

**Maharashtra Regional and Town
Planning Act, 1966.**

**Sanction to Modification u/s 37(2) of
Modification to General Development
Control Regulations (GDCR) for Navi
Mumbai.**

**Government of Maharashtra
Urban Development Department,
Mantralaya, Mumbai 400 032.
Dated 31st August, 2009.**

NOTIFICATION

**Maharashtra
Regional &
Town Planning
Act 1966**

No. TPB- 4307/1728/CR -342/07/UD-11:-

Whereas the Government of Maharashtra in exercise of the powers conferred by sub-section (3A) of the section 113 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") declared by Notification, Urban Development, Public Health and Housing Department, No. RPB 1171/18124/113/II-W, dated the 20th March, 1971, and by Notification Urban Development, Public Health and Housing Department No. RPB 1173-II RPC, dated the 16th August, 1973, City and Industrial Development Corporation of Maharashtra Limited (being a company owned and controlled by the Government of Maharashtra) (hereinafter referred to as "the said Corporation") as the New Town Development Authority for the said area comprised in the site of Navi Mumbai as specified therein;

And whereas, in exercise the powers conferred by the provisions of the said Act and all the powers enabling it in this behalf the said Corporation made the General Development Control Regulation (GDCRs) for Navi Mumbai, (hereinafter referred to as "the said Regulations");

And whereas, the Government of Maharashtra in the Urban Development and Public Health Department approved the Development Plan of Navi Mumbai together with the said Regulations in exercise of the powers conferred by the section 31 of the said Act, by Notification No. RPB 1175/635/B-UD-5 dated the 18th August, 1979, published in the Maharashtra Government Gazette, dated 27th September, 1979;

And whereas the said Corporation has on and from 16th December, 1994 ceased to be the Planning Authority in the area of Navi Mumbai more particularly specified in the schedule to the Government order No. NMC 1692/1187/C3-138/94/UD-24 dated 16th December, 1994, as specified therein for which the Navi Mumbai Municipal Corporation is the Planning Authority in substitution to the said Corporation;

And whereas, as per the said directives the said Corporation decided to make further amendments/modifications (hereinafter referred to as "the said Modification") in the said Regulation for application to Navi Mumbai exclusive of the area encompassed within the territorial jurisdiction of the Navi Mumbai Municipal Corporation;

And whereas, the said Corporation, after following legal formalities laid down under section 37 of the said Act, has submitted the said modification proposal to Government for sanction vide letter No. CIDCO/PLNG/CAP/07/168 dated 5th July, 2007 (hereinafter referred to as "the said Modification");

And whereas, after consulting the Director of Town Planning, Maharashtra State, Pune, the Government is of the opinion that the said modification should be approved with some changes;

Now, therefore, in exercise of the powers conferred by sub-section (2) of the said Act, Government hereby:-

- a) Sanctions the said modification proposal as described in the Schedule attached herewith subject to Hon. High Court's order dated 14/12/2005 in Writ Petition No. 99/2005.
- b) fixes the date of publication of this Notification in the official gazette as the date of coming into force of these modification;
- c) directs the said Corporation that in the schedule of modifications appended to the aforesaid modification sanctioning the said Regulations after the last entry, the above (a) shall be added.

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

(Rajendra Habde)
Under Secretary to Government.

SCHEDULE

Modifications for incorporating in GDCR of Navi Mumbai (CIDCO's jurisdiction) (Regulation 16.3(1a) I. A new clause is inserted after Regulation 16.3(1a)H.

16.3(1a) I change of use:

Corporation may allow Change of use on plots allotted exclusively for Residential use, Residential cum commercial use or commercial use on the following conditions:-

- a) From Residential use (FSI 1.0) to Residential-cum-Business/Mercantile use or Business or mercantile use wholly (FSI 1.5) subject to the condition that all such Business/Mercantile plots wholly or in combination with residential shall not exceed the limit specified in clause 16.3(1a) B of the GDCR.
- b) From Business or Mercantile use (FSI 1.5) to Residential-cum-Business/Mercantile use (FSI 1.5) and vice versa.
- c) To allow such change uses only for plots having a minimum area of 1000 sq.mt. and deriving access from road of 15.0 mt. width or more. Further, the Corporation may levy additional lease premium for allowing such change of use and/or grant of additional FSI with due consideration of other provisions laid down under GDCR.
- d) After grant of change of use, the allottee shall comply with all provisions of GDCR including the parking standards without seeking relaxation of any kind in GDCR provisions.
- e) Business/Mercantile user other than residential user allotted shall not be more than 30% subject to further condition that the principal land use should be segregated by separate entrance.
- f) Conversion from Residential to Residential-cum-business/ Mercantile use shall not be permitted on the lands granted for educational, institutional and public amenity purpose.

(Rajendra Habde)
Under Secretary to Government.