

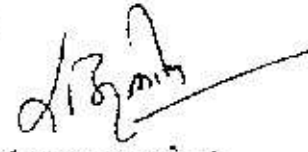
महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम,
१९६६
वृहन्मुंबई विकास निवंत्रण नियमावली १९९२
मधील धिनियम ३५(४) मध्ये फेरवदनावावत
कलम ३७ (१अंअ) खालील सूचना.

महाराष्ट्र शासन
नगर विकास विभाग

क्रमांक :- टिपीवी ४३१२ / ३७७ / प्र.क्र. १३९ / २०१४ / नवि-११
मंत्रालय, मुंबई : ४०० ०२१,
दिनांक - २७ ऑगस्ट, २०१४.

शासन निर्णय : सोवतची सूचना शासनाच्या असाधारण राजपत्रात प्रसिध्द करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.



(राजन अ. कोप)

सह सचिव, महाराष्ट्र शासन

प्रत,

भा. मुख्यमंत्री महोदयांचे प्रधान सचिव.

भा. राज्यमंत्री, नगर विकास विभाग यांचे खाजगी सचिव.

प्रति,

- (१) महानगरपालिका आयुक्त, वृहन्मुंबई महानगरपालिका, मुंबई
- (२) संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे
- (३) सह सचिव, तथा संचालक, नगर रचना, नगर विकास विभाग, मंत्रालय, मुंबई.
- (४) उपसंचालक, नगर रचना, वृहन्मुंबई, इन्सा हटनेट, महापालिका मार्ग, मुंबई- ४००००१.
- (५) प्रमुख अभियंता (वि.नि.), वृहन्मुंबई महानगरपालिका, मुंबई.
- (६) व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, चर्चरोड, मुंबई.

/- त्यांना विनंती करण्यात येते की, सोवतची शासकीय सूचना महाराष्ट्र शासनाचे असाधारण राजपत्रात प्रसिध्द करून त्याच्या ५० प्रती नगर विकास विभाग (नवि-११), मंत्रालय, मुंबई ४०० ०३२ व संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे व उपसंचालक, नगर रचना, वृहन्मुंबई यांना पाठविण्यात याव्यात.

- (७) कक्ष अधिकारी, कार्यासन नवि-२९.

/- त्यांना विनंती करण्यात येते की, सोवतची सूचना विभागाच्या वेबसाईटवर प्रसिध्द करण्याबाबत आवश्यक ती कार्यवाही करावी.

- (८) निवड नस्ती (नवि-११)

वृहन्मुंबई महानगर पालिका			
उ अभियंता (विकास नियोजन)			
बांधे कार्यालय			
२७	४	५	६
28 AUG 2014			
015338			
क्र	नगर	पूर्व. उय	प. उय
वि	टिडीआर	लेखा	अन्य

DY CH 2 (DP) I/II
DY CH 2 (BP) City / ES / WS I & II
for urgent n/a P1.

प्रमुख अभियंता
(विकास नियोजन)

Maharashtra Regional & Town Planning
Act, 1966.

Proposed Modification to Regulation 35(4)
of DCR for Gr. Mumbai, 1991 under section
37(1AA)

GOVERNMENT OF MAHARASHTRA
Urban Development Department,
Mantralaya, Mumbai 400 032.
Dated : 27 August, 2014

NOTICE

No. TPB 4312/377 /CR-139/2014/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 Govt. in the Urban Development Department, vide Notification No. CMS 4311/452/CR-58/2011/UD-11 Dated 6th January 2012 has incorporated a new Regulation 35(4) in the said Regulations for Compensatory Floor Space Index and 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 Regulations 33(5), 33(7), 33(9), 33(10), but there is no specific provision in Regulation 35(4) to permit Compensatory Floor Space Index (F.S.I.) without charging premium while granting additional FSI under the said Regulations;

And whereas, the Govt. is satisfied that in the public interest, it is necessary to urgently incorporate in the said Regulations, specific provision, as described in the Schedule appended hereto, regarding the premium to be charged on the compensatory F.S.I. while granting additional F.S.I. for various purposes under the said Regulations (hereinafter referred to as "the proposed modification").

Now, therefore, this Notice regarding the proposed modification, 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 it is hereby declared 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 (IAA) of Section 37.

