

महाराष्ट्र प्रादेशिक नियोजन व नगर रचना अधिनियम, १९६६
चे कलम ३७(१क क) क अन्वये सूचना...
राज्यातील महानगरपालिकांच्या मंजूर विकास नियंत्रण
नियमावलीमध्ये औद्योगिक वापर विभागात रहिवास वापर
अनुज्ञेय करावयाच्या विनियमामध्ये सुधारणा...

महाराष्ट्र शासन

सूचना

नगर विकास विभाग,

मंत्रालय, मुंबई-३२

दिनांक : ०३/०६/२०१६

शासन निर्णय क्र.टिपी टिपीएस-१८१२/१८१/प्र.क्र.२५०/१३/ नवि-१३

शासन निर्णय :- सोबतची सूचना महाराष्ट्र शासनाच्या, साधारण राजपत्रामध्ये राज्यस्तरावर प्रसिध्द करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांचे आदेशानुसार व नांवाने.

(संजय सावजी)

अवर सचिव, महाराष्ट्र शासन

प्रत :-

- १) मा.मुख्यमंत्री महोदयांचे सचिव, मंत्रालय, मुंबई.
- २) मा. राज्यमंत्री (नगर विकास) महोदयांचे खाजगी सचिव, मंत्रालय, मुंबई.
- ३) प्रधान सचिव (नवि-१), नगर विकास विभाग, महाराष्ट्र राज्य, मंत्रालय, मुंबई.
- ४) सह सचिव तथा संचालक, नगर रचना, नगर विकास विभाग, मंत्रालय, मुंबई.

प्रति :-

- १) संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे.
- २) आयुक्त, महानगरपालिका,
- ३) सह संचालक, नगर रचना, पुणे /कोकण/नाशिक/औरंगाबाद/अमरावती विभाग.
- ४) सहायक संचालक, नगर रचना, /नगर रचनाकार, शाखा कार्यालय,
- ५) व्यवस्थापक, शासकीय मुद्रणालय, चर्नीरोड, मुंबई - त्यांना विनंती करण्यांत येते की, सोबतची शासकीय अधिसूचना महाराष्ट्र शासनाच्या राजपत्रात मध्यवर्ती स्तरावर प्रसिध्द करून त्याच्या प्रत्येकी १० प्रती शासनास पाठवाव्यात.
- ६) कक्ष अधिकारी (नवि-२९) नगर विकास विभाग, मंत्रालय, मुंबई - यांना विनंती की सदरची अधिसूचना या विभागाच्या संकेतस्थळावर प्रसिध्द करणेत यावी.
- ७) निवड नस्ती (नवि-१३).

सुचना

महाराष्ट्र शासन
नगर विकास विभाग
मंत्रालय, मुंबई ४०००३२
दिनांक : ०३/०६/२०१६

महाराष्ट्र
प्रादेशिक
नियोजन व
नगर रचना
अधिनियम,
१९६६

शासन सूचना क्र. टिपीएस-१८१२/९८१/प्र.क्र.२५०/१३/ नवि-१३:- ज्याअर्थी, प्रस्तुत सुचनेच्या दिनांकास, राज्यातील सोबत दर्शविलेल्या अनुसूची अ मधिल महानगरपालिका क्षेत्रांसाठी (यापुढे ज्याचा उल्लेख “उक्त नियोजन प्राधिकरण” असा करण्यात आला आहे), शासनाने वेळोवेळी महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम १९६६ चे कलमान्वये (यापुढे ज्याचा उल्लेख “उक्त अधिनियम” असा करण्यात आला आहे), विकास योजना मंजूर केल्या आहेत. (यापुढे ज्याचा उल्लेख “उक्त विकास योजना” असा करण्यात आला आहे),

आणि ज्याअर्थी, उक्त नियोजन प्राधिकरणांच्या उक्त विकास योजनेसोबत विकास नियंत्रण नियमावली वेळोवेळी मंजूर करण्यात आलेले असून त्यामध्ये औद्योगिक वापर क्षेत्रामध्ये निवासी वापर अनुज्ञेय करण्याचे विनियम समाविष्ट आहेत (यापुढे ज्याचा उल्लेख “उक्त विनियम” असा करण्यात आला आहे);

