

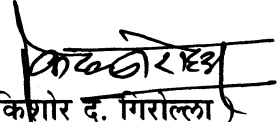
महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६
बृहन्मुंबई विकास नियंत्रण नियमावली, १९९१ विनियम ३३(४),
२१(३), २७ व विनियम ५२(८) मधील फेरबदलाबाबत कलम
३७(१अे) खालील सूचना.....

महाराष्ट्र शासन
नगर विकास विभाग

क्रमांक :- टिपीबी ४३१५ /३४७/ प्र.क्र. ११४/२०१५/ नवि-११
मंत्रालय, मुंबई : ४०० ३२,
दिनांक :- १३ ऑक्टोबर, २०१७.

शासन निर्णय : सोबतची इंग्रजी व मराठी सूचना शासनाच्या साधारण राजपत्रात प्रसिध्द करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.


(किशोर द. गिरील्ला)
अवर सचिव महाराष्ट्र शासन

प्रत,

मा. मुख्यमंत्री महोदयांचे प्रधान सचिव.

मा. राज्यमंत्री, नगर विकास विभाग यांचे खाजगी सचिव.

प्रति,

- (१) आयुक्त, बृहन्मुंबई महागनरपालिका.
- (२) सचिव, पर्यटन विभाग, मंत्रालय, मुंबई.
- (३) सह सचिव, तथा संचालक, नगर रचना, नगर विकास विभाग, मंत्रालय, मुंबई.
- (४) संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे
- (५) उप संचालक, नगर रचना, बृहन्मुंबई.

२/- सदर सूचना शासनाच्या दिनांक १३.९.२०१० रोजीच्या परिपत्रकातील निदेशानुसार व खालीलप्रमाणे जाहिरात म्हणून प्रसिध्द करुन घेणेबाबत सत्वर कार्यवाही करावी.

१)	जाहिरात देणा-या कार्यालयाचे नांव	नगर विकास विभाग, मंत्रालय, मुंबई-३२.
२)	जाहिरात कोणत्या दिनांकास द्यावयाची आहे	तात्काळ
३)	प्रसिध्दीचे स्वरुप	स्थानिक
४)	कोणत्या जिल्हयामध्ये	बृहन्मुंबई महागनरपालिका क्षेत्रामध्ये
५)	किती वृत्तपत्रात	एका मराठी व एका इंग्रजी वृत्तपत्रात
६)	वृत्तपत्राचे नांव	सर्वाधिक खपाच्या वृत्तपत्रात
७)	किती वेळा	एकदा
८)	जाहिरात खर्चाचे देयक कोणत्या अधिका-याकडे पाठवावयाचे त्या कार्यालयाचे नांव व संपूर्ण पत्ता	आयुक्त, बृहन्मुंबई महानगरपालिका

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

(त्यांना विनंती करण्यात येते की, सोबतची शासकीय सूचना महाराष्ट्र शासनाचे असाधारण राजपत्रात भाग-१ मध्ये प्रसिध्द करून त्याच्या २५ प्रती नगर विकास विभाग (नवि-११), मंत्रालय, मुंबई : ४०० ०३२ व २५ प्रती उपसंचालक, नगर रचना, बृहन्मुंबई यांना पाठविण्यात याव्यात.)

(७) कक्ष अधिकारी, माहिती व तंत्रज्ञान विभाग (त्यांना विनंती करण्यात येते की, सोबतची सूचना विभागाच्या वेबसाईटवर प्रसिध्द करण्याबाबत आवश्यक ती कार्यवाही करावी)

(८) निवड नस्ती (नवि-११)

Maharashtra Regional & Town Planning Act,
1966.

- Notification under section 37 (1AA) of the said Act.
- Proposed modification to Regulation 21(3), 27, 33(4) & Regulation 52(8) of DCR,1991 for Gr. Mumbai.

GOVERNMENT OF MAHARASHTRA
Urban Development Department,
Mantralaya, Mumabi 400 032.
Dated :- 13th October, 2017.

