

प्रडा/विनि/१४

२०१३-१४

महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६ चे
कलम ३७(१अेअे)(सी) अन्वये अधिसूचना.
बृहन्मुंबई विकास नियंत्रण नियमावली १९९१ विनियम
३३(७) मध्ये फेरबदल.

महाराष्ट्र शासन
नगर विकास विभाग

क्रमांक :- टिपीबी ४३१२ / प्र.क्र. ०५ / २०१२ / नवि-११
मंत्रालय, मुंबई : ४०० ०२१,
दिनांक - १४ ऑगस्ट, २०१३.

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

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.



(संजय बाणाईत)

अवर सचिव, महाराष्ट्र शासन

CHE/ 15544 /DP/GEN OF 26/08/2013

COPY TO

D.M.C. (Vig.) / Dir. (ES&P) / DMC to M.C.

C.H.E.D.P.

DY.C.H.E.D.P.(I)/II

DY.C.H.E.B.P.(CITY)/ES/WS - I/II

E.E.(P)TO DIR (ES&P)/E.E.(P) TO C.H.E.D.P. / ^{E.E.} ~~O.S.D.~~ to M.C.

E.E.D.P. (CITY)/E.E.D.P.(WS) (P&R) (H&K) /E.E.D.P.(ES)

E.E.B.P.(CITY)(I)(II)(III)/E.E.B.P. (E.S.) I / II

E.E.B.P. (W.S.) (H&K/E)(K/W&P)(R)/E.E.T.P.(VARIATION)

A.E.D.P. (City) (I)(II)(III)

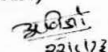
A.E.D.P.(L&N) (S&T)/A.E.D.P.(M)/A.E.D.P.(H/E&K/E)(H/W&K/W)

A.E.D.P. (P/S) (P/N)/A.E.D.P. (R/N)(R/S)(R/CENTRAL)

S.E.D.P.

Copy forwarded for information and necessary action please.


ADMINISTRATIVE OFFICER
(DEVELOPMENT PLAN)


22/08/13

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

- **Sanction to the Modification to Regulation No.33(7) of Development Control Regulation, 1991 for Greater Mumbai.**

**GOVERNMENT OF MAHARASHTRA
Urban Development Department,
Mantralaya, Mumbai 400 032.**

Dated 14th August 2013.

NOTIFICATION

No. TPB 4312/CR-5/2012/UD-11.

Whereas, Development Control Regulations for Greater Mumbai, 1991 (hereinafter referred to as "the said Regulations") have been sanctioned by the Government under section 31(1) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act"), vide Urban Development Department's Notification No. DCR/1090/UD-11 (RDP) dated 20/2/1991, so as to come into force with effect from 25th March 1991.

And whereas, Regulation No. 33(7) of the said regulations deals with reconstruction or redevelopment of cessed buildings in the Island City by cooperative housing societies or of old buildings belonging to the Municipal Corporation of Greater Mumbai (hereinafter referred to as the "said Corporation") or of old buildings belonging to the Police Department.

And whereas, the Government in the Urban Development Department vide Notification No.TPB 4308/3224/CR-268/08/A/UD-11 dt. 21st May 2011 has modified the provisions regarding the FSI admissible in case of redevelopment of "A" category cessed buildings.

And whereas, the Govt. being of the opinion that in larger public interest the provisions in respect of "A" category cessed buildings need to be made applicable to "B" and "C" category cessed buildings also, had, in exercise of the powers conferred under sub-section (1AA) of section 37, issued the notice No.TPB-4310/2583/CR-206/10/UD-11, dated 28th July 2011 for inviting suggestions/objections from general public with regard to the modification proposed in the Schedule appended to the said Notice (hereinafter referred to as "the proposed modification") and appointed Deputy Director of Town Planning, Brihanmumbai as the officer (hereinafter referred to as "the said officer") to submit a report on the suggestions/objections received in respect of the proposed modification to

the Govt. after giving hearing to the concerned persons and the said Corporation.

And whereas, the said notice was published in the Maharashtra Government Gazette (Konkan Division Supplementary) dt. 25- 31 August 2011 and the said officer has submitted his report after completing legal procedure through the Director of Town Planning, Maharashtra State vide letter No.496 dtd. 21.3.2012;

And whereas, considering the report of the said officer, suggestions/objections received from the general public and the say of the said Corporation and after consulting the Director of Town Planning, Maharashtra State, the Government is of the opinion that the said proposed modification is required to be sanctioned, with some changes;

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 modification to Regulation 33(7) of the said Regulations with certain changes as described more specifically in the Schedule appended hereto.
- B) Fixes the date of publication of this Notification in the Government Gazette as the date of coming into force of this Notification.
- C) Directs the said Corporation that, in the Schedule of Modifications sanctioning the said Regulations, after the last entry, the Schedule referred to at (A) above shall be added.

By order and in the name of Governor of Maharashtra,


(Sanjay Banait)

Under Secretary to Government.

SCHEDULE

(Accompaniment to Notification No. TPB 4312/CR-5/2012/UD-11
dated 14th August 2013.)

