<u>विकास नियंत्रण नियमावली –ठाणे</u>
विशेष नगर वसाहतीच्या नियमावलीमध्ये बदल करणेबाबत.....
महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम ,१९६६ चे कलम ३७ (१ कक) (ग) ची अधिसुचना.

<u>महाराष्ट्र शासन</u>
नगर विकास विभाग
शासन निर्णय क्रंमाक-टिपीएस-१२१७/प्र.क्र.१०/१७/नवि-१२,
मंत्रालय,मुंबई- ४०० ०३२.
दिनांक :- ७ जुलै, २०१७.

शासन निर्णय :- सोबत जोडलेली अधिसूचना महाराष्ट्र शासनाच्या साधारण राजपत्रात प्रसिध्द करावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावांने,

(अशोक की.खांडेकर)
कार्यासन अधिकारी.

प्रति,

१) विभागीय आयुक्त,कोकण विभाग,कोकण भवन,नवी-मुंबई.
२) संचालक ,नगर रचना,महाराष्ट्र राज्य-पुणे.
३) जिल्हाधिकारी,ठाणे.
४) आयुक्त,ठाणे महानगरपालिका,ठाणे
५) सहसंचालक, नगर रचना,कोकण विभाग,कोकण भवन,नवी - मुंबई.
६) उपसचिव तथा उप संचालक (नगर रचना,) मंत्रालय,मुंबई -३२ यांचे स्विय सहाय्यक
७) सहाय्यक संचालक नगर रचना, ठाणे शाखा,ठाणे.
८) व्यवस्थापक शासकीय मध्यवर्ती मुद्रणालय,चनीरोड,मुंबई.

(त्यांना विनंती करण्यात येते की, सोबतची शासकीय अधिसूचना महाराष्ट्र शासनाच्या साधारण राजपत्र कोकण विभागीय पुरवणी भाग-१ मध्ये प्रसिध्द करुन त्याच्या प्रत्येकी ०५ प्रती या विभागास, आयुक्त,ठाणे महानगरपालिका,ठाणे, संचालक नगर रचना,महाराष्ट्र राज्य, पुणे, सहसंचालक नगर रचना,कोकण विभाग, कोकण भवन,नवी मुंबई व सहाय्यक संचालक नगर रचना, ठाणे शाखा, जि.ठाणे यांना पाठवाव्यात)

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

१०) निवडनस्ती (कार्यासन-नवि-१२)

kalam ३७ letter

Government of Maharashtra,
Urban Development Department,
Mantralaya, Mumbai-400 032.
Date : 7th July, 2017

NOTIFICATION

Maharashtra Regional & Town Planning Act, 1966

No.TPS-1217/C.R.10/17/UD-12:- Whereas, the Government has sanctioned the Development Control Regulations for Thane Municipal Corporation vide Notification No.TPS-1225/CR-222/94/UD-12, dated the 28th April, 1995, under section 31(1) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as 'the said Act') which has come into force with effect from 1/6/1995;

And whereas, the Government has sanctioned modification to Development Control Regulations under section 37(2) of the said Act, providing regulations for Special Township Projects vide Notification No.TPS-1204/Thane/D.P.D.C.R./UD-12, dated the 25th May, 2006 (hereinafter referred to as 'the said Regulations');

And whereas, considering the need for rationalizing the Special Township Projects and Mega City Scheme, the Government constituted a Committee vide GR No. Misc-2009/1301/CR.271 /09/ UD-12, dt. 17th May, 2012 to study and make recommendations on certain issues;

And whereas, the said Committee has recommended that the Mega City Scheme should be subsumed in the Special Township Projects and has further suggested some modifications in the said Regulations to promote and facilitate such schemes by providing higher incentives to bigger Special Township Projects on a graded scale and at the same time recommended grant of premium free additional F.S.I. for creation of the EWS/LIG Housing as per the State Housing Policy 2007;

And whereas, after considering the Committee's recommendations, the Government was of the opinion that, it was necessary that the Mega City Scheme should be subsumed in the Special Township Projects and that the said Regulations should be suitably modified to make the same more effective;