NOTICE

No. TPB 4315/347/CR-114/2015/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, in order to develop various tourism areas of Maharashtra, the Government in Tourism and Culture Department vide resolution dated 4th May, 2016 has sanctioned the "Tourism Policy of Maharashtra -2016", wherein to boost up the tourism activity, various schemes and fiscal incentives have been proposed so as to attract maximum investment in this sector as well to generate employment opportunities and to increase growth rate. Therefore to Promote "Tourism Policy of Maharashtra -2016" the State Cabinet in its meeting dated 19/09/2017 has accorded sanction to modify the Development Control Regulations accordingly;

And whereas, in view of the decisions taken by the State Cabinet it is necessary to modify Regulation No. 21(3), 27, 33(4) & Regulation 52(8) of DCR, 1991 for Gr. Mumbai;

And whereas, the Govt., in the Urban Development Department is satisfied that in the public interest it is expedient to modify Regulation No. 21(3), 27, 33(4) & Regulation 52(8) of the said Regulations, as specifically described in the Schedule attached herewith (hereinafter referred to as "the proposed modification").

Now, therefore, after considering the above facts and circumstances and in exercise of the powers conferred by sub-section (1AA) of Section 37 of the said Act; and of all other powers enabling it in this behalf, govt. hereby publishes a Notice for inviting suggestions and objections from any persons with respect to proposed modification, as required by clause (a) of sub-section (1AA) of Section 37 of the said Act, and notice is hereby given



that the said proposed modification will be taken into consideration by the Government of Maharashtra after the expiry of one month from the date of publication of this Notice in the Maharashtra Government Gazette;

The Government is further pleased to inform that any objections/ suggestions in respect of the proposed modification mentioned in the aforesaid Schedule may be forwarded, before the expiry of one month from the date of publication of this Notice in the Maharashtra Government Gazette, to the Deputy Director of Town Planning., Greater Mumbai, having his office at ENSA Hutments, E-Block, Azad Maidan, Mahapalika Marg, Mumbai 400 001. Any objection or suggestion, which may be received by the Deputy Director of Town Planning, Greater Mumbai within the said period will be dealt with in accordance with the provisions of the said sub-section (1AA) of Section 37 of the said Act.

This Notice shall also be available on the Govt. of Maharashtra website : www.maharashtra.gov.in

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





(Kishor D. Girolla)

Under Secretary to Government.

SCHEDULE


(Accompaniment to Government in Urban Development Notice No. TPB 4315/347/CR-114/2017/UD-11, dated 13th October, 2017.)

Regulation No. & Sub clause etc.	Existing Provision	Proposed Provision																								
21(3) Table No.5 (Sr. No. 6 & 7)	<p align="center">TABLE 5 Minimum Plot areas for various Uses</p> <table border="1"> <thead> <tr> <th>Sr. No.</th> <th>Land use</th> <th>Plot area (sq.m.)</th> <th>Type of Development</th> </tr> </thead> <tbody> <tr> <td>6</td> <td>4 and 5 Star Hotel in independent plot</td> <td>2500</td> <td>Detached</td> </tr> <tr> <td>7</td> <td>3 Star Hotel when in independent plot</td> <td>1000</td> <td>Detached</td> </tr> </tbody> </table>	Sr. No.	Land use	Plot area (sq.m.)	Type of Development	6	4 and 5 Star Hotel in independent plot	2500	Detached	7	3 Star Hotel when in independent plot	1000	Detached	<p align="center">TABLE 5 Minimum Plot areas for various Uses</p> <table border="1"> <thead> <tr> <th>Sr. No.</th> <th>Land use</th> <th>Plot area (sq.m.)</th> <th>Type of Development</th> </tr> </thead> <tbody> <tr> <td>6</td> <td>4 and 5 Star Hotel in independent plot</td> <td align="center">-- (Deleted)</td> <td>Detached</td> </tr> <tr> <td>7</td> <td>3 Star Hotel when in independent plot</td> <td align="center">-- (Deleted)</td> <td>Detached</td> </tr> </tbody> </table>	Sr. No.	Land use	Plot area (sq.m.)	Type of Development	6	4 and 5 Star Hotel in independent plot	-- (Deleted)	Detached	7	3 Star Hotel when in independent plot	-- (Deleted)	Detached
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27	<p><i>Additional Amenities and Facilities in lay-outs exceeding 2 ha.-</i> In any layout exceeding two hectares in area in residential and commercial zones, where the development plan has not provided for amenities and services or facilities, or if provided they are inadequate, 5 per cent of the total area shall be designated/reserved as amenity space for provision of primary schools, sub-post offices, police posts, etc. as directed and approved by the Commissioner, and such amenities or facilities shall be deemed to be designations or reservations in the development plan thereafter.</p>	<p><i>Additional Amenities and Facilities in lay-outs exceeding 2 ha.-</i> In any layout exceeding two hectares in area in residential and commercial zones, where the development plan has not provided for amenities and services or facilities, or if provided they are inadequate, 5 per cent of the total area shall be designated/reserved as amenity space for provision of primary schools, sub-post offices, police posts, etc. as directed and approved by the Commissioner, and such amenities or facilities shall be deemed to be designations or reservations in the development plan thereafter. However, Seperate Amenity Plot need not be insisted for Star Category Hotels.</p>																								
33(4) Condition No.4	<p><u>33(4) Building of Starred Category Residential Hotels</u> Additional FSI of more than 100% is permissible for one to three star category hotels on the plot size of not less than 2500 sq.mt. and on roads of 18mt. width or more.</p>	<p>Condition No:- 4(a) :- Additional FSI upto 100% is permissible for one to three star category hotels irrespective of plot size but on road of minimum 12 mt. width. (4b):- Additional FSI up to 200% is permissible for star category hotels irrespective of plot size but on road of minimum 15mt. width.</p>																								



