

४५ (४ कोष)

Kulgam
Badleper
10
2013

विकास नियंत्रण नियमावली - अंबरनाथ, कुळगांव-
बदलापूर व परिसर अधिसूचित क्षेत्र
अंबरनाथ, कुळगांव- बदलापूर व परिसर अधिसूचित
क्षेत्रामधील विशेष नगर वसाहतीच्या नियमावलीमध्ये
बदल करणेबाबत.....

महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६
चे कलम ३७ (१ कक) ची सूचना.

महाराष्ट्र शासन

नगर विकास विभाग

शासन निर्णय क्रमांक-टिपीएस-२०१२/७८/अ.कु.व.अ.क्ष./प्र.क्र.६०/१२/नवि-१२,

मंत्रालय, मुंबई- ४०० ०३२.

दिनांक :- १२ फेब्रुवारी, २०१३.

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

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नांवांने,

(संजय वि. पवार)
कार्यासन अधिकारी.

प्रति,

- १) विभागीय आयुक्त, कोकण विभाग, कोकण भवन, नवी-मुंबई.
- २) महानगर आयुक्त, मुंबई महानगर प्रदेश विकास प्राधिकरण, बांद्रा (पूर्व)
- ३) संचालक, नगर रचना, महाराष्ट्र राज्य-पुणे.
- ४) सह सचिव तथा सह संचालक (नगर रचना), मंत्रालय, मुंबई -२१ यांचे स्विय सहाय्यक.
- ५) जिल्हाधिकारी, ठाणे.
- ६) उपसंचालक, नगर रचना, कोकण विभाग, कोकण भवन, नवी - मुंबई.
- ७) सहाय्यक संचालक नगर रचना, ठाणे शाखा, ठाणे.
- ८) मुख्याधिकारी, अंबरनाथ नगरपरिषद, अंबरनाथ.
- ९) मुख्याधिकारी, कुळगांव-बदलापूर नगरपरिषद, बदलापूर.
- १०) व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, चर्नीरोड, मुंबई.

(त्यांना विनंती करण्यात येते की, सोबतची शासकीय सूचना महाराष्ट्र शासनाच्या
साधारण राजपत्र कोकण विभागीय पुरवणी भाग-१ मध्ये प्रसिध्द करून त्याच्या प्रत्येकी ०५ प्रती या
विभागास, महानगर आयुक्त, मुंबई महानगर प्रदेश विकास प्राधिकरण, संचालक नगर रचना, महाराष्ट्र
राज्य, पुणे, जिल्हाधिकारी, ठाणे, उपसंचालक नगर रचना, कोकण विभाग, कोकण भवन, नवी मुंबई,
सहाय्यक संचालक नगर रचना, ठाणे शाखा, जि.ठाणे, मुख्याधिकारी, अंबरनाथ नगरपरिषद, अंबरनाथ व
मुख्याधिकारी, कुळगांव-बदलापूर नगरपरिषद, बदलापूर यांना पाठवाव्यात)

११) कक्ष अधिकारी, कार्यासन नवि-२१, यांना विनंती करण्यात येते की, सोबतची सूचना
विभागाच्या वेबसाईटवर प्रसिध्द करावी.

१२) निवडनस्ती (कार्यासन-नवि-१२)

GOVERNMENT OF MAHARASHTRA
Urban Development Department
Mantralaya Mumbai 400032
Dated:- 12th February, 2013

NOTICE

Maharashtra Regional and Town Panning Act, 1966

No. TPS 1212/78/A.K.B.N.A/CR-60/12/UD-12

Whereas, the Government has appointed the Mumbai Metropolitan Region Development Authority (MMRDA) as a Special Planning Authority under the provisions of section 40 of the Maharashtra Regional and Town Planning Act, 1966 (Maharashtra XXXVII of 1966) (hereinafter referred to as 'the said Act") vide Notification No. TPB 1275/1199/UD-5 dated 15th March, 1976 (hereinafter referred to as "the said Special Planning Authority")

And whereas, the Development Control Regulations for the Ambernath, Kulgaon-Badlapur and Surroundings Notified Area (hereinafter referred to as "the said Development Control Regulations") have been sanctioned by the Government in the Urban Development Department under Section 31(1) of the said Act vide Notification No. TPS-1204/941/CR-163/04/UD-12 dated 25th July, 2005;