And whereas, the Government, in accordance with the provisions contained in Sub-section (1AA) of section 37 of the said Act, published a Notice bearing no. TPS-2012/78/Thane/C.R.60/12 /UD-12, dated 1/12/2012 which appeared in Maharashtra Government Official Gazette, part-I Konkan Division, Supplement dated 6-12/12/2012 on pages no. 21 to 24 (hereinafter referred to as 'the said Notice'), for inviting suggestions and / or objections in respect of the modifications proposed in the Annexure-A to the said Notice from the general public within one month from the date of publication of the said Notice in the Official Gazette and the then Deputy Director of Town Planning, Konkan Division, Konkan Bhavan, Navi Mumbai was appointed as the officer (hereinafter referred to as 'the said officer') under Section 162 of the said Act and authorised to hear the suggestions and / or objections which may be received within

the aforesaid prescribed period and the say of the Thane Municipal Corporation and submit his report to the Government;

And whereas, after considering the report submitted by the said officer and after consulting the Director of Town Planning, Maharashtra State, Pune and also after making necessary enquiries, the Government is of the opinion that the proposed modifications needs to be sanctioned with certain changes;

Now therefore, in exercise of the powers conferred under section 37(1AA)(c) of the said Act, the Government hereby sanctions, with certain changes, the proposed modifications published vide the notice dated 1/12/2012, in respect of the Regulations for Special Township Projects, as described more specifically in the **Annexure-X** appended hereto;

The aforesaid sanctioned modification shall come into force from the date of publication of this Notification in the Maharashtra Government Gazette.

The aforesaid sanctioned modification shall be made available for inspection by the general public during office hours on all working days at the following offices for a period of one month:-

i) The Commissioner, Thane Municipal Corporation, Thane.
ii) The Joint Director of Town Planning, Konkan division, Konkan Bhavan, Navi Mumbai.
iii) The Assistant Director of Town Planning, Thane Branch, Thane.

This notification shall also be published on the Government Website at www.maharashtra.gov.in

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

Khandekar

(Ashok K. Khandekar)
Section Officer to Government

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Annexure-X

Accompanied with Government notification no.TPS-1217/CR-10/17/UD-12, dated 7th July, 2017.

Modification no.	Existing Provision in sanctioned regulations vide Government Notification No TPS 1204/Thane DP DCR/UD 12/ Dated 25th May 2006	Proposed modifications published by Government under section 37 (1AA)(a) of the M.R.&T.P.Act 1966. vide notice no TPS-2012/278/ Thane/C.R.60/12/UD-12, dated 1/12/2012	Proposed modifications sanctioned by Government under section 37 (1AA)(c) of the M.R.&T.P.Act 1966.
1	**4. General Norms for Different Land Uses:-** (a) **Residential :** The residential area should be well defined in clusters or neighbourhoods or in plotted development with proper road grid. Out of the total built-up area proposed to be utilised, which is permissible as proportionate to the zoning of the area under such Township, at least 60% of the area shall be used for purely residential development and further out of the total built up area proposed to be utilised for residential development, 10% of the same shall be built for residential tenements having built up area upto 40 sq.mt.	**4. General Norms for Different Land Uses:-** (a) **Residential :** The residential area should be well defined in clusters or neighbourhoods or in plotted development with proper road grid. Out of the total built-up area proposed to be utilised, which is permissible as proportionate to the zoning of the area under such Township, at least 60% of the area shall be used for purely residential development and further out of the total built up area proposed to be utilised for residential development, ~~10% of the same shall be built for residential tenements having built up area upto 40 sq.mt.~~ **33.33% of the same or 20% of the total built up area whichever is more shall be built for social housing for EWS/LIG.**	**4. General Norms for Different Land Uses:-** (a) **Residential :** The residential area should be well defined in clusters or neighbourhoods or in plotted development with proper road grid. Out of the total built-up area proposed to be utilised, which is permissible as proportionate to the zoning of the area under such Township, at least 60% of the floor area generated by utilising the basic Floor Space Index (FSI), may be used for purely residential development (hereinafter referred to as "Residential Component" of the Special Township). The area earmarked for social housing for the Economically Weaker Sections (E.W.S.) and the Lower Income Group (L.I.G.) shall be governed by sub- regulation No. 5.1(i) and 5.1(ii)_in such a way that the building permission for the residential component of the Special Township Project shall be given pro rata in accordance with the development of Social Housing for the E.W.S. /L.I.G.

