

che/DP/SS/Gen
2015-16

महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६
ओशिवरा जिल्हा केंद्राच्या अधिसूचित क्षेत्राच्या विकास विषयक
प्रस्तावाच्या परिच्छेद क्र. ७.२.१ मधील फेरबदल मंजूरीची कलम
३७(२) खालील अधिसूचना....

महाराष्ट्र शासन

नगर विकास विभाग,

शासन क्रमांक : सिएमएस/टिपीबी - ४३१३ /६५८/प्र.क्र.११६/२०१४/नवि-११,

मंत्रालय, मुंबई : ४०० ०३२,

दिनांक : १८ नोव्हेंबर, २०१५.

शासन निर्णय :- सोबतची अधिसूचना शासनाच्या साधारण राजपत्रात प्रसिध्द करण्यात येईल.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नांवाने.

(किशोर द. गिरोल्ला)

अवर सचिव, महाराष्ट्र शासन

प्रत,

मा. मुख्यमंत्री महोदयांचे सचिव.

मा. राज्यमंत्री, नगर विकास विभाग यांचे खाजगी सचिव.

प्रति,

१) महानगर आयुक्त, मुंबई महानगर प्रदेश विकास प्राधिकरण, मुंबई.

२) महापालिका आयुक्त, बृहन्मुंबई महानगरपालिका, मुंबई.

३) संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे.

४) उपसंचालक, नगर रचना, बृहन्मुंबई, मुंबई.

५) सह सचिव, नगर रचना तथा संचालक, नगर रचना, नगर विकास विभाग, मंत्रालय, मुंबई.

६) प्रमुख अभियंता (वि.नि.), बृहन्मुंबई महानगरपालिका, मुंबई.

७) व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, चर्नीरोड, मुंबई.

(त्यांना विनंती करण्यांत येते की, सोबतची अधिसूचना महाराष्ट्र शासनाचे साधारण राजपत्रात भाग-१ मध्ये प्रसिध्द करण्यात येऊन त्याच्या प्रत्येकी २५ प्रती नगर विकास विभाग, (नवि-११), मंत्रालय, मुंबई : ४०० ०३२ व उप संचालक, नगर रचना, बृहन्मुंबई, मुंबई यांना पाठविण्यात याव्यात.)

८) कक्ष अधिकारी (संगणक कक्ष)(नवि-२९), नगर विकास विभाग, मंत्रालय, मुंबई : ४०० ०३२,

(त्यांना विनंती करण्यांत येते की, सोबतची अधिसूचना विभागाच्या वेबसाईटवर प्रदर्शित करण्याबाबत आवश्यक ती कार्यवाही करावी.)

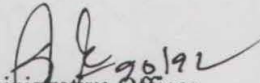
९) निवडनस्ती (नवि-११).

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
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EE(DP) WS.H&K / EE(DP) WS.P&R /EE (P) TO CHE (DP) /
EE (BP) CITY -I /II /III/EE(BP) (ES) I /II /EE (BP)WS H&K /
EE (BP)WS P&R /
AE (DP)...../SE(DP).....

Copy submitted for information & further necessary action please.



Administrative Officer
(development Plan) J
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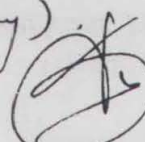

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A.O. CD.P.

Pl. circulated to B.P., AE(DP), AE (Survey)


12/2
AE(DP)

Maharashtra Regional and Town
Planning Act, 1966.

Sanction to the modification in the
Planning Proposals para 7.2.1 of
Notified Area of Oshiwara District Centre
under section 37(2) of the Act.

GOVERNMENT OF MAHARASHTRA
Urban Development Department
Mantralaya, Mumbai 400 032.
Dated 18th November, 2015.

NOTIFICATION

No. CMS/TPB 4313/658/CR-116/2014/UD-11:

Whereas, the Government of Maharashtra has appointed the Mumbai Metropolitan Region Development Authority (hereinafter referred to as its acronym "MMRDA") Mah.IV established under the Mumbai Metropolitan Region Development Authority Act, 1974(Mah. IV of 1975) to be the Special Planning Authority(hereinafter referred to as "Authority") for the Notified Area of Oshiwara District Centre (hereinafter referred to as "ODC") by the state Government in Urban Development and Public Health Department Notification No.TPB 4382/26/UD-5. Dated 18th June 1982 promulgated in exercise of its powers conferred by clause (c) of sub-section (1) of Section 40 of Maharashtra Regional and Town Planning Act, 1966(hereinafter referred to as "the said Act")

And whereas, in exercise of its powers under clause (d) of sub-section (3) of Section 40 of the said Act, the Government of Maharashtra in Urban Development Department by its Notification No. TPB.4391/2885/UD-11 dated 16th January 1992 approved the Planning Proposals (hereinafter referred to as "the said Planning Proposals") submitted by the Authority for the development of lands in the Oshiwara District Centre Notified Area. As per provisions of para 7.2.1 of Planning Proposals, the maximum F.S.I. in ODC is upto 1.5;

And whereas, the said Authority vide its Resolution No. 1161 dt. 10/9/2008, has decided to initiate modification to para 7.2.1 of the said Planning Proposals to increase F.S.I. 3.00 for residential and F.S.I. 4.00 for commercial use in ODC and empowered Metropolitan Commissioner to take further action under section 37(1) of the said Act.