<p>33(4) (Insert new Condition No.6 & 7)</p>	<p>-----</p>	<p><u>New Condition No. 6 :-</u> In respect of Star Category Hotel, projects classified as Mega / Ultra Mega Project as per Maharashtra Tourism Policy-2016, up to 20% of additional FSI available by charging premium can be used for Tourism support activities on payment of premium at the rate decided by Government from time to time for the uses as proposed by Tourism Department from time to time. <u>New Condition No. 7:-</u> All concessions available to star category Hotel are also applicable to Tourism Units classified under Mega Projects, Ultra mega Projects and Large tourism units.</p>
<p>52(8)(vii) (Second Para)</p>	<p>Provided that residential hotels of 4 and 5 star categories may be allowed only in an independent plot of size not less than 2,500 sq.m. and on roads of 18 m. width or more, a hotel of lower star category being also allowed on a separate floor of a premises or a building with separate access</p>	<p>Provided that residential hotels of 4 and 5 star categories may be allowed only in an independent plot irrespective of plot size but fronting on road of 15 m. width or more, a hotel of lower star category being also allowed on a separate floor of a premises or a building with separate access</p> <p>If mixed user alongwith star category hotel is proposed subject to fulfilment of road width for such mix use, then no additional FSI will be available at concessional rate. Separate entrances, Parking arrangements, lifts /Lobbies shall be provided to segregate such mix uses.</p>




 (Kishor D. Girolia)
 Under Secretary to Government.

महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६
बृहन्मुंबई विकास नियंत्रण नियमावली, १९९१ विनियम २१(३),
२७, ३३(४) व विनियम ५२(८) मधील फेरबदलाबाबत कलम
३७(१अ) खालील सूचना.....

महाराष्ट्र शासन
नगर विकास विभाग

क्रमांक :- टिपीबी ४३१५ /३४७/ प्र.क्र. ११४/२०१५/ नवि-११
मंत्रालय, मुंबई : ४०० ३२,
दिनांक :- १३ ऑक्टोबर, २०१७.

सूचना

क्रमांक :- टिपीबी ४३१५ /३४७/ प्र.क्र. ११४/२०१५/ नवि-११

ज्याअर्थी, बृहन्मुंबई क्षेत्राची विकास नियंत्रण नियमावली (यापुढे ज्याचा उल्लेख "उक्त विनियम" असा करण्यात आला आहे.), शासन नगर विकास विभागाकडील अधिसूचना क्र. डिसीआर /१०९०/आरडीपी/ नवि-११, दि. २० फेब्रुवारी १९९१ अन्वये महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६ (यापुढे ज्याचा उल्लेख "उक्त अधिनियम" असा करण्यात आला आहे.) च्या कलम ३१(१) खालील तरतूदीनुसार मंजूर झालेली असून दि. २५.३.१९९१ पासून अंमलात आलेली आहे;

आणि ज्याअर्थी, महाराष्ट्र राज्यातील विविध पर्यटन क्षेत्रांचा विकास होण्याच्या दृष्टीने शासनाच्या पर्यटन व सांस्कृतिक विभागाने "महाराष्ट्राचे पर्यटन धोरण-२०१६" संबंधित शासन निर्णय दि.०४.०५.२०१६ रोजी निर्गमित केला आहे. ज्यामध्ये पर्यटनाला चालना देण्यासाठी विविध योजना, आर्थिक सवलती जाहिर केल्या आहेत. त्याद्वारे महाराष्ट्रात जास्तीत जास्त गुंतवणूक आकर्षित करणे, रोजगाराच्या संधी निर्माण करणे, तसेच, विकास दर वाढविणे यासाठी तरतुदी करण्यात आल्या आहेत. "महाराष्ट्राचे पर्यटन धोरण-२०१६" च्या अनुषंगाने प्रोत्साहन देण्यासाठी राज्यमंत्रीमंडळाचे दि.१९/०९/२०१७ रोजी झालेल्या मंत्रीमंडळ बैठकीत विकास नियंत्रण नियमावलीमध्ये त्या अनुषंगाने सुधारणा करण्यास मान्यता देण्यात आली;

