



# महाराष्ट्र शासन राजपत्र

## असाधारण भाग एक-कोकण विभागीय पुरवणी

वर्ष ५, अंक ३७]

गुरुवार, जुलै २५, २०१९/श्रावण ३, शके १९४१

[ पृष्ठे ८, किंमत : रुपये ११.००

असाधारण क्रमांक ६२

प्राधिकृत प्रकाशन

### URBAN DEVELOPMENT DEPARTMENT

4th Floor, Main Building, Mantralaya, Mumbai 400032,  
dated 25th July 2019

### CORRIGENDUM

MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966

No. TPS-1719/CR-28/19/Corrigendum/UD-12.—Whereas, in accordance with sub-section (1AA) of section 37 of the Maharashtra Regional and Town Planning Act 1966 (hereinafter referred to as “the said Act”), the State Government has published the Draft Comprehensive and Integrated Development Control Regulations for the Municipal Corporation of Navi Mumbai and the CIDCO area of the Panvel Municipal Corporation *vide* Notice No. TPS-1719/CR-28/19/UD-12, dated 8th March 2019 as appended with the Notice (hereinafter referred to as “the said Notice”);

And whereas, it is observed that some errors, typographical mistakes are needed to be corrected in accordance with the Government approval in the said Draft Comprehensive and Integrated Development Control Regulations and for that purpose it is necessary to issue a Corrigendum for the same as described below;

Now, therefore this Corrigendum is issued to the said Draft Comprehensive and Integrated Development Control Regulations for the Municipal Corporation of Navi Mumbai and the CIDCO area of the Panvel Municipal Corporation as mentioned below :—

**Corrigendum to the Draft Comprehensive and Integrated Development Control  
Regulations appended with the Notice  
No. TPS-1719/CR-28/19/UD-12, dated 8th March 2019**

Sr. No. (1)	Regulation No. (2)	Instead of (3)	Read as (4)
		Draft Comprehensive and Integrated Development Control Regulations for Municipal Corporations in Mumbai Metropolitan Region.	Draft Comprehensive and Integrated Development Control Regulations for Municipal Corporations of Navi Mumbai and CIDCO area of Panvel Municipal Corporation.

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	1.1.1.	<p><b>Extent and Jurisdiction</b></p> <p>ii) These regulations shall apply to the building activity and development work on lands within the jurisdiction of Municipal Corporations in Mumbai Metropolitan Region <b>except</b> Municipal Corporation of Greater Mumbai, Navi Mumbai and erstwhile areas of CIDCO included in Panvel Municipal Corporation (hereinafter called "The Corporation")</p>	<p><b>Extent and Jurisdiction</b></p> <p>ii) These regulations shall apply to the building activity and development work on lands within the jurisdiction of Municipal Corporation of Navi Mumbai and erstwhile areas of CIDCO included in Panvel Municipal Corporation (hereinafter called "The Corporation")</p>																																																																																																																																																				
	1.5	<p><b>Definitions</b></p> <p><b>14 Base FSI-</b> Floor Space Index permissible without levy of premium or TDR on any parcel of land as per the provisions of these regulations.</p> <p><b>35. Development Right-</b>Development Rights means right to carryout development or to develop the land or building or both and shall include the transferable development right in the form of right to utilised the floor space index of land utilizable either on the reminder of the land partially reserved for public purpose or elsewhere as the final development control regulation in this behalf provided.</p>	<p><b>Definitions</b></p> <p><b>14 Base FSI-</b> Floor Space Index permissible without levy of premium on any parcel of land as per the provisions of these regulations.</p> <p><b>35. Development Right-</b>Development Rights means right to carryout development or to develop the land or building or both.</p>																																																																																																																																																				
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		27	No Development Zone									Development Prohibited Zone (DPZ)
		28	Green Zone-3	•								
		29	Coastal Regulation Zone							•		
		30	Forest Zone							•		
	<b>3.4.</b>	<b>Regulations for Permitting Uses as Per Development Zone in Industrial Zone (I to D Policy)</b>										<b>Regulations for Permitting Uses as Per Development Zone in Industrial Zone (I to D Policy)</b>
		vii) With the special written permission of the Municipal Commissioner, the land having area up to 0.20 hectore in size which is allocated for industrial use may be permitted to be used for residential purpose or any other permissible users in Development Zone, provided that, in such case the owner / Developer shall require to provide either 10% amenity space in the form of open land or 5% built up space in the proposed construction at appropriate location, preferably on ground floor. TDR as per regulation containing provisions of TDR, shall be permissible for such amenity.										vii) With the special written permission of the Municipal Commissioner <b>and with the approval of CIDCO</b> the land having area up to 0.20 hectore in size which is allocated for industrial use may be permitted to be used for residential purpose or any other permissible users in Development Zone, provided that, in such case the owner / Developer shall require to provide either 10% amenity space in the form of open land or 5% built up space in the proposed construction at appropriate location, preferably on ground floor.
		viii) The land under public utility / amenity shall be handed over to the Planning Authority in lieu of FSI / TDR with proper access and basic land development. These areas shall be in addition to the recreational space as required to be provided under these regulations.  Provided that, at least 50% of total land provided for public amenity / utility space shall be earmarked for unbuildable purposes such as garden, recreational ground, etc.  Provided also that irrespective of land use zone, where the provisions of Development Control Regulations										viii) Irrespective of land use zone, where the provisions of Development Control Regulations provide for amenity space in development zone then Amenity Space shall be provided.