And whereas, the said Development Control Regulations do not contain the provisions for the Special Township;

And whereas, the Government vide order No. TPS 1208/Ambernath-Kulgaon-Badlapur D.P. DCR/UD-12 dated 4th February 2008 under section 37(1) read with section 154 of the said Act, directed the said Special Planning Authority (hereinafter referred to as "the said directives") to initiate the modification so as to incorporate the regulations pertaining to Development of the Special Township Projects in the Ambernath, Kulgaon-Badlapur And Surrounding Notified Area, as specified in the Schedule attached with the said directives(hereinafter referred to as "the proposed modification") ;

And whereas, as per the said directives of the Government, the said Special Planning Authority, after following the legal procedure under sub-section (1) of section 37 of the said Act has submitted a proposal to the Government vide letter dated

13/5/2009 to accord sanction to the proposed modification ;

And whereas, considering the need for rationalizing the Special Township Projects and Mega City Scheme, the Government constituted a Committee vide Government Resolution No. Misc-2009/ 1301/CR.271/09/UD-12 dated 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 regulations for the Special Township Projects 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 FSI for creation of the EWS/LIG Housing as per the State Housing Policy 2007;

And whereas, after considering the Committee's recommendations, the Government feels it necessary that the Meg City Scheme should be subsumed in the Special Township Projects and that the regulations proposed for the Special Township Projects by the said Special Planning Authority under the proposed modifications should be modified to the extent further proposed in the Annexure -A enclosed herewith to make the Special Township Project more effective ;

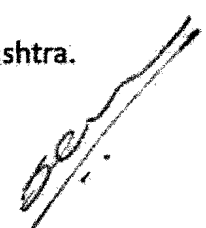
Now therefore, pending the sanction to the proposed modification proposal, the Government , in accordance with the provisions contained in sub-section (1AA) of section 37 of the said Act, hereby, publishes this notice for inviting suggestions and / or objections only in respect of the proposed further modifications annexed herewith as Annexure-A, from the general public within 30 (thirty) days from the date of publication of the notice in Official Gazette. The suggestions and / or objections shall be addressed to the Deputy Director of Town Planning, Konkan Division, Konkan Bhavan, Navi Mumbai, who is hereby appointed as an Officer under Section 162 of the said Act and authorized to hear the suggestions and / or objections which may be received within the aforesaid prescribed period and the say of the said Special Planning Authority and submit his report to the Government. Only the suggestions and/ or objections received within the aforesaid stipulated period shall be considered by the Government.

A copy of the modifications proposed under Annexure-A to this Notice regarding development of the Special Township Projects in areas under the Ambernath, Kulgaon-Badlapur and Surrounding Notified Area shall be kept open for inspection by the general public in the offices of the following officers for the period of one month:

- (1) The Metropolitan Commissioner, Mumbai Metropolitan Region Development Authority, Bandra-Kurla Complex, Bandra (E), Mumbai.
- (2) The Dy. Director of Town Planning, Konkan Division, Konkan Bhavan, Navi Mumbai.
- (3) The Asst. Director of Town Planning, Thane branch, Thane.
- (4) The Chief Officer, Ambernath Municipal Council, Ambernath Dist. Thane.
- (5) The Chief Officer, Kulgaon-Badlapur Municipal Council, Badlapur, Dist. Thane.

This notice shall also be available on the Government website www.urban.maharashtra.gov.in

By order and in the name of Governor of Maharashtra.


