

महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६  
बृहन्मुंबई क्षेत्राच्या सुधारित प्रारूप विकास योजनेस कलम ३१(१)  
अन्वये मंजूरीची अधिसूचना.

महाराष्ट्र शासन

नगर विकास विभाग

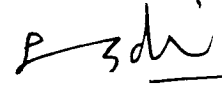
क्रमांक :- टिपीबी-४३१७/६२९/प्र.क्र.११८/२०१७/वि.यो./नवि-११

मंत्रालय, मुंबई : ४०० ०२९,

दिनांक :- ८ मे, २०१८

शासन निर्णय : सोबतची अधिसूचना शासनाच्या साधारण राजपत्रात प्रसिध्द करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.



( प्रदीप गोहिल )

अवर सचिव, महाराष्ट्र शासन

प्रत :-

- (१) मा. मुख्यमंत्री यांचे प्रधान सचिव.
- (२) मा. राज्यमंत्री ( नगर विकास ) यांचे स्वीय सहाय्यक.

प्रति,

- (१) आयुक्त, बृहन्मुंबई महानगरपालिका, मुंबई.  
( त्यांना विनंती करण्यात येते की, सोबतच्या अधिसूचनेच्या अनुषंगाने अधिप्रमाणित करावयाचे विकास योजनेचे नकाशे पाच प्रतीत नगर विकास विभागास सादर करण्यात यावेत. )
- (२) मुख्य कार्यकारी अधिकारी, झोपडपट्टी पुनर्वसन प्राधिकरण, मुंबई.
- (३) संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे.
- (४) उपसंचालक, नगर रचना, बृहन्मुंबई, इन्साहटमेंट, महापालिका मार्ग, मुंबई- ४००००१.
- (५) व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, चर्नीरोड, मुंबई.  
( त्यांना विनंती करण्यात येते की, सोबतची शासकीय अधिसूचना महाराष्ट्र शासनाचे असाधारण राजपत्रात भाग-१ मध्ये प्रसिध्द करून त्याच्या प्रत्येकी २५ प्रती १) नगर विकास विभाग नवि-११), मंत्रालय, मुंबई २) आयुक्त, बृहन्मुंबई महानगरपालिका, मुंबई ३) संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे व ४) उपसंचालक, नगर रचना, बृहन्मुंबई यांना पाठविण्यात याव्यात.)
- (६) कक्ष अधिकारी, कार्यासन नवि-२९, यांना विनंती करण्यात येते की, सोबतची अधिसूचना विभागाच्या वेबसाईटवर प्रसिध्द करावी.
- (७) निवड नस्ती (नवि-११)

**Maharashtra Regional and  
Town Planning Act, 1966**  
**Sanction under Section 31(1)  
to the Revised Development  
Plan of Greater Mumbai.**

**GOVERNMENT OF MAHARASHTRA  
Urban Development Department  
Mantralaya, Mumbai 400 032.  
Date :- 8<sup>th</sup> May 2018**

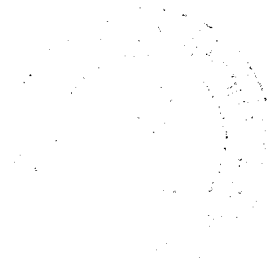
**NOTIFICATION**

**No. TPB-4317/629/CR-118/2017/DP/UD-11**

Whereas, the Municipal Corporation of Greater Mumbai is the Planning Authority for jurisdiction of Greater Mumbai (hereinafter referred to as "the said Corporation ") as per the provisions of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said act"). The first Development Plan prepared by the said Corporation, was sanctioned in the year 1964-1967. Thereafter, the said Corporation revised the first Development Plan as per provisions of the said act, and said revised Development Plan was sanctioned by State Government in the year 1991-1994. The last part of said Revised Development Plan was sanctioned on 4<sup>th</sup> March, 1994 and has come into force accordingly;