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,



(Sanjay Bannai)

Under Secretary to Government.

SCHEDULE

(Accompaniment to Notice No. TPB 4312/377 / CR-139/ 2014/UD-11, dated 27th August 2014.)

The following proviso is proposed to be added after 5th para in Regulation 35(4)

“Provided that where any additional FSI is sanctioned for any development under the relevant provisions of these Development Control Regulations, the fungible FSI corresponding to such additional FSI shall be given by charging premium at the same rate as is applicable to the grant of such additional FSI.”



(Sanjay Banait)
Under Secretary to Government.



महाराष्ट्र शासन राजपत्र

असाधारण भाग एक-कोकण विभागीय पुरवणी

वर्ष ६, अंक २७(२)]

गुरुवार, ऑगस्ट २८, २०१४/भाद्र ६, शके १९३६

[पृष्ठ २, किंमत : रुपये ११.००

असाधारण क्रमांक ८८

प्राधिकृत प्रकाशन

URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Mumbai 400 032, dated 27th August 2014

Notice

MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966.

No. TPR. 4312/377/C.R. 139/2014/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(7) 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 in to force with effect from the 25th March 1991;

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 a new Regulation 35(4) in the said Regulations for Compensatory Floor Space Index and 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 Regulations 33(5), 33(7), 33(9), 33(10), but there is no specific provision in Regulation 35(4) to permit Compensatory Floor Space Index (F.S.I.) without charging premium while granting additional FSI under the said Regulations;

And whereas, the Government is satisfied that in the public interest, it is necessary to urgently incorporate in the said Regulations, specific provision, as described in the Schedule appended hereto, regarding the premium to be charged on the compensatory F.S.I. while granting additional F.S.I. for various purposes under the said Regulations (hereinafter referred to as "the proposed modification").

Now, therefore, this Notice regarding the proposed modification, 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 it is hereby declared 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;

आवश्यकता पडल्यास, समित्यांना याबाबतची सूचना देण्यात येईल. दिनांक २७/०८/२०१४ रोजी प्रकाशित.

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 FNSA 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 (AAA) of section 37.

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

Schedule

(Accompaniment to Notice No. T.P.D. 0312/3770/R-139/2014(01)-11,
dated 27th August 2014.)

The following proviso is proposed to be added after 6th para in Regulation 35(4)

"Provided that where any additional FSI is sanctioned for any development under the relevant provisions of these Development Control Regulations, the fungible FSI corresponding to such additional FSI shall be given by charging premium at the same rate as is applicable to the grant of such additional FSI."

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

SANJAY BANAIT,
Under Secretary to Government.

TA/2014

05.09.2014

29
2014

C

To
The Deputy Director of Town Planning
Greater Mumbai
ENSA Hutments, E-Block
Azad Maidan, Mahapalika Marg
Mumbai 400 001

Sub: Suggestions/ Objections to the Proposed Modification to Regulation 35(4) of DCR for Greater Mumbai, 1991 under section 37(1AA)

Ref: Notice No. TPB 4312/377/CR-139/2014/UD-11 dt. 27.08.2014

Respected Sir,

We have gone through the said Notification.

The Notification needs further clarification on the following points:

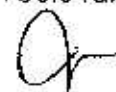
- (1) The Additional F.S.I. also available for Educational, Hospital and Hotel Buildings needs to be defined in Regulation for considering premium under 35(4) at the regular rate which are applicable normally, and not as per the present 35(4), i.e. 60%, 80% or 100%, which need to be modified.
- (2) In respect 33(7) and 33(10) for Educational Institutions, Additional F.S.I. is permitted by the Regulation itself. As F.S.I. is permitted by the Regulation, in that case, it is specifically required that the Government itself decides the percentage of premium for 35(4). Normally, we assume that the said premium should be charged in all 4 Regulations, i.e. 33(5), 33(7), 33(9) and 33(10), at 10% of total premium worked out based on 25% of R.R. rate.
- (3) In case of I.T. Park, if Additional F.S.I. is required, premium should not be charged at 100% at par with Commercial, but at 25% of the total premium worked out based on 25% of R.R. rate as fungible premium shall be considered.

We kindly request you to consider our above suggestions before finalizing the abovesaid Notification under 37(2).

Thanking you,

Yours faithfully,

Ann
6/9/14



For TEEARCH