

MUNICIPAL CORPORATION OF GREATER MUMBAI
NO. CHE/35282/DP DT. 14-3-2013

Sub:- General guidelines for issuing zoning remarks for the properties situated in CRZ area from Final Development Plans in City & Suburbs.

Govt. of India vide No. SO 19(E) dtd. 06/01/2011 in exercise of powers conferred by Environment (Protection) Act, 1986 has published the notification in supersession of the earlier notification No. SO 114 (E) dtd. 19/02/1991, thereby declaring the Coastal Regulation Zones and imposed the restrictions on the development thereof.

In the aforesaid notification dtd. 06/01/2011, as per sub clause no. V(1)(iii)(C), CRZ areas in the Greater Mumbai Municipal limits has given special consideration. Under the sub-clause, redevelopment of dilapidated, cess and unsafe buildings (specified as on date of publication of the notification i.e. 06/01/2011) within the Greater Mumbai Municipal limits is permitted in accordance with the prevailing Town and Country Planning Regulations (as existed on the date of publication of the notification i.e. 06/01/2011) subject to certain conditions mentioned therein and approval for the redevelopment from MCZMA. Hence, for the redevelopment of properties including S.R. Schemes and dilapidated, cessed and unsafe buildings, the D.C. Rules of 1967 and subsequently the respective Development Plan (i.e. D.P. existed on 19/02/1991) shall be made applicable.

There are three categories of remarks and plans are required to be submitted alongwith the development proposal to be submitted to MCZMA for their approval, which are enlisted as below:

1. Zoning remarks from Final D.P. of 1967 point of view.
2. Location Plans for the property with the scale of 1:4000.
3. CZMP plan as made available from CZMA presently of the year 1992.

Out of above requirements, location Plans for the property with the scale of 1:4000 are being issued by recovering relevant fees for the GIS printout under the signature of Ex. Eng. (D.P.) and CZMP plan are issued as the color photocopies under the signature of A.E.(D.P.) R/South Ward. However, there is no mechanism is established in this section for issuing in general Zoning remarks from Final D.P. of 1967 point of view.

In view of the above requirement, many Architects, owners, developers, Govt. Agencies, other Offices etc. necessitate the D.P. Remarks for the properties situated in the CRZ Area with respect to Final D.P. of 1967.

Presently, during processing such development proposals B.P. Section seeks the Zoning Remarks as per D.C. Rules of 1967 and corresponding previous Final D.P. of respective Ward from D.P. section by forwarding a formal note. In reply to the same this office provides the Zone in which the property is situated as per Final D.P. of 1967 alongwith the part plan of Final D.P. of 1967 indicating tentative location of the property.

However, nowadays there are many instances where individual Architects, owners, developers, Govt. Agencies, other Offices etc. are applying for the remarks/plan from Final D.P. of 1967 as mentioned above in this office. Hence, it is felt necessary to make suitable provision for issuing the remarks/plans

Special Notes to be incorporated:

For issuing the zoning remarks from Final D.P. of 1967 point of view it is necessary to consider the various unknown factors that might have been permitted during the implementation of the Final D P of respective Wards such as sanctioned modifications, realignments, relocations, subdivisions, development permissions, concessions from-State Govt. and/or MCGM etc.

In context of the above, the proposed remarks from Final D. P. of 1967 point of view will be issued as per available copy of the Final. D.P. of 1967 with the specific note that,

“These remarks are offered only because of the land under reference is situated in the CRZ and is for the purpose of a requirement of the submission to MCZMA for their NOC to proposed development on the land. The remarks and plan are issued as per the copy of the Final D.P. available in the office record and any subsequent modification/realignment/relocation/subdivision/layout etc. may not be reflected on the accompanying plan.”

Fees/Charges for remarks:

As per prevailing procedure no charges are being recovered from the party for this and the necessary formal reply is made to the note. However, considering the prospective redevelopment in CRZ-II area, such remarks may increase substantially and hence it is now proposed to recover the charges for the same from the party by considering the same at par with regular S.R.D.P: remarks. The charges to be made applicable will be under respective budget head as per the circular no. CHE/2280/DP/Gen dtd. 25/03/2008 and ChE/Gen 207/DP dtd. 26.06.2009.

The above zoning remarks as per D.C. Rules of 1967 and corresponding part D.P. of respective Ward will be issued on tentative basis and only location plan (as a part plan of Final D.P. of 1967 as available in this office) will be issued.

In this context, location of the plot will be ascertained from the recent S.R. D.P. Remarks obtained from this office, the same will be insisted alongwith the application.

Separate D.P. application form need to be submitted by the party and charges thereof shall be paid accordingly. If the formal note from B.P. Section is received in this respect, B.P. Section I the party will be informed accordingly.