And whereas, the said Corporation vide their Resolution No.767, dated 20<sup>th</sup> October, 2008 declared their intention to revise the Sanctioned Revised Development Plan of Greater Mumbai within its jurisdiction as laid down under Section 38 read with Section 23(1) of the said act. Accordingly, notice to that effect, was published in the official Government Gazette on 1<sup>st</sup> July, 2009. Thereafter the survey of Existing Land Use of the entire area within the jurisdiction of the said Corporation was carried out as laid down under Section 25 of the said Act and the Existing Land Use maps were prepared;

And whereas, the said Corporation had prepared the Draft Revised Development Plan along with Development Control Regulations and after obtaining sanction from General Body, vide Resolution No.1195 dated 23<sup>rd</sup> February 2015, published a Notice in the Maharashtra Government Gazette dated 25.2.2015, under sub-Section (1) of Section 26 of the said act for inviting suggestions/objections from general public on the Draft Revised Development Plan;

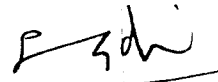
  
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And Whereas, the suggestions/objections received by the said Corporation in respect of errors in Draft Revised Development Plan and representations from organization, general public, members of legislative assembly/Council, the State Government has issued direction vide letter dated 23.4.2015, under Section 154(1) of the said Act, to the said Corporation to revamp/recast the draft revised Development Plan after examining all the errors on the basis of existing site conditions and its merits by considering the planning and legal issues and republish the Draft Revised Development Plan after incorporating all the corrections for the purpose of inviting suggestion/objections as per the provision of Section 26 of the said Act;

And whereas, as per direction of the State Government, the Draft Revised Development Plan along with Development Control Regulations were prepared by the said Corporation within the time extension granted under Section 26(A) introduced by the way of an ordinance No. XVIII of 2015, dated 29<sup>th</sup> August, 2015 by the State Government and after obtaining sanction from General Body, vide Resolution No.307 dated 27<sup>th</sup> May, 2016, a notice for inviting suggestions / objections from the general public as required under the provision of sub-Section (1) of Section 26 the said Act is republished in the Maharashtra Government Gazette dated 27<sup>th</sup> May 2016, (hereinafter referred to as "the said Draft Development Plan");

And whereas, the Planning Committee constituted under section 28(2) of the said Act, has considered the suggestions and / or objections to the said Draft Development Plan received within stipulated period by the said Corporation and submitted their report along with their recommendations to the said Corporation under section 28(3) of the said Act on 6<sup>th</sup> March, 2017;

And whereas, after considering the report of the Planning Committee, the said Corporation vide its Resolution No.393, dated 31<sup>st</sup> July, 2017 has sanctioned the Draft Development Plan with modifications or changes carried out by Planning Committee subject to the modifications suggested by the said Corporation, which were published under Section 28(4) of the said Act and submitted in accordance with the provisions of sub-section (1) of Section 30 of the said Act, to the State Government for sanction vide letter dated 2<sup>nd</sup> August 2017.



And whereas, in accordance with Sub-Section (1) of Section 31 of the Said Act, after making necessary enquiries and after consulting the Director of Town Planning, Maharashtra State, Pune the State Government has accorded sanction to the Draft Development Plan (Part) of Greater Mumbai in K/E, S,G/S Ward vide notification No. TPB- 4317/629/CR-118/2017/UD-11, dated 9th November 2017 and notification No. TPB- 4317/778/CR-267/2017/UD-11, dated 7th February, 2018.

And whereas, the Director of Town Planning, vide his Marathi letter. No.1225, dated 21<sup>st</sup> February 2018 has submitted his Report on the modified Draft Development Plan and the Draft Development Control and Promotion Regulations in respect of proposal of Development plan of Greater Mumbai-2034 to Government for sanction;

And whereas, in accordance with provisions of sub Section (1) of Section 31 of the Said Act, after making necessary enquiries and after consulting the Director of Town Planning, Maharashtra State, Pune, the State Government has accorded sanction to the Draft Development Plan of Greater Mumbai with modification shown in **SCHEDULE-A** appended to this **Notification No. TPB-4317/629/CR-118/2017/DP/UD-11, Dt. 08/05/2018** excluding the **substantial Modification** as shown in **SCHEDULE-B** appended hereto.

