BUILDING WITH LIFT

		Weightage
Base value	Rs.1,08,000	not applicable
User category	Office	1.00
Nature and type of building	RCC building other than luxurious RCC building	1.00
Age of building	6 years	0.97
Floor number	12	1.10
Built-up area	80 sq. mtr.	not applicable

$$CV = BV \times UC \times NTB \times AF \times FF \times BA$$
$$= 108000 \times 1.00 \times 1.00 \times 0.97 \times 1.10 \times 80$$

C.V. = Rs.92,18,880

(6) OFFICE IN A BUILDING WITHOUT LIFT

		Weightage
Base value	Rs.1,08,000	not applicable
User category	Office	1.00
Nature and type of building	RCC building other than luxurious RCC building	1.00
Age of building	6 years	0.97
Floor number	2	not applicable
Built-up area	80 sq. mtr.	not applicable

$$\begin{aligned} CV &= BV \times UC \times NTB \times AF \times BA \\ &= 108000 \times 1.00 \times 1.00 \times 0.97 \times 80 \\ \mathbf{C.V.} &= \mathbf{Rs.83,80,800} \end{aligned}$$

(7) OFFICE IN A BUILDING ON 12TH FLOOR WITH LIFT

		Weightage
Base value	Rs.1,08,000	not applicable
User category	Office	1.00
Nature and type of building	RCC building other than luxurious RCC building	1.00
Age of building	36 years	0.79
Floor number	12	1.10
Built-up area	80 sq. mtr.	not applicable

$$\begin{aligned} CV &= BV \times UC \times NTB \times AF \times FF \times BA \\ &= 108000 \times 1.00 \times 1.00 \times 0.79 \times 1.10 \times 80 \\ \mathbf{C.V.} &= \mathbf{Rs.75,08,160} \end{aligned}$$

(8) OFFICE IN A BUILDING WITHOUT LIFT

		Weightage
Base value	Rs.1,08,000	not applicable
User category	Office	1.00
Nature and type of building	RCC building other than luxurious RCC building	1.00
Age of building	36 years	0.79
Floor number	2	not applicable
Built-up area	80 sq. mtr.	not applicable

$$\begin{aligned} C.V. &= BV \times UC \times NTB \times AF \times BA \\ &= 108000 \times 1.00 \times 1.00 \times 0.79 \times 80 \\ \mathbf{C.V.} &= \mathbf{Rs.68,25,600} \end{aligned}$$

(9) OPEN LAND IN ISLAND CITY

		Weightage
Base Value	Rs.36,400	not applicable
User Category	Residential	1.00
Nature and Type of Building	not applicable	not applicable
Age of Building	not applicable	not applicable
F.S.I. Factor	1.33	1.33
Land Area	80 sq. mtr.	not applicable

$$CV = BV \times UC \times FSI \times LA$$
$$= 36400 \times 1.00 \times 1.33 \times 80$$

C.V. = Rs.38,72,960

(10) OPEN LAND WHERE RESIDENTIAL BUILDING PLAN WITH HIGHER F.S.I. HAS BEEN APPROVED

		Weightage
Base Value	Rs.36,400	not applicable
User Category	Residential	1.00
Nature and Type of Building	not applicable	not applicable
Age of Building	not applicable	not applicable
F.S.I. Factor	2.50	2.50
Land Area	80 sq. mtr.	not applicable

$$CV = BV \times UC \times FSI \times LA$$
$$= 36400 \times 1.00 \times 2.50 \times 80$$

C.V. = Rs.72,80,000

(11) OPEN LAND IN SUBURBAN AREA

		Weightage
Base Value	Rs.33,200/-	not applicable
User Category	Residential	1.00
Nature and Type of Building	not applicable	not applicable
Age of Building	not applicable	not applicable
F.S.I. Factor	1.00	1.00
Land Area	80 sq. mtr.	not applicable

$$CV = BV \times UC \times FSI \times LA$$
$$= 33200 \times 1.00 \times 1.00 \times 80$$

C.V. = Rs.26,56,000