<table>
<tr><td></td><td></td><td></td><td>Provided that in case of Development of Reservation like Public Housing (PH), Housing the Dishoused, Public Housing / High Density Housing etc. included in township area, in such cases required component of inclusive housing shall be calculated excluding area under such reservations.</td></tr>
<tr><td>2</td><td>4 (j) NIL</td><td>New provision to be added after 4(i)

4 (j) Economic activities : In order to make Special Township self-sustainable and ensure their development as new self-contained micro-centres of urban growth, the Special Township shall ideally be centred around one or more key economic activities like Trade/ Commerce, Education, Health Care, Non Polluting/Service Industries, Entertainment, Tourism Etc. Special Township Shall compulsorily provide certain minimum area for such economic activities as given below:-
<table>
<tr><th>STP Area in Ha.</th><th>Minimum Built-up Area for Economic Activities</th></tr>
<tr><td>40 to 100</td><td>15%</td></tr>
<tr><td>Above 100 to 200</td><td>20%</td></tr>
<tr><td>Above 200</td><td>25%</td></tr>
</table>
The area earmarked for Economic Activities shall include Commercial Area.</td><td>New provision to be added after 4(i)

4 (j)- Economic Activities -
In order to make the Special Township Projects self-sustainable and ensure their development as new self-contained micro-centres of urban growth, the Special Township Project shall ideally be centred around one or more key economic activities like Trade / Commerce, Education, Health Care, Non-polluting Industries, Service Industries, Entertainment, Tourism, etc. Special Township Project shall compulsorily provide minimum 20% Built-up Area for such economic activities and development of the Residential Component of the Special Township Project shall be permissible pro rata, in accordance with the development of economic activity.
Explanation:-
i) Educational activity and Health Care activity mentioned above shall not include Primary Schools and Primary Health care facilities respectively.</td></tr>
</table>

			ii) The total built-up area for Commercial activities under Regulation No.4 (b) and the total commercial built-up area under Regulation No.4 (d) shall be counted towards the built-up area for the aforesaid Economic Activities.
3	**5. DEVELOPMENT CONTROL REGULATIONS :-** Prevailing Development Control Regulations of sanctioned Development Plan, as well as provisions of MOEF CRZ notification dated 19th February 1991 amended from time to time shall be applicable mutadis mutandis except those expressly provided in these Special Regulations.	**5. DEVELOPMENT CONTROL REGULATIONS:-** Prevailing Development Control Regulations of the sanctioned Development Plan, as well as provisions of MoEF CRZ Notification issued from time to time shall be applicable mutatis mutandis to the Special Township Projects except those expressly provided in these Special Regulations.	**5. DEVELOPMENT CONTROL REGULATIONS:-** Prevailing Development Control Regulations of the sanctioned Development Plan, as well as provisions of MoEF CRZ Notification issued from time to time shall be applicable mutatis mutandis to the Special Township Project, except for those expressly provided in these Regulations. There shall be no limit on the total built up area / FSI for the development of individual plots in the Special Township Project. Height of any building shall be as per Development Control Regulations of Thane Municipal Corporation. However, the height may be increased subject to provision of fire fighting arrangements, with prior approval of the Chief Fire Officer, Thane Municipal Corporation. However, utilisation of DRC originated from any other area shall not be permissible in STP area.

4	**5.1 Special Township in Residential, Residential with Agricultural/Green Zone/ No development Zone. :-** (i) The total built-up area/FSI of entire gross area of the Special township declared as per Regulation 1.1 Excluding the area under Agriculture/ Green Zone /No Development Zone, included in the project shall be 1.00. The FSI for Agriculture/ Green Zone /No Development Zone (excluding the area under G-3 zone) if any included in Special Township Zone shall be 0.2 only in proportion to area of the zone. There will be no limit of total built-up area / FSI for the development of individual plots. Height of building shall be as per prevailing Development Control Regulations for Thane Municipal Corporation. However, it may be increased subject to provisions of fire fighting arrangements with prior approval of Chief Fire Officer, Thane Municipal Corporation. Utilisations of DRC's originated from any other area i.e. outside Special Township area shall not be permissible in Special Township area.	**5.1 Special Township in Residential Zone** The FSI distribution in the Residential Zone within the Development Plan area shall be as given below:-	**5.1 Special Township Project in Residential Zone** (i) The admissible FSI in respect of a Special Township Project in the Residential Zone within the Development Plan area shall be as given below:-