आणि ज्याअर्थी, मंत्रीमंडळाचे बैठकीत घेतलेल्या निर्णयानुसार विकास नियंत्रण नियमावलीत सुधारणा करण्याच्या अनुषंगाने बृहन्मुंबई नियंत्रण नियमावली, १९९१ चे विनियम ३३(४), २१(३), २७ व विनियम ५२(८) मध्ये सुधारणा करणे आवश्यक ठरते.

आणि ज्याअर्थी, सार्वजनिक हिताच्या दृष्टीने शासन नगर विकास विभागाने उक्त विनियमातील विनियम २१(३), २७, ३३(४) व विनियम ५२(८) मध्ये सुधारणा करण्याचा निर्णय घेतला आहे, त्यानुसार उक्त विनियमातील विनियम २१(३), २७, ३३(४) व विनियम ५२(८) मध्ये सुधारणा करण्यासाठी सोबत जोडलेल्या परिशिष्टामध्ये नमूद असलेप्रमाणे फेरबदल (यापुढे याचा उल्लेख " प्रस्तावित फेरबदल " असा केलेला आहे) सार्वजनिक हितास्तव तातडीने करणे आवश्यक आहे, अशी शासन नगर विकास विभागाची खात्री झाली आहे;



आणि त्याअर्थी, उपरोक्त परिस्थिती आणि वस्तुस्थिती विचारात घेता आणि उक्त अधिनियमाच्या कलम ३७ च्या पोट कलम (१कक) अन्वये प्राप्त अधिकार आणि त्या संदर्भातील सर्व शक्तींचा वापर करुन, शासन याद्वारे प्रस्तावित फेरबदलाविषयी उक्त अधिनियमाच्या कलम ३७, पोट कलम (१कक) चे खंड(क) नुसार कोणत्याही व्यक्तीकडून सदरची सूचना शासन राजपत्रामध्ये प्रसिध्द झालेल्या दिनांकापासून एक महिन्याचे मुदतीमध्ये सूचना/हरकती मागविण्यासाठी, सूचना प्रसिध्द करीत आहे;

शासनाकडून असेही कळविणेत येत आहे की, सोबतचे परिशिष्टात नमूद प्रस्तावित फेरबदलाविषयी कोणत्याही हरकत/सूचना शासन राजपत्रात सदर सूचना प्रसिध्द झाल्याच्या दिनांकापासून एक महिन्याच्या आत उपसंचालक, नगर रचना, बृहन्मुंबई यांचेकडे इन्सा हटमेंटस, ई-ब्लॉक, आझाद मैदान, महापालिका मार्ग, मुंबई ४००००१ या कार्यालयाचे पत्त्यावर पाठविण्यात याव्यात. उपसंचालक, नगर रचना, बृहन्मुंबई यांच्याकडे सदरच्या कालावधीत प्राप्त होणा-या हरकती/सूचना यावर उक्त अधिनियमाच्या कलम ३७ च्या पोट कलम (१कक) अन्वये कार्यवाही करण्यात येईल;

सदर फेरबदलाची सूचना महाराष्ट्र शासनाच्या www.maharashtra.gov.in या वेबसाईटवर प्रसिध्द करण्यात आली आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.



(किशोर द. गिरोल्ला)
अवर सचिव महाराष्ट्र शासन

परिशिष्ट

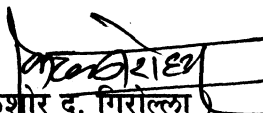
(शासन नगर विकास विभाग सूचना क्र. टिपीबी ४३१५/३४७/ प्र.क्र. ११४/२०१५/ नवि-११,
दिनांक १३ अक्टोबर, २०१७ सोबतचे परिशिष्ट)