The record of such zoning remarks/D.P. remarks issued to the party will be maintained on the same lines of regular S.R.D.P. remarks.

The regular S.R.D.P. remarks for the said land, for which the remarks from Final D.P. point of view are to be issued, shall also be submitted by the party alongwith the application.

The format for zoning/ D.P. remarks as per D.C. Rules of 1967 & corresponding D.P. of respective wards is annexed at pg. C/57 to C/58 and draft plan C/55.

In view of the above, approval of Dy.Ch.Eng.(D.P.)-I/Ch.Eng.(D.P.)/Hon. M.C. is requested to above and the draft format of the zoning remarks from Final D.P. of 1967 at pg C/57 to C/58 and plan.

On receipt of the approval, the same will be circulated to all concerned office for further necessary action in the matter please.

Submitted please.

Ex. Eng. (D.P.) City)

MUNICIPAL CORPORATION OF GREATER MUMBAI
NO. CHE/_____/DP/C/ES/WS/_____/WARD OF

Office of the
Chief Engineer (Development Plan)
5th Floor, Annex Building,
Municipal Head Office,
Mahapalika Marg, Fort,
Mumbai 400 001.

To,

Sub:- Tentative Zoning remarks as per the Final D. P. of 1967, for the plot bearing CS/CTS/F.P. No. of _____ Village/Division/T.P.S. situated at _____ Road in _____ Ward.

Ref:- 1) Your application under Sr. No. _____ & Payment made towards D.P Remarks vide SAP Receipt No. 100 dtd.
2) S.R.D.P. Remarks for the land issued u/no. dtd.

Gentlemen,

Please refer to your above letter requesting this office for D.P. Remarks for the plot bearing CS/CTS/F.P. No. _____ of _____ Village/Division/T.P.S. situated at Road in _____ Ward, in respect of the Final D.P. of _____ Ward of 1967.

As per your request, tentative zoning remarks according to the Final D.P. of _____ Ward of 1967 in respect of the land under reference are offered on the location plan are as under -

Under the Final Development plan of _____ Ward of 1967 which was under implementation prior to Sanctioned Revised Development Plan of G/North Ward, the above land shown tentatively on the accompanying plan was reserved/not reserved for any public purposes for _____ as shown on the accompanying plan and/except for the widening. if any, of the existing roads and their junctions.

According to the Final D.P. of 1967 of _____ Ward, the said land was situated in Industrial (I-1/I-2/1-3)/Commercial/Residential Zone.

The land under reference abuts the reservation/designation of _____ as shown distinctly on the plan.

Boundaries of the abutting reservation are subject to the actual demarcation on site by this office staff along with the representative of S.E. Survey (City), A.C.G/South Ward, A.C.(Estates). E.E.(Tn.Pl.) and S.L.R.

The land under reference is situated in Estate scheme/Town planning Scheme, hence specific remarks etc. should be obtained separately from the concerned authority i.e. A.C. (Estate)/Town Planning Section before taking up any development on the land.

The widening, if any, of the existing roads and their junctions will be as per the regular lines prescribed by and subject to the actual demarcation on site by Executive Engineer (Traffic Planning) and S.E.(Survey)City.

The land under reference falls within the Coastal Area Regulation Zone as shown in the plan and development thereof shall be governed as per the Govt. of India Notification under S.O.No.114 (E) of 19.02.1991(amended). The HTL indicated on the plan is subject to demarcation/confirmation from M.C.Z.MA/Appropriate Authority.

The above remarks have been offered only from the Zoning point of view according to the Final D.P. of 1967, without carrying out the actual inspection on site and without any reference to the ownership, the

existence and status of the structures, if any on the land under reference. The F.P. boundaries shown on plan are subject to the confirmation from SLR.

The latest S.R.D.P. Remarks issued by this office u/no. _____ dtd. _____ for the said land shall also be taken into account before allowing any development on the land.

In respect of the said property, if there is any discrepancy between the provisions of Final D. P. of 1967 and Sanctioned Revised Development Plan of G/North Ward regarding the Zone/Reservation/designation/applicability of Govt. Notifications & MCGM circulars/Govt. schemes/D.C. Rules of 1967 and D.C.R of 1991 etc., the matter may be referred to State Govt. in U.D. Dept. directly please.

These remarks are offered only because of the land under reference is situated in the CRZ and is for the purpose of a requirement of the submission to MCZMA for their NOC to proposed development on the land. The remarks and plan are issued as per the copy of the Final D.P. available in the office record and any subsequent modification/realignment/relocation/subdivision/layout etc. may not be reflected on the accompanying plan.

Your faithfully,
Assistant Engineer
(Development Plan) City/ES/WS
