

महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६
बृहन्मुंबईच्या के/पश्चिम प्रभागाच्या सुधारित मंजूर विकास
योजनेमधील मंजूर फेरबदलाबाबत कलम ३७(१कक) (ग)
खालील अधिसूचना...

महाराष्ट्र शासन
नगर विकास विभाग

क्रमांक :- टिपीबी ४३१३ / ८६८ / प्र.क्र. १२० / २०१३ / नवि-११
मंत्रालय, मुंबई : ४०० ०२१,
दिनांक - ३ एप्रिल २०१८.

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

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.



(प्रदीप गोहिल)

अवर सचिव, महाराष्ट्र शासन.

प्रत,

मा. मुख्यमंत्री महोदयांचे प्रधान सचिव.

मा. राज्यमंत्री, नगर विकास विभाग यांचे खाजगी सचिव.

प्रति,

(१) महानगर आयुक्त, मुंबई महानगर प्रदेश विकास प्राधिकरण

(२) आयुक्त, बृहन्मुंबई महानगरपालिका.

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

(४) सह सचिव, तथा संचालक, नगर रचना, नगर विकास विभाग, मंत्रालय, मुंबई.

(५) उप संचालक, नगर रचना, बृहन्मुंबई.

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

(त्यांना विनंती करण्यात येते की, सोबतची शासकीय अधिसूचना महाराष्ट्र शासनाचे साधारण
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.)

(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.

- **Sanctioned modification to Sanctioned Revised Development Plan of K(West) ward of Gr. Mumbai under section 37(1AA) (c) of the Act.**

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

Dated :- 3rd April, 2018.

NOTIFICATION

No. TPB 4313/868/CR-120/2013/UD-11:

Whereas, the Development Plan of K(West) Ward of Greater Mumbai (hereinafter referred to as "the said Plan") has been sanctioned by the Government vide Urban Development Department's Notification No. 4392/5840/UD-11(RDP) dated 19th March, 1993, under section 31 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") to come into force with effect from 4th May, 1993;

And whereas, the land bearing CTS No. 866, S.No.111-A/B/C village Ambivali, Taluka Andheri admeasuring about 13.8 Ha. was reserved for (i) Sewerage Plant (Site No. 580) (ii) Recreational Ground (Site No.205) (iii) Housing for Dishoused (Site No.549) (iv) Govt. Staff Quarters (Site No. 535) (v) Retail Market (Site No. 476) and (vi) 13.40 mt. wide Access Road (hereinafter referred to as "the said lands");

And whereas, the proposal for implementation of rail-based Mass Rapid Transit System (MRTS) along Versova-Andheri-Ghatkopar corridor through Public Private Participation (PPP) has been approved by the Govt. for the purpose of which Govt. has appointed Mumbai Metropolitan Region Development Authority (MMRDA) as a 'Project Implementing Agency';

And whereas, the Mumbai Metropolitan Region Development Authority (hereinafter referred to as "MMRDA") vide letter No. T/MMRDA/MRTS/2004 dt. 12/1/2005 had requested Govt. to earmark the said land for MRTS Car Depot/ Workshop & Allied Activities and Commercial use for Versova-Andheri-Ghatkopar Corridor which is identified as a part of Priority-I corridor of Mumbai Metro Master Plan;

And whereas, after considering the request of the MMRDA, the State Government had sanctioned modification to the said Plan to reserve the said lands for MRTS Car Depot/Workshop and Allied Activities and Commercial use, vide Notification No. TPB 4304/1430/CR-15/05/UD-11 dated 12th July 2005 (herein after referred to as "the said Notification") with condition that the buffer zone of 30mt. width shall be kept around the



periphery of the said lands so as to avoid noise pollution and only tree plantation shall be allowed in this buffer zone.