(Sanjay V. Pawar)
Section Officer

ANNEXURE- 'A'

**PROPOSED FURTHER MODIFICATIONS IN THE REGULATIONS OF SPECIAL TOWNSHIP
PROJECTS IN AREAS UNDER AMBERNATH, KULGAON-BADLAPUR AND SURROUNDING
NOTIFIED AREA PUBLISHED VIDE NOTICE NO. K/2805/AKBSNA/DCR-
Modification/393/2008, DATED 24/11/2008.**

A GENERAL REQUIRMENTS :**4. GENERAL NORMS FOR DIFFERENT LAND USES :**

4.1 The following provisions are proposed to be modified as shown herein below.

Provisions Contained in the Notice Dated 24th November,2008	Proposed Further Modifications
<p>(a) Residential :</p> <p>-----10% of the same shall be built for residential tenements having built-up area upto 40 sq.mt.</p>	<p>(a) Residential :</p> <p>-----33.33% of the same or 20% of the total built-up area whichever is more shall be built for Social housing for E.W.S/L.I.G</p>

4.2 The following new clause (j) shall be added below the existing clause (i) of sub-regulation 4

(j) Economic Activities: In order to make the Special Townships self-sustainable and ensure their development as new self-contained mirco-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 Townships shall compulsorily provide certain minimum area for such economic activities as given below :-

STP Area in Ha.	Minimum Built-up Area for Economic Activities
40 to 100	15%
Above 100 to 200	20%
Above 200	25%

The area earmarked for Economic Activities shall include Commercial Area.

5. DEVELOPMENT CONTROL REGULATIONS :-

Provisions Contained in the Notice Dated 24th November,2008	Proposed Further Modifications
<p>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 mutatis mutandis except those expressly provided in these Special Regulations.</p>	<p>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.</p>

5.1 Special Township in Residential, Residential with No Development Zone/ Green 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 No Development Zone/Green Zone, if any, included in the project shall be 1.00. The FSI for areas from No-Development Zone/Green Zone if any included in Special Township Zone shall be 0.5 in proportion to the area of these Zones. 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 Prescribed for Ambernath, Kulgaon-Badlapur and Surrounding Notified Area. However, it may be increased subject to provisions of fire

5.1 Special Township in Residential zone

i) The FSI distribution 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 Payment of Premium (Optional)	Maximum Total Permissible FSI on Gross Plot Area.
1	40 to100	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

<p>fighting arrangements with prior approval of the Chief Fire Officer, of Ambernath or Kulgaon-Badlapur Municipal Council. Utilisation of DRC's originated from any other area i.e. outside Special Township area shall not be permissible in Special Township area.</p>	
<p>5.2 Special Townships in Urabnisable Zone, No Development Zone/Green Zone -</p> <p>i) Development of Special Township Projects in areas from Urabnisable Zone, No Development Zone/ Green Zone contained in the Development Plan shall be permissible subject to conditions 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 0.50 worked out on the entire gross area of the</p>	<p>5.2 i) For the Special Township Projects in Agricultural zone / Green zone / No Development zone the following provisions shall be applicable.</p> <p>A) <u>Area within Transport Corridor *</u></p> <p>Over the area of Special Township Project falling 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.</p> <p>B) <u>Area outside Transportation Corridor *</u></p> <p>Over the area of Special Township Project outside the Transportation Corridor, the FSI shall be as mentioned below.</p>

<p>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.</p>	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

*** 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

(ii) In case of railway, an area within one km. radius of a passenger railway station.

(iii) There shall be no limit on the total built up area / FSI for the development of individual plots in the Special Township Projects. Height of any building shall be as per the Development Control Regulations for Ambernath, Kulgaon-Badlapur And Surrounding Notified Area. However, the height may be increased subject to provision of fire fighting arrangements with prior approval of the Competent Authority / Chief Fire Officer, of the Urban Local Body or in absence of such officer from the Director of Fire

Services, Government of Maharashtra.

iv) 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 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 Amernath, Kulgaon-Badlapur and Surrounding Notified Area by the Planning Authority at 100% of the ASR of the

	<p>Registration Department . No premium shall be charged for the grant of FSI for social housing for EWS/ LIG.</p> <p>(viii) The amount of premium collected by the Planning Authority shall be deposited in a separate Account and shall be exclusively used for creating off-site infrastructure and implementation of Development Plan of Ambernath, Kulgaon-Badlapur and Surrounding Notified Area.</p>
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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 new scheme shall be permissible on the balance un-built, unencumbered and buildable land parcel, having a minimum area of 8 Ha. If such balance unbuilt 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 areawise entitlement given in the Tables in Regulation 5.1 and Regulation No.5.2(i) for 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 marginal spaces, road width, etc.


(Sanjay V. Pawar)
Section Officer