And whereas, the said Authority vide letter dated 4th August 2009 has submitted the modification proposal to para 7.2.1 of the said Planning Proposals to the State Government for final sanction after following the procedure as contemplated under section 37(1) of the said Act. (hereinafter referred to as "the said Modification")

And whereas, after consulting the Director of Town Planning, Maharashtra State, Pune, Government is of the opinion that the said modifications shall be sanctioned with some changes;



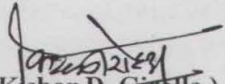
Now, therefore, in exercise of the powers conferred under section 37(2) of the said Act, the Government hereby –

- A) sanctions the said modification to the said Planning Proposals, specifically described in the Schedule appended herewith;
- B) Fixes the date of publication of this Notification in the Government Gazette as the date of coming into force of this modification,
- C) directs the said Authority that, in the Schedule of Modification sanctioning the said Regulations, after the last entry, the schedule referred to as (A) above shall be added.

This Notification shall also be published on the Government website-
www.urban.maharashtra.gov.in

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




(Kishor D. Giralla)
Under Secretary to Government.



SCHEDULE

(Accompaniment to Notification No. TPS 4313/658/CR-116/2014/UD-11, Dated
18th November, 2015)

- 1) The Clause 6.5.3 is deleted and any reference to clause 6.5.3 in the Planning Proposal shall be replaced by reference to Table 7.4 under Clause 7.2.1.
- 2) The Clause 7.2.1 is to be modified as under :-
The existing Table under this Clause 7.2.1. is numbered as Table 7.1
The following shall be added below the newly numbered Table 7.1:-

The total FSI including additional F.S.I, and admissible F.S.I. under Clause 7.2.1, shall be admissible as per the following Table, subject to conditions contained herein :-

TABLE- 7.2

Sr.No.	Zone	Existing F.S.I.	Total F.S.I, including additional F.S.I.
1)	Residential	1.5	3.00
2)	Residential-cum-shopping	1.5	3.00
3(a)	Commercial (Integrated development Zone)	1.5	4.00
3(b)	Commercial (Transformation zone)	1.5	4.00
4)	Social & Cultural	1.00	3.00
5)	Public utilities & services	1.00	3.00
6)	Mixed land use (as per para 4.2.5)	1.5	3.00

Conditions:-

- i) For availing of the additional FSI under this Regulation :-
 - (a) the plot has to be fronting on a road having minimum width of 25 mts;
and
 - (b) the owner/ developer shall be required to hand over amenity area as given in the following Table-7.3, free of cost to MMRDA towards amenities including roads.

TABLE-7.3

Net Plot Area in Sq. mtrs (1)	Area to be Given to MMRDA Free of Cost (2)
Below 2000	20%
Equal to or above 2000 and below 4000	15%
4000 and above	10%

Provided that for small plots, admeasuring less than 2000 sqmt. instead of the amenity area as per the Table7.3 above, builtup amenity, constructed as per Base FSI over the Notional Amenity plot area mentioned in Column (2) of Table 7.3, can be handed over to MMRDA in lieu of which construction TDR will be granted without charging premium.



Provided further that if the same Owner has 2 or more plots in the Oshiwara District Centre, then amenity areas corresponding to such plots may be given with the approval of MMRDA at one place by mutual consent.

Provided also that, if two Owners viz "A" and "B" come together and if Owner 'B' agrees to hand over additional amenity area so as to account for owner A's share of amenity area also, the same may be permitted if they make joint application to MMRDA in this regard. However, the Plans of Owner 'A' shall not be sanctioned unless Owner 'B' surrenders necessary amenity area to MMRDA.

Explanation :- The land going under D.P. road /D.P. Reservation shall be adjusted towards the amenity area to be handed over to MMRDA under this Clause.

- i) The premium to be charged for grant of additional FSI as per Table 7.2 above, shall be as per Table 7.4 given below.

TABLE 7.4

Sr. No. (1)	User (2)	Base FSI permissible (3)	Premium for Additional FSI (4)
1	Residential	1.5	60% of ASR land rate for Residential use and Commercial use.
2	Residential cum shopping	1.5	
3(a)	Commercial (Integrated Development Zone)	1.5	
3(b)	Commercial (Transformation Zone)	1.5	
4)	Mixed land use (as per para 4.2.5)	1.5	
5)	Social and Cultural	1.0	
6)	Public Utility and Services	1.0	



- iii) (a) for users listed at Sr. No. 1,2,3(a), 3(b) and 4, in Table-7.4, maximum 50% of the base FSI as well as maximum 50% of the permissible additional FSI as specified in Table 7.2 with maximum cap for respective user can be used for residential purpose and the remaining FSI shall be used only for commercial purpose.

- (c) For users listed at Sr. No. 5 and 6 in Table-7.4, the Base FSI shall be used for the user shown in Column (2) and only the additional FSI as specified in Table 7.2 with maximum cap for respective user shall be put to mixed user (including users permitted in Commercial Zone and also Non-polluting Industrial and IT), wherein commercial user shall not be less than 50%.

- iv) Except for provisions of Regulations 33(1) and 33(10), other provisions of Regulation 33 and 34 of the Development Control Regulations of Mumbai 1991, shall not be applicable to the Oshiwara District Centre.

(Kishor D. Girola)

Under Secretary to Government.