विकास नियंत्रण नियमावली मधील विनियम क्र. उपखंडासह	विद्यमान तरतुद	प्रस्तावित सुधारणा																								
21(3) Table No.5 (Sr. No. 6 & 7)	<p style="text-align: center;">TABLE 5 Minimum Plot areas for various Uses</p> <table border="1"> <thead> <tr> <th>Sr. No.</th> <th>Land use</th> <th>Plot area (sq.m.)</th> <th>Type of Development</th> </tr> </thead> <tbody> <tr> <td>6</td> <td>4 and 5 Star Hotel in independent plot</td> <td>2500</td> <td>Detached</td> </tr> <tr> <td>7</td> <td>3 Star Hotel when in independent plot</td> <td>1000</td> <td>Detached</td> </tr> </tbody> </table>	Sr. No.	Land use	Plot area (sq.m.)	Type of Development	6	4 and 5 Star Hotel in independent plot	2500	Detached	7	3 Star Hotel when in independent plot	1000	Detached	<p style="text-align: center;">TABLE 5 Minimum Plot areas for various Uses</p> <table border="1"> <thead> <tr> <th>Sr. No.</th> <th>Land use</th> <th>Plot area (sq.m.)</th> <th>Type of Development</th> </tr> </thead> <tbody> <tr> <td>6</td> <td>4 and 5 Star Hotel in independent plot</td> <td>-- (Deleted)</td> <td>Detached</td> </tr> <tr> <td>7</td> <td>3 Star Hotel when in independent plot</td> <td>-- (Deleted)</td> <td>Detached</td> </tr> </tbody> </table>	Sr. No.	Land use	Plot area (sq.m.)	Type of Development	6	4 and 5 Star Hotel in independent plot	-- (Deleted)	Detached	7	3 Star Hotel when in independent plot	-- (Deleted)	Detached
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27	<p>Additional Amenities and Facilities in lay-outs exceeding 2 ha.- In any layout exceeding two hectares in area in residential and commercial zones, where the development plan has not provided for amenities and services or facilities, or if provided they are inadequate, 5 per cent of the total area shall be designated/reserved as amenity space for provision of primary schools, sub-post offices, police posts, etc. as directed and approved by the Commissioner, and such amenities or facilities shall be deemed to be designations or reservations in the development plan thereafter.</p>	<p>Additional Amenities and Facilities in lay-outs exceeding 2 ha.- In any layout exceeding two hectares in area in residential and commercial zones, where the development plan has not provided for amenities and services or facilities, or if provided they are inadequate, 5 per cent of the total area shall be designated/reserved as amenity space for provision of primary schools, sub-post offices, police posts, etc. as directed and approved by the Commissioner, and such amenities or facilities shall be deemed to be designations or reservations in the development plan thereafter. However, Seperate Amenity Plot need not be insisted for Star Category Hotels.</p>																								
33(4) Condition No.4	<p>33(4) <u>Building of Starred Category Residential Hotels</u> Additional FSI of more than 100% is permissible for one to three star category hotels on the plot size of not less than 2500 sq.mt. and on roads of 18mt. width or more.</p>	<p>Condition No:- 4(a) :- Additional FSI upto 100% is permissible for one to three star category hotels irrespective of plot size but on road of minimum 12 mt. width. (4b):- Additional FSI up to 200% is permissible for star category hotels</p>																								



		irrespective of plot size but on road of minimum 15mt. width.
33(4) (Insert new Condition No.6 & 7)	-----	<p><u>New Condition No. 6 :-</u></p> <p>In respect of Star Category Hotel, projects classified as Mega / Ultra Mega Project as per Maharashtra Tourism Policy-2016, up to 20% of additional FSI available by charging premium can be used for Tourism support activities on payment premium at the rate decided by Government from time to time for the uses as proposed by Tourism Department from time to time.</p> <p><u>New Condition No. 7</u></p> <p>All concessions available to star category Hotel are also applicable to Tourism Units classified under Mega Projects, Ultra mega Projects and Large tourism units.</p>
52(8)(vii) (Second Para)	Provided that residential hotels of 4 and 5 star categories may be allowed only in an independent plot of size not less than 2,500 sq.m. and on roads of 18 m. width or more, a hotel of lower star category being also allowed on a separate floor of a premises or a building with separate access	<p>Provided that residential hotels of 4 and 5 star categories may be allowed only in an independent plot irrespective of plot size but fronting on road of 15 m. width or more, a hotel of lower star category being also allowed on a separate floor of a premises or a building with separate access</p> <p>If mixed user alongwith star category hotel is proposed subject to fulfillment of road width for such mix use, then no additional FSI will be available at concessional rate. Separate entrances, Parking arrangements, lifts /Lobbies shall be provided to segregate such mix uses.</p>




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