

Maharashtra Regional & Town Planning Act,
1966.

- Notification under section 37 (1AA) (c) of the said Act.
- Sanctioned modification to Regulation 33(24) of DCR,1991 for Gr. Mumbai.

GOVERNMENT OF MAHARASHTRA
Urban Development Department,
Mantralaya, Mumbai 400 032.
Dated :- 8th February, 2016.

NOTIFICATION

No. TPB 4313/929/CR-82/2013/Part-II/UD-11:

Whereas, the Development Control Regulations for Greater Mumbai, 1991 (hereinafter referred to as "the said Regulations") have been sanctioned by the Government in the Urban Development Department, under Section 31(1) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") vide Notification No. DCR 1090/RDP/UD-11, dated the 20th February, 1991 so as to come into force with effect from the 25th March, 1991;

And whereas, the said Regulations provides for Two Types of Parking (1) Captive Parking to be provided with structures under development as per Regulation No.36 and (2) Public Parking to be developed on Parking Lots/Car Parking Reservations as per regulation No.9(Table 4);

And whereas, as per proposal submitted by the Municipal Corporation of Greater Mumbai (hereinafter referred to as "the said Corporation") regarding Development of Public Parking Lot by Private Owners/Developers, under Section 37(1) of the said Act, the Government of Maharashtra in the Urban Development has incorporated New Regulation No. 33(24) under Section 37(2) of the said Act in the said Regulations vide Notification No. TPB 4305/2736/CR-338/05/UD-11, dated the 20th October 2008;

And whereas, the Govt., in the Urban Development Department has sanctioned modification to New Regulation 33(24) vide Notification of even no. dated 6th August 2014.

And whereas, the Govt., in the Urban Development Department has decided in the public interest to revise the rates of premium for Incentive F.S.I. and accordingly it is necessary to urgently carry out suitable modification to the existing clause (x) of Regulation 33(24) and therefore, the Government, in exercise of the powers conferred under sub-Section (1AA) of Section 37 of the said Act, had issued Notice No. TPB 4313/929/CR-82/2013/Part-II/UD-11, dated 18th April 2015 for inviting suggestions/ objections from the general public with regard to certain modifications proposed in respect of Regulation No.33(24) (hereinafter referred to as "the proposed modifications") as specifically described in the Schedule appended to the said Notice and appointed the Deputy Director of Town Planning, Greater Mumbai as the Officer (hereinafter referred to as "the said



Officer") to submit a Report on the suggestions/objections received in respect of the proposed modifications to the Govt., after giving hearing to the concerned persons and the said Authority;

And whereas, the said Notice No. TPB 4313/929/CR-82/2013/Part-II/UD-11, dated 18th April 2015 was published in the Maharashtra Government Gazette (Extra-Ordinary Gazette) – Konkan Division Supplement dated 30th April 2015 (hereinafter referred to as "the Official Gazette ")and the said Officer submitted his Report vide letter dt. 6/11/2015 through the Director of Town Planning, Maharashtra State, after completing the legal procedure stipulated under Section 37(1AA) of the said Act;

And whereas, after considering the Report of the said Officer and after consulting the Director of Town Planning, Maharashtra State, the Government is of the opinion that the proposed modification is required to be sanctioned;

Now, therefore, in exercise of the powers conferred upon it under section 37(1AA)(c) of the said Act, the Government hereby:-

- A) Sanctions the proposed modifications, without any changes as described more specifically in the Schedule appended hereto.
- B) Fixes the date of publication of this Notification in the Official Gazette as the date of coming into force of this sanctioned modification.
- C) Directs the Municipal Corporation of Greater Mumbai that in the Schedule of Modifications sanctioning the said Regulations, after the last entry, the Schedule appended hereunder shall be added.

By order and in the name of the Governor of Maharashtra,




(Kishor D. Girolla)
Under Secretary to Government



महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६
कलम ३७(१अे)(सी) अन्वये बृहन्मुंबई विकास
नियंत्रण नियमावली १९९१ मधील विनियम ३३(२४)
मधील फेरबदलाच्या मंजूरीची अधिसूचना.

**महाराष्ट्र शासन
नगर विकास विभाग**

क्रमांक :- टिपीबी ४३१३/९२९/प्र.क्र.८२/२०१३/भाग-२/नवि-११

मंत्रालय, मुंबई : ४०० ०३२,

दिनांक - ८ फेब्रुवारी, २०१६.

शासन निर्णय : सायतची अधिसूचना शासनाच्या असाधारण राजपत्रात प्रसिध्द करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.