Now therefore, in exercise of the powers conferred by Sub-Section (1) of Section 31 of the Said Act and of all other powers enabling it on that behalf, the Government of Maharashtra hereby:-

**A)** Accords Sanction to the Draft Development Plan 2034 of Greater Mumbai excluding the part portion of sanctioned Development Plan vide Notification dated 9<sup>th</sup> November 2017 and 7<sup>th</sup> February, 2018. with following policy notes and conditions which are applicable to entire Development Plan 2034.

1. The word used on Plan/Report/DCPR as "designated" for the purpose of showing respective existing facilities/ amenities shall be changed to "Existing". So the prefix "D" at all the places shall be replaced by prefix "E" eg. DE, DOS, DSA etc shall be changed to EE, EOS, ESA etc.




2. If the commissioner found that the designation shown on plan is not as per site condition and it is a draftsman's error, he may pass a suitable specific order to correct it and shall issue a written, well-reasoned, speaking order modifying Development Plan to that effect and copy of such order along with certified part plan in original shall be forwarded to Government in Urban Development Department and the Director of Town Planning, Maharashtra State, Pune for record. In any case the commissioner shall not delegate his power to do so, to any officer sub-ordinate to him.

Provided that such proposal shall be submitted by the concerned land owner to the commissioner within a period of 3 months from the date on which the D.P. come into force and commissioner shall take the decision on it within next 6 months.

3. All the reservations proposed on the layout R.G. shall be deleted by the commissioner under his special permission, as and when noticed or brought to the notice to him. For such deletion the commissioner shall pass a special well reasoned, speaking order, modifying Development Plan to that effect and copy of such order along with certified part plan showing such modification in original shall be forwarded to the Director of Town Planning, Maharashtra State, Pune and Government in Urban Development Department for record. In any case the commissioner shall not delegate his power to do so, to any officer sub-ordinate to him.
4. Where Public Parking Lots (PPL) has been proposed or developed on Partial land or on some floors of Residential/Commercial buildings and on such lands, under the provisions of regulations, Where the proposed reservation/designation of Public Parking Lot (PPL) is shown in Development plan, then all such reservation/designation shall deemed to be deleted and land under such reservation/designation shall be included in the adjoining pre-dominant land use.
5. Where the public parking lots (PPL) have been handed over to Municipal Corporation after development by getting the approval of Corporation then such sites be shown as existing Public Parking Lot (PPL).

P. S. D. N.

6. The reservations for Petrol pump are proposed to be sanctioned as proposed under section 30 of MR & TP Act 1966.
7. Alignment of nalla shall be considered as continuous even if it is shown as broken in some part due to covered portion if such broken alignment come into notice or brought to the notice of the commissioner, he shall issue a written, well-reasoned, speaking order modifying Development Plan to that effect and copy of such order along with certified part plan in original shall be forwarded to the Director of Town Planning, Maharashtra State, Pune and Government in Urban Development Department for record. In any case the commissioner shall not delegate his power to do so, to any officer sub-ordinate to him.
8. The designation shown for petrol pump on Development Plan shall be considered only up to the minimum area and access as otherwise required under these regulations for the user of petrol pump. Excess area of such designation shall be considered as deleted from such designation. If it is brought to the notice of Commissioner then he shall issue a written, well-reasoned, speaking order modifying Development Plan to that effect and copy of such order along with certified part plan in original shall be forwarded to the Director of Town Planning, Maharashtra State, Pune and Government in Urban Development Department for record. In any case the commissioner shall not delegate his power to do so, to any officer sub-ordinate to him.
9. 30 m buffer line is shown on Development Plan along last track of railway line. If any deviation is found regarding this 30 m distance, then the commissioner shall correct such line and shall issue a written, well-reasoned, speaking order modifying Development Plan to that effect and copy of such order along with certified part plan in original shall be forwarded to the Director of Town Planning, Maharashtra State, Pune and Government in Urban Development Department for record. In any case the commissioner shall not delegate his power to do so, to any officer sub-ordinate to him.