Sr. No.	Area of Township in Ha.	Basic FSI	Additional Social Housing FSI (@ 20 % of the basic) for EWS/LIG (Compulsory)	Additional FSI against the payment of premium. (optional)	Maximum total permissible FSI on Gross Plot Area.
1	40 to 100	1.00	0.2	0.30	1.50
2	Above 100 to 200	1.00	0.2	0.40	1.60
3	Above 200	1.00	0.2	0.50	1.70

Sr No	Area of Township (in Ha.)	Basic FSI on Gross Plot Area	Additional FSI (@ 20 % of the basic FSI) for Social Housing for EWS/ LIG (Compulsory)	Additional FSI Against Payment of Premium (Optional) (*)	Maximum Total Permissible FSI on Gross Plot Area.
1	2	3	4	5	6
1	40 to 100	1.00	0.2	0.3	1.5
2	Above 100 to 200	1.00	0.2	0.4	1.6
3	Above 200	1.00	0.2	0.5	1.7

(*The rate of premium shall be 60% of the land rate as mentioned in current ASR. This rate of premium shall be subject to change with previous approval of the Government.)

5.2 Special Township in Agricultural /Green Zone /No Development Zone -

i) Development Special Township in Agricultural /Green Zone /No Development Zone and Urbanisable Zone, contained in the Development Plan shall be permissible subject to condition that 50% of the gross area of the project shall be kept open while the project of Special Township shall be executed on the remaining 50% land with gross built-up area/ FSI of 0.20 worked out on the entire gross area of the project. Further, while developing such projects, it would be obligatory on the part of the developer to provide and develop all the infrastructure facilities including sites required for public purposes as per the prescribed planning norms. As regards 50% of land which is required to be kept open, the same shall be made free of encumbrances and no development except town level open amenities shall be permissible therein.

5.2 i) For the Special Township Projects in Agricultural Zone / Green Zone / No Development Zone the following provisions shall be applicable.

A) <u>Area within</u> <u>Transport Corridor</u> *

Over the area of Special Township Project within the Transport Corridor as defined in the explanation to this sub-regulation below, the FSI shall be as applicable to the Special Township Projects referred in sub regulation 5.1 above.

Refuse to accord sanction

B) <u>Area outside Transportation Corridor</u> *

Over the area of Special Township Project outside the Transportation Corridor, the FSI shall be as mentioned below.

Sr No	Area of Township in Ha.	Basic FSI	Additional Social Housing FSI(@ 20 % of the basic) for EWS/LIG (Compulsory)	Additional FSI on payment of premium (Optional)	Maximum total permissible FSI on Gross Plot Area.
1	40 to 100	0.5	0.1	0.20	0.80
2	Above 100 to 200	0.5	0.1	0.30	0.90
3	Above 200	0.5	0.1	0.40	1.00

Refuse to accord sanction

		*** Explanation :- 'Transport Corridor'** shall mean- (i) In case of roads, an area within one km. distance on either side of a road having a minimum width of 24 mts., the road not being an access control road like Express Way, and	Refuse to accord sanction
		(ii) In case of railway, an area within one km. radius of a passenger railway station.	Refuse to accord sanction
		(iii) There shall be no limit on the total built up area / FSI for the development of individual plots in the Special Township Project. Height of any building shall be as per Development Control Regulations of Thane Municipal Corporation. However, the height may be increased subject to provision of fire fighting arrangements, with prior approval of the Chief Fire Officer, Thane Municipal Corporation.	Refuse to accord sanction in view of modified regulation no.5 mentioned above.
		iv) For Special Township Projects in Agricultural Zone / Green Zone / No Development Zone situated outside the Transport Corridor- For Special Township Projects in Agricultural Zone / Green Zone / No Development Zone situated outside the Transport Corridor, 50% of the gross area of the project shall be kept open while the project of Special Township shall be executed on the remaining 50% land with gross built-up area worked out on the entire gross area of the project. Further, while developing such schemes, it shall be obligatory on the part of the developer	**Sr No iv)** is sanction and replace the sanctioned **Regulation no.5.2(i)** as mentioned below:- 5.2(i) **Special Township Projects in Agriculture/ Green Zone /No Development Zone** Development of a Special Township Project in Agriculture/ Green Zone /No Development Zone (excluding the area under G-3 zone) contained in the