Existing Provision	Sanctioned Modification
<p>33(7) Reconstruction or redevelopment of cessed buildings in the Island City by Co-operative Housing Societies or of old buildings belonging to the Corporation or of old buildings belonging to the Police Department:</p> <p>For reconstruction/ redevelopment to be under taken by Cooperative Housing Societies of existing tenants or by Co-op. Housing Societies of landlords and/or occupiers of a cessed buildings of 'A' category in Island City which attracts the provisions of MHADA Act, 1976 and for reconstruction/ redevelopment of the buildings of Corporation and Department of Police, Police Housing Corporation, Jail and Home Guard of Government of Maharashtra, constructed prior to 1940, the Floor Space Index shall be 2.5 on the gross plot area or the FSI required for rehabilitation of existing tenants plus incentive FSI as specified in Appendix-III whichever is more.</p>	<p>33(7) Reconstruction or redevelopment of cessed buildings in the Island City by Co-operative Housing Societies or of old buildings belonging to the Corporation or of old buildings belonging to the Police Department:</p> <p>For reconstruction/ redevelopment to be undertaken by Cooperative Housing Societies of existing tenants or by Co-op. Housing Societies of landlords and/or occupiers of cessed buildings existing prior to 30/9/1969 in Island City, which attract the provisions of MHADA Act, 1976, and for reconstruction/ redevelopment of the buildings of Corporation, the Floor Space Index shall be 3.00 on the gross plot area or the FSI required for rehabilitation of existing tenants plus incentive FSI as specified in Appendix-III whichever is more.</p> <p>For reconstruction / redevelopment of buildings belonging to Police Department, Police Housing Corporation, Jail and Home Guard of Government of Maharashtra, constructed prior to 1940, the Floor Space Index shall be 2.5 on the gross plot area or the FSI required for rehabilitation of existing tenants plus incentive FSI as specified in Appendix-III whichever is more.</p>
<p>Provided further that in cases of composite redevelopment scheme for plot having 'A' Category as also 'B' category cessed building the above FSI shall be available.</p>	<p>Deleted.</p>

Provided further, that reconstruction/ redevelopment undertaken by proposed Cooperative Housing Societies of Landlords and / or Occupiers of cessed building of 'B' category, and where composite development is undertaken by different owners of 5 or more plots the FSI required for Rehabilitation of existing tenants plus incentive FSI as specified in Appendix III will be available.

Provided further, that reconstruction/ redevelopment undertaken by proposed Cooperative Housing Societies of Landlords and / or Occupiers of cessed building **existing prior to 30/9/1969**, and where composite development is undertaken by different owners of 5 or more plots, the FSI required for Rehabilitation of existing tenants plus incentive FSI as specified in Appendix III will be available.

Appendix III

5) The FSI for rehabilitation of existing tenants/occupiers in a reconstructed building and incentive FSI that will be available shall be as under:-

(a) In case of redevelopment of 'A' Category cessed building undertaken by landlord and/or Co-operative Housing Societies of landlord and/or occupiers, the total FSI shall be 3.0 of the gross plot area or the FSI required for rehabilitation of existing occupiers plus 50% incentive FSI, whichever is more.

(b) In case of redevelopment scheme of 'B' category cessed building undertaken by landlord and/or Cooperative Housing Societies of landlord and /or occupiers, the total FSI shall be the FSI required for rehabilitation of existing occupiers plus 50% incentive FSI.

(c) In cases of composite redevelopment of 'A', 'B' and 'C' category cessed buildings declared as dangerous by the Board before Mansoon of 1997, FSI available for redevelopment undertaken by the landlord and/or Cooperative Societies of landlord and/or

Appendix III

5) The FSI for rehabilitation of existing tenants/occupiers in a reconstructed building and incentive FSI that will be available shall be as under:-

(a) In case of redevelopment of cessed building **existing prior to 30/9/1969** undertaken by landlord and/or Co-operative Housing Societies of landlord and/or occupiers, the total FSI shall be 3.00 on the gross plot area or the FSI required for rehabilitation of existing occupiers plus 50% incentive FSI, whichever is more.

(b) Deleted.

(d) Deleted.

occupiers will be as available for 'A' category cessed buildings vide sub-clause (a) above.

(d) In case of composite redevelopment undertaken by the different landlords and/or Co-op. Housing Societies of landlords and/or occupiers jointly of 2 or more plots but not more than 5 plots with 'A', 'B' and 'C' category cessed buildings the FSI permissible will be 3.0 or FSI required for rehabilitation to existing occupiers plus 60% incentive FSI, whichever is more;

Provided, however, that if the number of plots jointly undertaken for redevelopment is six or more the incentive FSI available will be 3.00 or FSI required of rehabilitation for occupiers plus 70% incentive FSI whichever is more.

(d) In case of composite redevelopment undertaken by the different landlords and/or Co-op. Housing Societies of landlords and/or occupiers jointly of 2 or more plots but not more than 5 plots with cessed buildings **existing prior to 30/9/1969**, the FSI permissible will be 3.00 or FSI required for rehabilitation to existing occupiers plus 60% incentive FSI, whichever is more;

Provided, however, that if the number of plots jointly undertaken for redevelopment is six or more, the incentive FSI available will be 3.00 or FSI required of rehabilitation for occupiers plus 70% incentive FSI whichever is more.

By order and in the name of Governor of Maharashtra,



(Sanjay Banait)

Under Secretary to Government.