

महाराष्ट्र शासन

CHE/DP/10

2014-15

क्र.झोपधो-१००१/प्र.क्र.२५३/झोपसु-१
गृहनिर्माण विभाग,
मादाम कामा मार्ग, हुतात्मा राजगुरु चौक
मंत्रालय, मुंबई-३२.
दिनांक:- १३ मार्च, २०१४

८१४८०

प्रति,

आयुक्त,

बृहन्मुंबई महानगरपालिका,

महापालिका मार्ग,

फोर्ट, मुंबई-४००००१

विषय:- महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६ कलम ३७(१अओ)(सी)
अन्वये बृहन्मुंबई विकास नियंत्रण नियमावली १९९१ मधील विनियम
३३(१०) मधील फेरबदलाच्या मंजूरीची अधिसूचना.

महोदय,

विषयाधिन प्रकरणाच्या अनुषंगाने नगर विकास विभागाने दिनांक ३ मार्च, २०१४ रोजी
निर्गमित केलेल्या अधिसूचनेच्या २५ सोबत जोडल्या आहेत. सदरहू अधिसूचनेच्या प्रती आपल्या
अधिपत्याखाली संबंधित सहायक आयुक्त व सक्षम प्राधिकारी यांना आपल्या स्तरावरून उचित
कार्यवाहीस्तव पाठविण्यात याव्यात, अशी विनंती आहे.

आपला,



(सं. शि. पाटील)

कक्ष अधिकारी, महाराष्ट्र शासन

MGR/8165
18-3-14

प्रत :- १) निवडनस्ती (झोपसु-१)

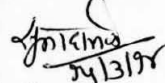
प्र. डा. वि. वि.

महोदय,

उपरोक्त बाबत

उचित कार्यवाही करून घ्यावा अहवाल

सादर करावा



कक्ष-प्रमुख कर्मचारी अधिकारी व
आयुक्तांचे स्वीय धिटणीस

- १२२ -

सोबत: वरीलप्रमाणे

बृहन्मुंबई महानगरपालिका
आयुक्तांचे कार्यालय
15 MAR 2014
समय: १२ १२ २६ ४४
१५ १६ २६ १८
कक्ष: MGR

बृहन्मुंबई महानगर पालिका			
प्रमुख अभियंता (विकास नियोजन)			
यांचे कार्यालय			
११	१९	१९	१९
१२	१९	१९	१९
१	१९	१९	१९
२	१९	१९	१९
19 MAR 2014			
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क्र.प्र.अ./वि.नि.			
सा.प्र.अ.	शहर	पूर्व. सुभ	प. सुभ
सा.अधि	टि.अधि	लेखा	आस्था

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Pr. H.C (DP) I

for Mr.

प्रमुख अभियंता
(विकास नियोजन)

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वृहन्मुंबई महानगर पालिका	
प्रमुख अभियंता (विकास नियोजन)	
19 MAR 2014	
११	१९
१२	१९
१	१९
२	१९

No. CHE/ 38413 /DP/Gen. dtd. 09/07/2014

Ch.E.(D.P.)

Dy.Ch.E.(D.P.)-I / II/Dy.Ch.E.(B.P.)(City)/E.S./W.S.-I/W.S.-II

E.E.(D.P.)City/E.E.D.P.(E.S.)/E.E.(D.P.)W.S.H&K/P&R/E.E.P.to Ch.E.(D.P.)

E.E.(B.P.)City I/II/III/E.E.B.P.(E.S.) I/II/ E.E.B.P.(W.S.) H&K (P&R_

A.E.(D.P.) / S.E. (D.P.)

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Administrative Officer
(Development Plan)

09/07/14
HCCOP/Com

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महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६
कलम ३७(१अं)(सी) अन्वये बृहन्मुंबई विकास
नियंत्रण नियमावली १९९१ मधील विनियम ३३(१०)
मधील फेरबदलाच्या मंजूरीची अधिसूचना.

CHE/DP/10
2014-15

महाराष्ट्र शासन
नगर विकास विभाग
क्रमांक :- डीसीआर-१०९५/प्र.क्र.३८/२०१२/नवि-११
मंत्रालय, मुंबई : ४०० ०२१,
दिनांक - ३ मार्च, २०१४.

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

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.

Dr. J. S. Kulkarni, Secretary


(राजन अ. कोप)

सह सचिव, महाराष्ट्र शासन

प्रति,

- JRP: 2966 (१)
- Section 37(1A)(C) (२)
- Local Self Government
: DER-33(10) (४)

मा. मुख्यमंत्री यांचे प्रधान सचिव.

