

CHE/DP/8

2015-2016

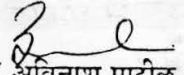
महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६  
बृहन्मुंबई विकास नियंत्रण नियमावली, १९९१ मधील  
विनियम ३५(४) मधील फेरवदलाची कलम ३७(१अंअं) (सी)  
खालील अधिसूचना.

महाराष्ट्र शासन  
नगर विकास विभाग

क्रमांक :- टिपीबी ४३१४/८७८/प्र.क्र. १२८/२०१४/नवि-११  
मंत्रालय, मुंबई : ४०० ०२१,  
दिनांक - १४ मे, २०१५

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

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.

  
( अविनाश पाटील )

सह सचिव, महाराष्ट्र शासन.

प्रत,

मा. मुख्यमंत्री महोदयांचे सचिव.

मा. राज्यमंत्री, नगर विकास विभाग यांचे खाजगी सचिव.

प्रति,

- (१) प्रधान सचिव, गृहनिर्माण विभाग, मंत्रालय, मुंबई-३२.
- (२) आयुक्त, बृहन्मुंबई महानगरपालिका.
- (३) मुख्य कार्यकारी अधिकारी, म्हाडा.
- (४) संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे
- (५) सह सचिव, तथा संचालक, नगर रचना, नगर विकास विभाग, मंत्रालय, मुंबई.
- (६) उप संचालक, नगर रचना, बृहन्मुंबई.
- (७) व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, चर्नीरोड, मुंबई.  
( त्यांना विनंती करण्यात येते की, सोबतची शासकीय अधिसूचना महाराष्ट्र शासनाचे  
असाधारण राजपत्रात भाग-१ मध्ये प्रसिध्द करून त्याच्या १० प्रती नगर विकास विभाग  
(नवि-११), मंत्रालय, मुंबई : ४०० ०३२ व उपसंचालक, नगर रचना, बृहन्मुंबई यांना  
पाठविण्यात याव्यात.)
- (८) कक्ष अधिकारी, कार्यासन नवि-२९, ( त्यांना विनंती करण्यात येते की, सोबतची  
अधिसूचना विभागाच्या वेबसाईटवर प्रसिध्द करण्याबाबत आवश्यक ती कार्यवाही  
करावी. )
- (९) निवड नस्ती (नवि-११)

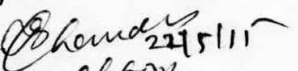
AODD

Circular received from Hon. MLA Shri. Kalidas Kolamkar  
Pl. circulate to all concerned as this order is not  
still officially received in Dist Deptt

HCC(SA) Gen.

Pl. circulate.

27/05/2015  
AD SA-E.

  
22/5/15  
CHC/DP/16

बहुमुंबई महानगर पालिका  
 प्रमुख अभियंता (विकास नियोजन)  
 यांचे कार्यालय

15444

22 MAY 2015

015444

क्र.प्र.अ/वि.नि.	वार्ड	पूर्व. उप	प. उप
साधारण	शहर	जे.आर	आर.आर
मा. अधि.	टिडीआर	जे.आर	आर.आर

1/2000

27/5/15

श्रीम शिंतल

कृपया निर्दिष्टित

NO. CHE/DP/ 15444 /GEN DT. 30/5/2015

CHE /DP/ 8 /GEN  
 2015 - 2016

DY.CHE (DP)-I/II/ DY.CHE(BP)CITY/ ES/ WS-I/WS-II/SPECIAL CELL/

DY.CH.PLANNER(DP) /DY.CHE(PPPP) /EE(DP)CITY/ EE(DP)ES /

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 (2)  
 (development Plan)

30/5/15

Maharashtra Regional & Town Planning  
Act, 1966.

Sanctioned Modification to Regulation 35(4)  
of DCR for Gr. Mumbai, 1991 under section  
37(1AA) (c).

GOVERNMENT OF MAHARASHTRA  
Urban Development Department,  
Mantralaya, Mumabi 400 032.  
Dated :- 14<sup>th</sup> May, 2015

NOTIFICATION

No. TPB 4314/878 /CR-128/2014/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 20<sup>th</sup> February, 1991 so as to come into force with effect from the 25<sup>th</sup> March, 1991;

And whereas, the Govt. in the Urban Development Department, vide Notification No. TPB 4307/1827/CR-212/07/UD-11 Dated 17<sup>th</sup> September 2010 has incorporated a new Regulation 33(18) in the said Regulations for development of land earmarked for the Maharashtra Housing And Area Development Authority (hereinafter referred to as "MHADA")/Mill Workers Housing, under Regulation 58.

And whereas, the Govt. in the Urban Development Department, vide Notification No. CMS 4311/452/CR-58/2011/UD-11 Dated 6<sup>th</sup> January 2012 has incorporated another new Regulation 35(4) in the said Regulations for Compensatory Floor Space Index. As per the provisions of Regulation 35(4), the Compensatory Floor Space Index is admissible without payment of premium with specified conditions for redevelopment under Regulation 33(5), 33(7), 33(9), 33(10). There is no specific provision in Regulation 35(4) to permit Compensatory Floor Space Index without charging premium for development under Regulation 33(18).

And whereas, the Chief Officer, Mumbai Housing and Area Development Board, vide letter no. CO/MB/1730/14 dt. 9.4.2014 and the Vice President and Chief Executive Officer, MHADA vide letter no. EE/City Divn/MB/2104/14 dt. 22.5.2014 have informed the State Government that, if Compensatory Floor Space Index is not made admissible without charging premium for projects under Regulation 33(18), it will lead to increase in the cost of tenements for Mill workers.

And whereas, the Govt., in view of the aforesaid request, is satisfied that in the public interest it is desirable to permit Compensatory Floor Space Index without charging premium for development projects under Regulation 33(18) and accordingly it is necessary to urgently carry out suitable modification to the existing Regulation 35(4);

And whereas, the Govt., in exercise of the powers conferred under sub-section (1AA) of Section 37, issued a Notice of even no. dated 22<sup>nd</sup> August, 2014 for inviting suggestions/objections from the 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 whereas, the said notice was published in the Maharashtra Government Gazette (Extra Ordinary Part-1, Konkan Division Supplementary ) (hereinafter referred to as " the Official Gazette") dt. 22<sup>nd</sup> August, 2014 and the said Officer has submitted his report after completing all legal procedure vide letter No.163 dt. 27/02/2015;

And whereas, after considering the report of the said Officer, the suggestions /objections received from the general public 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 as published by the Government;

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 35(4) of the said Regulations as published by the Government and 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 said Corporation to add the proviso after 4<sup>th</sup> para in Regulation 35(4), as per the Schedule referred to at (A) above.

By order and in the name of Governor of Maharashtra,



(Sanjay Banait)  
Under Secretary to Government.


SCHEDULE

(Accompaniment to Notification No. TPB 4314 / 878 / CR-128 / 2014 / UD-11,

Dated :- 14<sup>th</sup> May, 2015.)

The following proviso is added after 4<sup>th</sup> para in Regulation 35(4)

"Provided also that in case of development under regulation 33(18), the fungible compensatory F.S.I. shall be admissible without charging premium."



(Sanjay Banait)

Under Secretary to Government.