a

		to provide and develop all the infrastructure facilities including sites required for public purposes as per the prescribed planning norms. As regards 50% of land which is required to be kept open, the same shall be made free of encumbrances and no development except town level open amenities shall be permissible thereon. v) The Planning & Design of Social Housing Component for EWS/LIG shall not be amenable to combining one or more flats to make larger flats. vi) The tenements for EWS/LIG shall be constructed as per the specifications given by the Government and such constructed tenements of EWS/LIG shall be handed over to MHADA at construction cost as per the ASR of the year in which Commencement Certificate is issued and for disposal as per the prevailing policy of the Government. vii) The optional Additional FSI to be granted against premium shall be sold in the Thane Municipal Corporation Area by the Thane Municipal Corporation at 100% of the ASR of the Registration Department. No premium shall be charged for the grant of FSI for social housing for EWS/ LIG. viii) The amount of premium collected by the Thane Municipal Corporation shall be deposited in a separate Account and shall be exclusively used for creating off-site infrastructure and implementation of Development Plan.	Development Plan shall be permissible, subject to the condition that 50 percent of the gross area of the Special Township Project shall be kept open while such Project shall be executed on the remaining 50 percent land with basic F.S.I. of 0.50, worked out on the entire gross area of the Project. Further, while developing such Project, it shall be obligatory on the part of the Developer to provide and develop all the infrastructure facilities, including the sites required for public purposes, as per the prescribed planning norms. As regards 50 percent of the gross area which is required to be kept open, the same shall be made free of encumbrances and no development except town level open amenities, shall be permissible therein. **Sr No v) to viii) is modified and sanction as mention below and inserted in sanction Regulation No 5.3-General Regukation after existing Regulation No 5.3(v)-,** vi) The Planning & Design of Social Housing Component for EWS/LIG shall not be amenable to combining one or more flats to make larger flats. vii) The tenements for EWS/LIG shall be constructed as per the specifications of the MHADA. The Project Proponent/s, after getting commencement certificate of Social Housing component as mentioned above shall

			immediately intimate to MHADA regarding the numbers of Social Housing Component to be disposed by them to the allottee. Upon such intimation, MHADA within a period of six months, from the date of receipt of such intimation after following procedure of lottery system shall prepare the list of the allottee and forward it to the Project Proponent/s. The project proponent shall dispose of such EWS housing tenements to the allottees at the rate fixed by the MHADA from time to time. Provided that if the MHADA is unable to provide the list of the allottee as mentioned above then the project proponent shall dispose of such social housing tenements in the market at the rate fixed by the MHADA from time to time. viii) The optional Additional FSI to be granted against premium shall be sold in the Thane Municipal Corporation Area by the Thane Municipal Corporation at 60% of the ASR of the Registration Department. No premium shall be charged for the grant of FSI for social housing for EWS/ LIG. ix) The amount of premium collected by the Thane Municipal Corporation shall be deposited in a separate Account and shall be exclusively used for creating off-site infrastructure and implementation of Development Plan.

5	7. PROCEDURE Nil	7. PROCEDURE After (C), the following new provision (D) is to be added:- **(D) Transition Policy :** The Special Township Projects in which location clearance has already been granted may be allowed to be converted into the New Scheme proposed above, subject to the following conditions :- i) FSI as per scheme shall be permissible on the balance un-built, unencumbered and buildable land parcel, having a minimum area of 8 Ha. If such balance un-built, unencumbered and buildable area is 8 Ha. or more but less than 40 Ha. then, admissible FSI on such land parcel, upon conversion shall be admissible as per the minimum given in Regulation 5 above for the respective zones. If such land parcel is more than 40 Ha. then, the admissible FSI shall be calculated as per the area wise entitlement given in the Tables under Regulation 5.1 and Regulation No. 5.2(i) for the respective zones. ii) Development on the balance area as above shall be strictly in conformity with the Planning standards, Development Control Regulations, etc. No relaxation shall be granted in respect of the marginal spaces, road width etc.	7. PROCEDURE After (C), the following new provision (D) is added :- **(D) Transition Policy:** Any Special Township Project in respect of which Locational Clearance has previously been granted prior to the date of coming into force of these modified provisions (hereinafter referred to as Modified Scheme), may be allowed to be converted into a Special Township Project under the Modified Scheme subject to other provisions of these regulations.

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

Khandekar

(Ashok K Khandekar)
Section Officer to Government

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