मा. राज्यमंत्री (नगर विकास) यांचे स्वीय सहाय्यक.

प्रधान सचिव, गृहनिर्माण विभाग, मंत्रालय, मुंबई.

महानगर आयुक्त, मुंबई महानगर प्रदेश विकास प्राधिकरण, बांद्रा-कुर्ला संकुल,
वांद्रे (पूर्व), मुंबई-५१.

(५) महानगरपालिका आयुक्त, बृहन्मुंबई महानगरपालिका, मुंबई

(६) मुख्य कार्यकारी अधिकारी, म्हाडा, गृहनिर्माण भवन, वांद्रे (पूर्व), मुंबई-४०००५१.

(७) मुख्य अधिकारी, मुंबई इमारत दुरुस्ती व पुनर्रचना मंडळ, गृहनिर्माण भवन, वांद्रे
(पूर्व), मुंबई-४०००५१.

(८) मुख्य अधिकारी, झोपडपट्टी पुनर्वसन प्राधिकरण, प्रशासकीय इमारत, अनंत
काणेकर मार्ग, वांद्रे (पूर्व), मुंबई-४०००५१.

(९) संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे

जिल्हाधिकारी, मुंबई शहर, जिल्हाधिकारी कार्यालय, जुने जकात गृह, मुंबई.


जिल्हाधिकारी, मुंबई उपनगर, जिल्हाधिकारी कार्यालय, कलानगर, वांद्रे
(पूर्व), मुंबई-५१.

उपसंचालक, नगर रचना, बृहन्मुंबई, इन्सा हटमेंट, महापालिका मार्ग, मुंबई-
४००००१.

The copies of the 'U.S.A.
Notification regarding
DER-33(10) should be
forwarded to CEO SRA Greater
Mumbai & to all Appellate
Authorities & Department
Authorities of Greater Mumbai.

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रा. स. सा. १३/३/१४

(१३) व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, चर्नीरोड, मुंबई.

(त्यांना विनंती करण्यात येते की, सोबतची शासकीय अधिसूचना महाराष्ट्र शासनाचे असाधारण राजपत्रात भाग-१ मध्ये प्रसिध्द करून त्याच्या ३५ प्रती नगर विकास विभाग (नवि-११), मंत्रालय, मुंबई व प्रत्येकी ५ प्रती गृहनिर्माण विभाग, मंत्रालय, मुंबई; मुंबई महानगर प्रदेश विकास प्राधिकरण, वांद्रे, मुंबई; संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे व उपसंचालक, नगर रचना, बृहन्मुंबई यांना पाठविण्यात याव्यात.)

(१४) कक्ष अधिकारी, कार्यासन नवि-२९, यांना विनंती करण्यात येते की, सोबतची अधिसूचना विभागाच्या वेबसाईटवर प्रसिध्द करावी.

(१५) निवड नस्ती (नवि-११)

Maharashtra Regional & Town Planning
Act, 1966.

- Notification under section 37 (1AA) (c) of the said Act.
- Sanctioned modification to Regulation 33(10) of DCR for Gr. Mumbai.

GOVERNMENT OF MAHARASHTRA
Urban Development Department,
Mantralaya, Mumbai 400 032.
Dated :- 3rd March, 2014.

NOTIFICATION

No. DCR-1095/CR-38/2012/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 Government of Maharashtra, vide Notification of Housing and Special Assistance Department No. SRP 1095/CR-37/ Housing Cell, dated 16th December, 1995, had appointed the "Slum Rehabilitation Authority" (hereinafter referred to as "the said Authority") under the Maharashtra Slum Areas (Improvement, Clearance & Redevelopment) Act, 1971, for the purpose of slum rehabilitation in Brihan Mumbai;

And whereas, according to the provisions of the clause (19) of section 2 of the said Act, the said Authority is the Planning Authority in respect of slum rehabilitation areas for the purpose of implementation of Slum Rehabilitation Scheme in Brihan Mumbai;

And whereas, the Government of Maharashtra in the Urban Development Department vide Notification No. DCR 1095/1209/CR-273/95/UD-11, Dated the 15th October 1997 which is published in the Maharashtra Government Gazette, dated the 15th October 1997 at page 104 to 133-A, has sanctioned the modification to Regulations 33 (10) and 33(14) of the said Regulations for effective implementation of Slum Rehabilitation Scheme, which have come into force with effect from the 15th October 1997;

And whereas, the Government of Maharashtra in the Urban Development Department, vide Notification No. DCR 1095/1209/CR-273/95/UD-11, dated the 30/11/2002, has further modified Regulation 33(10) under section 37(2) of the said Act, (hereinafter referred to as "the said modified regulation");

And whereas, the State Government in the Housing Department intends to rehabilitate the slum dwellers who have been residing continuously for at least one

year in protected structures as per the provisions of the Maharashtra Slum Area (Improvement, Clearance and Redevelopment) Act, 1971 and orders issued thereunder.