श्रीरंग दि. लांडगे
(श्रीरंग दि. लांडगे)
सह सचिव, महाराष्ट्र शासन

प्रति,

- (१) मा. मुख्यमंत्री यांचे प्रधान सचिव.
- (२) मा. राज्यमंत्री (नगर विकास) यांचे स्वीय सहाय्यक.
- (३) महानगरपालिका आयुक्त, बृहन्मुंबई महानगरपालिका, मुंबई
- (४) महानगर आयुक्त, मुंबई महानगर प्रदेश विकास प्राधिकरण, वांद्रा-कुर्ला संकुल,
धांद्रे (पूर्व), मुंबई-५१.
- (५) संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे
- (६) उपसंचालक, नगर रचना, बृहन्मुंबई, इन्सा हटमेंट, महापालिका मार्ग, मुंबई- ४००००१.
- (७) व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, चर्नोरोड, मुंबई.
(त्यांना विनंती करण्यात येते की, सोबतची शासकीय अधिसूचना महाराष्ट्र
शासनाचे असाधारण राजपत्रात भाग-१ मध्ये प्रसिध्द करून त्याच्या १० प्रती नगर
विकास विभाग (नवि-११), मंत्रालय, मुंबई व संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे
व उपसंचालक, नगर रचना, बृहन्मुंबई यांना पाठविण्यात याव्यात.)
- (८) कक्ष अधिकारी, कार्यासन नवि-२९, यांना विनंती करण्यात येते की, सोबतची अधिसूचना
विभागाच्या वेबसाईटवर प्रसिध्द करावी.
- (९) निवड नस्ती (नवि-११)

SCHEDULE

Accompaniment to Notification No. TPB 4313/929/CR-82/2013/Part-II/UD-11,
dated 8th February, 2016.

Sanctioned modification to Development Control Regulation 33(24)

Regulation No.	Existing Provision	Provision as per Sanctioned Modification
Clause (x) of Regulation 33(24)	<p>The developer of the public parking lot (PPL) shall pay 'premium', worked out as per the following formula:-</p> <p style="text-align: center;">Premium = 40% of [Value of the additional built up area corresponding to the incentive FSI admissible under this Regulation, as per the A.S.R. prepared by the I.G.R. Maharashtra State - (Cost of construction of PPL + cost of any extra amenities /facilities provided + cost of construction of built-up area corresponding to the incentive F.S.I. admissible under this Regulation)]</p> <p>For the purpose of calculating premium as above, the cost of construction of PPL including amenities /facilities and the cost of construction of built-up area corresponding to the incentive FSI admissible under this Regulation for the financial year 2011-2012 shall be taken as Rs.15,000/- per sq. mtrs. and Rs.25,000/- per sq.mtr. respectively Revised construction costs shall be notified by the Municipal Commissioner of Municipal Corporation of Greater Mumbai every year in April, based on the average increase in Material Price Index of RBI (70% weightage) and Labour Index (CPI) (30 % weightage) during the previous</p>	<p>The developer of the public parking lot (PPL) shall pay 'premium', worked out as per the following formula:-</p> <p style="text-align: center;">Premium = 60% of [Value of the additional built up area corresponding to the incentive FSI admissible under this Regulation, as per the A.S.R. prepared by the I.G.R. Maharashtra State - (Cost of construction of PPL + cost of any extra amenities /facilities provided + cost of construction of built-up area corresponding to the incentive F.S.I. admissible under this Regulation)]</p> <p>For the purpose of calculating premium as above, the cost of construction of PPL including amenities /facilities and the cost of construction of built-up area corresponding to the incentive FSI admissible under this Regulation for the financial year 2011-2012 shall be taken as Rs.15,000/- per sq. mtrs. and Rs.25,000/- per sq.mtr. respectively Revised construction costs shall be notified by the Municipal Commissioner of Municipal Corporation of Greater Mumbai every year in April, based on the average increase in Material Price Index of RBI (70% weightage) and Labour Index (CPI) (30 % weightage) during the previous financial year, over the</p>



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<p>financial year, over the year preceding that.</p> <p>Provided that all the developments of public parking lots for which letter of Intent has been issued by the Corporation as per the DC Regulation 33(24), published vide Notification dated October 20, 2008, excepting those which have progressed substantially, shall have to follow the provisions of Regulations 33(24) as amended vide this Notification and shall have to pay the premium at the rate of 50% of what they would have otherwise been required to pay as per the amended provision.</p>	<p>year preceding that.</p> <p>Provided that all the developments of public parking lots for which letter of Intent has been issued by the Corporation as per the DC Regulation 33(24), published vide Notification dated October 20, 2008, excepting those which have progressed substantially, shall have to follow the provisions of Regulations 33(24) as amended vide this Notification and shall have to pay the premium at the rate of 50% of what they would have otherwise been required to pay as per the amended provision.</p> <p>Provided further that all the developments of public parking lots for which IOD/IOA has not been issued as per proposed modification published vide Notice dated 19th March 2012 and sanctioned modification published vide Notification dated 6th August 2014, shall have to pay the premium as per the amended provision.</p>
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(Kishor D. Girolla)

Under Secretary to Government