

CHE/DP/29/GEM

2015-16

महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६
बृहन्मुंबई विकास नियंत्रण नियमावली १९९१ मधील
विनियम ३५(४) मध्ये फेरबदलाबाबत कलम ३७ (१अंअं)
(क) खालील अधिसूचना.

महाराष्ट्र शासन

नगर विकास विभाग

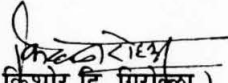
क्रमांक :- टिपीबी ४३१२ / ३७७/ प्र.क्र. १३९ / २०१४ / नवि-११

मंत्रालय, मुंबई : ४०० ०२१,

दिनांक - १९ ऑगस्ट, २०१५.

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

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.


(किशोर दि. गिरोकर)
अवर सचिव, महाराष्ट्र शासन

प्रत,

मा. मुख्यमंत्री महोदयांचे प्रधान सचिव.

मा. राज्यमंत्री, नगर विकास विभाग यांचे खाजगी सचिव.

प्रति,

- (१) महानगरपालिका आयुक्त, बृहन्मुंबई 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, बृहन्मुंबई, इन्सा हटमेंट, महापालिका मार्ग, मुंबई- ४००००१.
- (५) प्रमुख अभियंता (वि.नि.), बृहन्मुंबई महानगरपालिका, मुंबई.
- (६) व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, चर्नीरोड, मुंबई.

1/- त्यांना विनंती करण्यात येते की, सोबतची शासकीय अधिसूचना महाराष्ट्र शासनाचे साधारण राजपत्रात प्रसिध्द करून त्याच्या १५ प्रती नगर विकास विभाग (नवि-११), मंत्रालय, मुंबई ४०० ०३२ व संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे व उपसंचालक, नगर रचना, बृहन्मुंबई यांना पाठविण्यात याव्यात.

- (७) कक्ष अधिकारी, कार्यासन नवि-२९.

1/- त्यांना विनंती करण्यात येते की, सोबतची अधिसूचना विभागाच्या वेबसाईटवर प्रसिध्द करण्याबाबत आवश्यक ती कार्यवाही करावी.

बृहन्मुंबई महानगरपालिका विड सस्ती (नवि-११)			
प्रमुख अभियंता (विकास: नियोजन)			
यांचे कार्यालय			
११	३	४	५
१२	६	७	८
27 AUG 2015			
026841			
क्र.अ.वि.नि.	शहर	पूर्व. उप	प. उप
मां.अ.वि.	टिडीआर	लेखा	आस्था

AODP-II
Please circulate to all concerned
kale

ECOKES
Please maintain
list of AODP
modifications
sanctioned

उप प्रमुख अभियंता
(विकास नियोजन)-I
27.8.15

HCCDP/Gen

27.8.15
D/Ch/DP/II

3/19

NO. CHE/DP/ 26841 /GEN DT. 28 AUG 2015

CHE/DP/ 29 /GEN
2015 - 2016

DY.CHE (DP)-I/II/ DY.CHE(BP)CITY/ ES/ WS-I/WS-II/SPECIAL CELL/

DY.CH.PLANNER(DP) /DY.CHE(PPPP) /EE(DP)CITY/ EE(DP)ES /


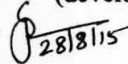
EE(DP) WS.H&K / EE(DP) WS.P&R /EE (P) TO CHE (DP) /

EE (BP) CITY -I /II /III/EE(BP) (ES) I /II /EE (BP)WS H&K /

EE (BP)WS P&R /

AE (DP)...../SE(DP).....

Copy submitted for information & further necessary action please.


Administrative Officer
(development Plan) I


**Maharashtra Regional & Town Planning
Act, 1966.**

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

**GOVERNMENT OF MAHARASHTRA
Urban Development Department,
Mantralaya, Mumbai 400 032.
Dated :- 19th August, 2015**

NOTIFICATION

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.

And whereas, the Govt., in exercise of the powers conferred under sub-section (1AA) of Section 37, issued a Notice of even no. dated 27nd August, 2014 for inviting suggestions/objections from the general public with regard to the modification proposed in the Schedule appended to the said Notice(hereinafter referred to as "the proposed modification") and appointed Deputy Director of Town Planning, Brihanmumbai 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 whereas, the said notice was published in the Maharashtra Government Gazette (Extra Ordinary Part-I, Konkan Division Supplementary) (hereinafter referred to as "the Official Gazette") dt. 27nd August, 2014 and the said Officer has submitted his report after completing all legal procedure to the Government;



And whereas, after considering the report of the said Officer, the suggestions /objections received from the general public and after consulting the Director of Town Planning, Maharashtra State, Pune the Government is of the opinion that the proposed modification is required to be sanctioned with some changes by the Government;

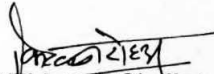
Now therefore, in exercise of the powers conferred upon it under Section 37(1AA)(c) of the said Act, the Government hereby:-

- A) Sanctions the proposed modification to Regulation 35(4) of the said Regulations with some changes by the Government and as described more specifically in the Schedule appended hereto.
- 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 said Corporation to add the proviso after 5th para in Regulation 35(4), as per the Schedule referred to at (A) above.

This Notification 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,




(Kishor D. Giroha)

Under Secretary to Government.




SCHEDULE

(Accompaniment to Notification No. TPB 4312/377 / CR-139/ 2014/UD-11, dated 19th August, 2015.)

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

"Provided that in case of development under regulation 33(2) excluding buildings of private medical institutions under regulation 33(2)(A), the fungible compensatory F.S.I. shall be admissible on 50% rebate in premium to be charged as per this regulation and the development under regulation 33(3) shall be admissible without charging premium for fungible FSI."




(Kishor D. Girolla)

Under Secretary to Government.