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		provided for amenity space in development zone then Amenity Space which is more shall only be provided.	
		<p>(e) Provision for Amenity Space shall be considered to be reservations in the Development Plan, excluding Development Plan roads /road widening and Transferable Development Rights against such amenity as per Part 12 may be given or FSI of the same equivalent to the TDR quantum shall be available for utilization on the remaining land. Moreover, the owner shall be entitled to develop remaining land with permissible TDR potential including the land under amenity space subject to maximum permissible limit of FSI (Maximum Building Potential) as mentioned in Regulation No. 5.2</p> <p>Provided that,</p> <p>(v) Residential -----regulations.</p> <p>(vi) If Development Plan ----- following manner.</p> <p>(d) If the area ----- amenity space.</p> <p>(e) If the area ----- reservation area.</p>	e) Deleted.
	<p><b>4.5</b></p> <p><b>4.5.3</b></p>	<p><b>4.5 Amenity Space</b></p> <p><b>4.5.3 Development of Amenity Space</b></p> <p>(iv) Wherever, after construction of amenity, it is to be handed over to the Municipal Corporation as per agreement, then the owner shall be entitled for the further TDR as mentioned in Regulation No. 12.2. However, if such amenity constructed by the land owner is maintained by him, without handing it over to the Corporation, in that case no further FSI / TDR for such amenity space shall be entitled.</p>	<p><b>4.5 Amenity Space</b></p> <p><b>4.5.3 Development of Amenity Space</b></p> <p>(iv) Deleted</p>
	4.5.5.	4.5.5. FSI / TDR for Amenity Space	4.5.5. Deleted
	4.10.	4.10. Relocation of DP Sites / DP Proposals While Approving the Subdivision of Land	4.10. Relocation of DP Sites / DP Proposals While Approving the Subdivision of Land

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		Relocation of the reservation from a land may also be permitted on any land within 300 meters belonging to other owner's land if the said other owner consents to such relocation of reservation on his land and consents to hand over his land to the Planning Authority where reservation is proposed to be relocated in lieu of TDR and also subject to restrictions mentioned in sub regulation No. (d), (f) and (g) above.	Deleted																																																																																																																																						
	4.11.	<b>Road Widening and Construction of New Roads :-</b>	Deleted																																																																																																																																						
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		<p>no. f shall be exclusive of FSI allowed for Inclusive Housing as per Regulation No. 4.8, there is no priority fix to utilise additional FSI or TDR. Other conditions of TDR utilisation shall be applicable as per TDR regulation.</p>	<p>v) For the Gaothan Expansion Scheme the F.S.I. will be 1.50 +Additional FSI on payment of premium.</p>
	<p>6.11.6.</p>	<p><b>Restriction on development of Heritage Precincts or Listed Buildings:-</b></p> <p>iii) If application for development, alteration, modification of the Heritage precincts or listed buildings is rejected under this regulation or under the Special Regulation or while granting such permission, any conditions are imposed on the owner which deprives him to use the FSI, the said owner shall be compensated by grant of Development Right Certificate.</p> <p>iv) The owner of the Heritage / Listed Buildings shall be entitled to use the said Development Right anywhere in the city subject to condition in Development Right Certificate and the regulations as may be prescribed by the Government from time to time.</p>	<p><b>Restriction on development of Heritage Precincts or Listed Buildings:-</b></p> <p>iii) Deleted.</p>
	<p>6.11.7.</p>	<p><b>Grant of Transferable Development Right in cases of loss of Development Rights:</b></p>	<p>Deleted.</p>

Sr. No. (1)	Regulation No. (2)	Instead of (3)	Read as (4)
	<b>6.13.</b>	<p><b>Redevelopment of old dilapidated dangerous building</b></p> <p>However as per the road width if the potential of the plot is more than what is mention above, then the balance potential available on plot after deducting rehab and incentive FSI may be allowed to be utilised to that extent by the way of TDR or Additional FSI in 50-50 proportion subject to limitation of additional FSI as mentioned in Table No. 5 or 8, if any.</p>	<p><b>Redevelopment of old dilapidated dangerous building</b></p> <p><b>1)</b> The reconstruction/redevelopment of building or buildings previously constructed by CIDCO within the limits of the Navi Mumbai Municipal Corporation which has been declared dilapidated by the Commissioner NMMC or a buildings constructed by CIDCO which is 30 years of age will be as per provision sanctioned by the Government <i>vide</i> Notification No. TPB-4312/643/CR-9/1/2014/UD-11, dated 4/2/2015.</p> <p><b>2)</b> The reconstruction/redevelopment of building or buildings previously constructed by CIDCO within the limits of CIDCO which is above 30 years of age will be as per provision sanctioned by the Government <i>vide</i> Notification No. TPB-4312/643/CR-9/2/2014/UD-11, dated 1/10/2016.</p>

Copy of this Corrigendum is kept open for the inspection of the public in the offices of the following Officers for the period of 30 days.

- 1) The Joint Director of the Town Planning, Konkan Division, Belapur, Navi Mumbai.
- 2) The Commissioner, Navi Mumbai Municipal Corporation.
- 3) The Commissioner, Panvel Municipal Corporation.

This Corrigendum shall also be published on the Government web-site at [www.maharashtra.gov.in](http://www.maharashtra.gov.in).

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

SANJAY BANAIT,  
Deputy Secretary to Government.