

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

**Proposed Modification to Regulation 35(4) of DCR for Gr. Mumbai, 1991 under Section 37(1AA) and directives under Section 154 of the Act.**

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2015

**GOVERNMENT OF MAHARASHTRA**  
**Urban Development Department,**  
**Mantralaya, Mumbai 400 032.**  
**Dated : 20<sup>th</sup> October, 2015.**

**NOTICE**

**No. TPB 4315/CR-142/2015/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 20<sup>th</sup> February, 1991 so as to come into force with effect from the 25<sup>th</sup> March, 1991;

And whereas, the Govt. in the Urban Development Department, vide Notification No. CMS 4311/452/CR-58/2011/UD-11 Dated 6<sup>th</sup> January 2012 has incorporated another new Regulation 35(4) in the said Regulations for Compensatory Floor Space Index. The Compensatory F.S.I. is permissible above admissible F.S.I. by charging premium as per provisions of the Regulation 35(4). But there is no provision in the Regulation in respect of sharing of premium between the state Government and Municipal Corporation of Greater Mumbai (hereinafter referred to as "the said Corporation");

And whereas, the Government in the Urban Development Department is of the opinion that the premium collected shall be shared between the State Government and the said Corporation in the proportion 1/3: 2/3 ;

And whereas, in the public interest it is necessary to urgently carry out suitable modification to the Regulation 35(4), as specifically described in the Schedule appended hereto (hereinafter referred to as "the proposed modification");

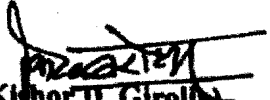
Now, therefore, after considering the above facts and circumstances and in exercise of powers vested in it under sub-section (1AA) of Section 37 of the said Act, and all other powers enabling it in this behalf, the Government hereby publishes a notice regarding the proposed modification, as required by clause (a) of sub-section (1AA) of Section 37, for information of all the persons likely to be affected thereby and notice is hereby given that the 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 and during the process under Section 37(1AA) of the said Act, the State Government gives the directives under Section 154(1)

of the said Act that, from the date of this Notice, the said Corporation shall deposit 1/3 of premium collected under Regulation 35(4) to the State Government.

The Government is further pleased to inform that 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 shall 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 Govt. of Maharashtra website : [www.maharashtra.gov.in](http://www.maharashtra.gov.in)

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



(Kishor D. Giroth)

Under Secretary to Government.

**SCHEDULE**

( Accompaniment to Notice . TPB 4315/CR-142/2015/UD-11, dated 20<sup>th</sup> October,2015)

<b>Existing Provision</b>	<b>Proposed Provision</b>
<p><b><u>Note below Regulation 35(4)</u></b></p> <p>Note:- The premium amount collected shall be kept in a separate Account to be utilized for infrastructure development.</p>	<p><b><u>Note below Regulation 35(4)</u></b></p> <p>Note:- The 1/3 part out of the total premium shall be payable to the State Government. Remaining 2/3 part shall be payable to the Corporation, which shall be kept in a separate account to be utilized for infrastructure development by the Corporation.</p>



(Kishor D. Girolla)

Under Secretary to Government.