And whereas, the Government, in exercise of the powers conferred under sub-section (1AA) of Section 37, had issued Notice No.DCR-1095/1209/CR-151/2011/UD-11 dated 31st December 2011 for inviting suggestions/objections from the general public with regard to the modification (hereinafter referred to as the proposed modification) proposed 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 modification to the Govt. after giving hearing to the concerned persons and the said Authority.

And whereas, the said Notice No.DCR-1095/1209/CR-151/2011/UD-11 dated 31st December 2011 was published in the Maharashtra Government Gazette (Extra-Ordinary Gazette) dated 31st December 2011 (hereinafter referred to as "the Official Gazette") and the said Officer has submitted his Report vide letter dt. 31.3.2012, 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 modification 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 modification.
- C) Directs the Municipal Corporation of Greater Mumbai and the Slum Rehabilitation Authority that in the Schedule of Modifications sanctioning the said Regulations, after the last entry, the Schedule appended hereto shall be added.

SCHEDULE


SANCTIONED MODIFICATION

Sr. No.	Regulation No.	Existing Provision	Sanctioned Provision
(1)	(2)	(3)	(4)
1	33(10) I(a)	I. Eligibility for redevelopment scheme; (a) For redevelopment of slums including pavements, whose inhabitants' names and structures appear in the electoral roll prepared with reference of 1 st January, 1995 or a date prior	I) Eligibility for redevelopment Scheme :- For this purpose, a person eligible for redevelopment scheme shall mean a protected occupier as defined in Chapter I-B of

		thereto, but where the inhabitants stay at present in the structure, the provisions of Appendix IV shall apply on the basis of a tenement in exchange for an independently numbered structure.	Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 and orders issued thereunder.
	<u>33(10)</u> <u>II(vi)</u>	(vi) A structure shall mean all the dwelling areas of all persons who were enumerated as living in that one numbered house in the electoral roll of the latest date, upto 1 st January, 1995 and regardless of the number of persons, or location of rooms or access.	(vi) A structure shall mean all the dwelling area of a protected occupier as defined in Chapter I-B of Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 and orders issued thereunder.
	<u>33(10)</u> Appendix- IV Clause No.1.5	1.5 A certified extract of the relevant electoral roll shall be considered adequate evidence to establish the eligibility of a person provided he is found residing in the structure. This is to avoid the possibility of persons who have left the structure coming back to claim free tenement under the scheme even though they have in the normal course left the slum and gone away into a proper non-slum area or out of Brihan Mumbai. If hutment dwellers are found resident in the structure, but the names are on the electoral roll on or prior to 1 st January, 1995 at another slum/pavement site in Brihan Mumbai, they shall be considered eligible but only at the place of present residence. In case of doubt or dispute, the decision of the Competent Authority to be appointed by the Government in Housing and Special Assistance Department shall be final and binding on all the parties concerned.	1.5 The eligibility of a person including a transferee, under a scheme of Slum redevelopment shall be established in accordance with Chapter I-B of Maharashtra Slum Areas (Improvement, Clearance and Redevelopment) Act, 1971 and orders issued thereunder.
	<u>33(10)</u> Appendix- IV Clause No.1.9	1.9 Transfer of Photopasses- Since only the actual occupant at present will be eligible for redevelopment, there shall be no	Deleted.

		need to regularize the transfers of photopasses that have occurred so far. A photopass will be given after the new tenement has been occupied	
	<u>33(10)</u> Appendix- IV Clause No.1.10	1.10. Any persons whose name is enrolled in the non-slum area in Brihan Mumbai but has purchased a hutment and therefore got his name also included in electoral roll for the slum area, i.e. he has his name in the electoral roll at two places, he shall not be held eligible for the scheme.	Deleted.

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


 (Sanjay Banait)
 Under Secretary to Government