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Reg. No. MB/MR/South-346/2014-16



सत्यमेव जयते

महाराष्ट्र शासन राजपत्र

असाधारण भाग एक-कोकण विभागीय पुरवणी

वर्ष ६, अंक २५(३)]

शुक्रवार, ऑगस्ट २२, २०१४/श्रावण २२, शके १९३६

[पृष्ठ २, किंमत : रुपये १५.००

असाधारण क्रमांक ८३

प्राधिकृत प्रकाशन

URBAN DEVELOPMENT DEPARTMENT
Mantralaya, Mumbai 400 032, dated 22nd August 2014

Notice

MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966.

No. TPB. 4314/878/C.R.-128/2014/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 20th February 1991 so as to come into force with effect from the 25th March 1991 ;

And whereas, the Government in the Urban Development Department *vide* Notification No. TPB 4307/1827/CR-212/07/UD-11, dated 17th September 2010 has incorporated a new Regulation 33(18) in the said Regulations for development of land earmarked for the Maharashtra Housing and Area Development Authority (hereinafter referred to as “MHADA”) / Mill Workers Housing, under Regulation 58 ;

And whereas, the Government in the Urban Development Department *vide* Notification No. CMS 4311/452/CR-58/2011/UD-11, dated 6th January 2012 has incorporated another new Regulation 35(4) in the said Regulations for Compensatory Floor Space Index, As per the provisions of Regulation 35(4), the Compensatory Floor Space Index is admissible without payment of premium with specified conditions for redevelopment under Regulation 33(5), 33(7), 33(9), 33(10). There is no specific provision in Regulation 35(4) to permit Compensatory Floor Space Index without charging premium for development under Regulation 33(18) ;

And whereas, the Chief Officer, Mumbai Housing and Area Development Board, *vide* letter No. CO/MB/1730/14, dated 9th April 2014 and the Vice President and Chief Executive Officer, MHADA *vide* letter No. EE/City Divn./MB/2104/14, dated 22nd May 2014 have informed the State Government that, if Compensatory Floor Space Index is not made admissible without charging premium for projects under Regulation 33(18), it will lead to increase in the cost of tenements for Mill workers ;

(२)

And whereas, the Government in view of the aforesaid request, is satisfied that in the public interest it is desirable to permit Compensatory Floor Space Index without charging premium for development projects under Regulation 33(18) and accordingly it is necessary to urgently carry out suitable modification to the existing Regulation 35(4), as specifically described in the Schedule appended hereto (hereinafter referred to as "the proposed modification");

Now, therefore, the proposed modification, as mentioned in the Schedule appended hereto, which the State Government proposes to make, 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, is hereby published as required by clause (a) of sub-section (1AA) of Section 37, for information of all persons likely to be affected thereby; 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*;

Any objections/suggestions in respect of the proposed modification 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.

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

Schedule

(Accompaniment to Notice No. TPB 4314/878/CR-128/2014/UD-11,
dated 22nd August 2014)

The following proviso is proposed to be added after 4th para in Regulation 35(4):—

"Provided also that in case of development under regulation 33(18), the fungible compensatory F.S.I. shall be admissible without charging premium."

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

SANJAY BANAIT,
Under Secretary to Government.