And whereas, the State Government in Urban Development Department had issued directives under Section 37(1) along with Section 154 vide No. TPB 4308/674/CR-146/08/UD-11 dated 17.7.2008 and brought into force a new regulation for development of MRTS Car Depot/Workshop and Allied Activities and Commercial use, based on principles/concept of accommodation reservation to make 75% of the land available for MRTS Car Depot/Workshop and allied uses and allow the entire potential of land to be developed on the remaining 25% of the land in owner's possession and accordingly issued Notification in this respect under Section 37(2) of the Act, vide No. TPB 4312/223/Cr-29/2013/Ud-11 dated 28th April 2015.

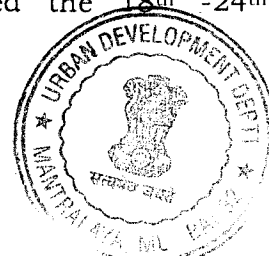
And whereas, the State Government in Urban Development had issued guidelines to reduce noise from existing and proposed elevated roads, flyovers and elevated rail corridors, in which use of installation of noise barriers is recommended, vide circular no. TPB 4308/4011/Cr-343/08/UD-11 dated 3rd December 2008, which has been revised vide order no. TPB 4312/208/CR-20/2013/UD-11 dated 26th October 2015.

And whereas, the Metropolitan Commissioner, MMRDA vide letter dated 8/4/2008 and 5/7/2013 has requested to the State Government that MRTS activities are environment friendly and will not create any noise or environmental pollution, the buffer zone of 30mt. around periphery to be deleted so as to accommodate the MRTS as per technical and safety requirements in the available land and submitted a letter dated 2/9/2013 from Central Road Research Institute, New Delhi stating that tree plantation is not a scientific option for reduction of noise levels.

And whereas, in view of the facts and circumstances mentioned above Government was of opinion that the condition of the buffer zone of 30mt. around periphery of reservation of MRTS Car Depot/ Workshop & Allied Activities and Commercial use imposed by the said Notification be amended;

And whereas, considering the above facts, in the public interest it was necessary to urgently carry out suitable modification to the said Plan, the State Government, in exercise of the powers conferred under sub-section (1AA) of Section 37 of the said Act, had issued Notice of even No. dated 1st February 2016 for inviting suggestions/objections from general public with regard to the proposed modification in respect of buffer zone of 30 mt. around periphery of reservation of MRTS Car Depot/Workshop & Allied Activities and Commercial (hereinafter referred to as "the proposed modification), proposed in the Schedule of 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 Planning Authority;

And whereas, the Notice of even no. dated 1st February 2016, was published in Maharashtra Government Gazette dated the 18th -24th February 2016(hereinafter referred to as "the Official Gazette");



And whereas, the said Officer has submitted his Report vide letter dt.12th January 2017, 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 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 said proposed modification as more specifically described below.
- (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 that, in the Schedule of Modifications sanctioning the said Development Plan, after the last entry, the Schedule appended hereunder shall be added.

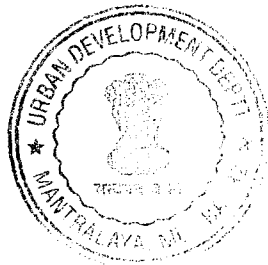
Sanctioned Modification


The condition mentioned at Sr. No.(B) in the Notification No. TPB 4304/1430/CR-15/05/UD-11 dated 12th July 2005 in respect of sanctioned modification to the Sanctioned Revised Development Plan of K (West) ward of Gr. Mumbai is replaced as follows :-

Existing Condition	Proposed Condition
Buffer Zone of 30mt. width shall be kept around the periphery of the said land so as to avoid noise pollution and only tree plantation shall be allowed in this buffer zone.	The MMRDA shall provide necessary noise abatement measures to reduce noise pollution at their own cost & all along the periphery of MRTS Car Depot. Certificate to that effect shall be obtained from Maharashtra Pollution Control Board

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,




(Pradeep Gohil)
Under Secretary to Government.