  
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10. At the time of Implementation, if the alignment of coastal road varies from the alignment shown on D.P. due to site situation, then such variations shall be permitted and the alignment on DP shall be treated as stand modified to that effect. The area released due to such deviation shall be considered as included in adjoining zone.
11. The appropriate authority for all the reservation for "Government Office" shall be changed to "PWD/GAD".
12. Where the I to R/C proposal is sanctioned by Corporation but still the land under such proposal is shown in industrial zone, then notwithstanding to that, separate permission for I to R/C shall not be required and no any procedure to that effect is necessary.
13. In case of sanctioned I to R/C proposals once the amenity space is handed over and final Occupancy Certificate is granted, the zone of such lands shall be treated as the zone for which it is converted even if they are shown as Industrial on D.P.
14. In case of sanctioned Accommodation Reservation proposals, if the share of MCGM along with the construction if any thereon is handed over and final Occupation Certificate is granted to it, then the share of land retained with the owner shall be declared as free from reservation by the commissioner and he shall issue a written, well-reasoned, speaking order modifying Development Plan to that effect and copy of such order along with certified part plan in original shall be forwarded to the Director of Town Planning, Maharashtra State, Pune and Government in Urban Development Department for record. In any case the commissioner shall not delegate his power to do so, to any officer sub-ordinate to him.
15. If the land shown as a Natural Area(N.A.), does not fulfills the criteria set for it, then the commissioner, with the prior approval from the Government, under his special permission shall pass a well reasoned order to consider that land is in No Development Zone/Special Development Zone (NDZ/SDZ). In any case the commissioner shall not delegate his power to do so, to any officer sub-ordinate to him.

P. S. D.

16. If any reservation in the earlier sanctioned Development Plan is lapsed in pursuance of notice under section 49 or 127 of the MRTTP Act, 1966 or as directed by the Hon. High court/Supreme Court in respect of such notice, then the corresponding reservation shall stand lapsed in the Revised Development Plan to the extent of area covered in the said notice.

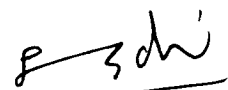
17. The proposal of the 1991 D.P. on the government lands, which are granted by the government to any institute or persons excepting textile mill, during the period from the date of sanction of the concerned part of the 1991 D.P. and the date of publication of draft D.P. 2034 under section 26(i.e. 27.05.2016) which are valid, shall prevail, irrespective of any proposal in the 2034 D.P. subject to the stipulations of the order of the said grant of land/ consent term if any/ court order if any, in this regard.

Provided that the above provision shall also be applicable to the land allotted by the MCGM/ MMRDA and to the lands for which the land use decided by competent court and to the lands for which the consent terms submitted by government in the competent court. Provided further that, such proposals shall be submitted by the allottee to the commissioner within a period of three months from the date on which the D.P. come into force and the commissioner shall take decision on it within next six months.

18. Reservation for which the appropriate authority is shown a private person/private institute shall be considered to be lapsed. The development permission on such land shall be permitted as otherwise permissible on the adjoining land and as per the DCR 2034.

19. In case of any variation proposal to the final TPS is sanctioned by the government, the proposals of the final D.P. stands modified to that effect.

20. If the SRS is sanctioned considering proposals of 1991 Development plan and also by rearranging the reservations and road proposals of 1991 D.P. and such sanction is still valid and if new reservations are proposed in 2034 D.P. on such land then new reservations of 2034 D.P. shall be deemed to be deleted. In such cases, the rearranged proposal as per sanctioned SRS if any shall prevail over 2034 DP.

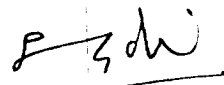




21. Where layouts are approved and IOD granted prior to 27.05.2016(i.e. date of publication of D.P. under section 26 of MRTP) which are valid then the proposals of 1991 D.P., on such land shall prevail over proposal under 2034 D.P.
22. Draftsman's error - Draftsman's errors which are required to be corrected as per actual situation on site and / or correction in existing boundaries of the establishments is required to be corrected as per city survey record or revenue record or as per acquisition and possession of lands or as per valid sanctioned layout etc. may be corrected by the Municipal Commissioner. In respect of High Tension Line, the alignment shown on DP is to be corrected or deleted wherever required by the Municipal Commissioner in consultation with the concerned department. However, due to shifting or deletion of such High Tension Line, the land use zone of lands (before shifting) under H.T. Line shall be the zone of adjoining land.

The Municipal Commissioner, after due verification and satisfying himself regarding such error, shall issue a written, well-reasoned, speaking order modifying Development Plan to that effect and copy of such order in original shall be forwarded to the Government in Urban Development Department and Director of Town Planning, Maharashtra State, Pune for record. In any case the commissioner shall not delegate his power to do so, to any officer sub-ordinate to him.

23. The areas of reserved sites as mentioned in Development Plan are approximate and tentative. The exact areas as measured on site as per the boundaries shown on the Development Plan shall be considered as the area of reserved site.
24. The private or rental premises shown as designated in Public-Semipublic zone/use will continue to be in public-semipublic zone/use as long as Public-Semipublic user exists. If such user is shifted or closed then the Authority shall allow development permission on such land considering adjoining predominant land use zone, after due verification Commissioner may pass a suitable specific order to correct it and shall issue a written, well-reasoned, speaking order modifying Development Plan to that effect and copy of such order along with certified part plan in original shall be forwarded to the Director of Town Planning, Maharashtra State, Pune and Government in Urban Development



Department for record. In any case the commissioner shall not delegate his power to do so, to any officer sub-ordinate to him.

25. On lands acquired for public purpose from the earlier Sanctioned Development Plan where reservation is continued in this revised Development Plan for the another public purpose, in such cases such lands shall be available as per revised Development Plan reservation for public purpose.
  26. Existing Features Shown On Development Plan - The existing features shown on Development Plan are indicative and stand modified on Development Plan as per actual position. Merely mention of particular existing use on Development Plan, shall not bar the owner from development permission in that zone. Also, the boundaries of s. no., alignment of existing road / nala and other physical features of land shall be as per measurement plan of Land Records Department.
  27. Wherever the boundaries of Gaothan/Koliwada/Adivasi Pada are not shown on the Development Plan will be considered as and when the same is finalized by the Revenue Department.
  28. Every order passed by the commissioner, involving changes in D.P. proposals shall be send along with part plan to the Director of Town Planning, Maharashtra State, Pune and Government of Maharashtra in Urban Development Department for record purpose.
- B)** Accords sanctioned to the Draft Development control and promotion regulations -2034 for Greater Mumbai excluding the part portion specified in Schedule-B and more specifically given in the booklet available on the Government website.
- C)** Extends the period prescribed under section 31(1) of the Said Act, for sanctioning the Said Development Plan up to and inclusive of the date of this notification.
- D)** Fixes the date, one month after publication of this Notification in the Official Gazette to be the date on which the said sanctioned Development Plan of Greater Mumbai-2034 shall come into force.

The aforesaid part Final Development Plan of Greater Mumbai Sanctioned by the State Government vide this Notification shall be kept open for inspection by the general public during office hours on all working days for a period of one month from the date of coming into force of this Notification, at the office of the—



*E. S. D. N.*

(1) Chief Engineer (Development Plan), Municipal Corporation of Greater Mumbai, Mahapalika Marg, Mumbai 400 001.

(2) Deputy Director of Town Planning, Greater Mumbai, 'E' Block, ENSA Hutment, Azad Maidan, Mahapalika Marg, Mumbai 400 001.

This Notification shall also be available on the Govt. of Maharashtra website : [www.maharashtra.gov.in](http://www.maharashtra.gov.in) (कायदे व नियम)

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



**( Pradeep Gohil )**

**Under Secretary to Government.**