आणि ज्याअर्थी, औद्योगिक वापर क्षेत्रामध्ये निवासी वापर अनुज्ञेय करताना अधिमूल्य दर आकारणी व इतर अनुषंगिक सुधारणा उक्त विनियमा मध्ये करण्याची बाब शासनाच्या विचाराधिन असून त्या करीता सर्व महानगरपालिकांच्या विकास नियंत्रण नियमावलीमध्ये सदर प्रस्तावित विनियम अंतर्भूत करण्यासाठी जनहिताचे दृष्टीने फेरबदल करणे आवश्यक आहे असे शासनाचे मत झाले आहे (यापुढे ज्याचा उल्लेख “उक्त प्रस्तावित फेरबदल” असा करण्यात आला आहे);

त्याअर्थी, उक्त अधिनियमाचे कलम ३७, पोटकलम १ (कक) (क) द्वारे प्राप्त अधिकारान्वये महाराष्ट्र शासन, या सुचनेसोबत जोडलेल्या अनुसूची ब मध्ये नमूद केलेले प्रस्तावित सुधारणा उक्त विनियमामध्ये समाविष्ट करण्यासंदर्भात (यापुढे ज्याचा उल्लेख “प्रस्तावित फेरबदल” असा करण्यात आला आहे), कोणत्याही व्यक्तीकडून, प्रस्तुतची सूचना महाराष्ट्र शासन राजपत्रामध्ये प्रसिद्ध झाल्याच्या दिनांकापासून १ महिन्याच्या मुदतीत, सूचना / हरकती मागविण्यासाठी, सूचना प्रसिद्ध करित आहे;

वर विहित केलेल्या कालावधीमध्ये प्रस्तावित फेरबदलाच्या संबंधात, शासनाच्या वतीने नगर रचना विभागाचे, संबंधित विभागीय सह संचालक यांचेकडे प्राप्त झालेल्या सूचना / हरकतींचा शासनाकडून विचार केला जाईल. संबंधित सूचना / हरकती संबंधित महानगरपालिका यांचेकडे पाठवून त्यावर, उक्त महानगरपालिकेला सुनावणीची संधी देण्यात येईल. प्राप्त होणाऱ्या सूचना / हरकतींवर संबंधितांना सुनावणी देण्यासाठी व संबंधित महानगरपालिकांना सुनावणी देण्यासाठी व त्यावरील अहवाल शासनास सादर करण्यासाठी नगर रचना विभागाचे, संबंधित विभागीय सह संचालक, नगर रचना यांना उक्त अधिनियमाचे कलम-१६२ अन्वये अधिकारी म्हणून नियुक्ती करण्यात येत आहे.

सदरहू सूचना नागरिकांच्या अवलोकनार्थ कामकाजाच्या दिवशी कार्यालयीन वेळेत खालील कार्यालयांत उपलब्ध करण्यात यावी-

- (i) संचालक, नगर रचना, महाराष्ट्र राज्य, मध्यवर्ती इमारत, पुणे-४११ ००१
- (ii) विभागीय सह संचालक, नगर रचना, पुणे/कोकण/नाशिक/औरंगाबाद/अमरावती
- (iii) संबंधित महानगरपालिका कार्यालयात

सदरहू सूचना शासनाच्या www.maharashtra.gov.in (कायदे व नियम) या संकेतस्थळावर देखील प्रसिद्ध करण्यात आली आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

(संजय सावजी)
अवर सचिव, महाराष्ट्र शासन

अनुसुची- अ

शासन सुचना क्र. क्र. टिपीएस-१८१२/१८१/प्र.क्र.२५०/१३/ नवि-१३,दि.०३/०६/२०१६ सोबतचे सहपत्र.

अ.क्र.	महानगरपालिका	प्राधिकृत अधिकारी,
१	ठाणे	सह संचालक, नगर रचना, कोकण विभाग, कोकण, नवि-मुंबई, कोकण भवन, तिसरा मजला, सिबीडी बेलापूर, नवि मुंबई-४०० ६१४
२	कल्याण-डोंबिवली	
३	वसई- विरार	
४	मिरा-भाईंदर	
५	उल्हासनगर	
६	भिवंडी-निजामपूर	
७	पुणे	सह संचालक, नगर रचना, पुणे विभाग, पुणे, स.नं.७४/२, सहकार नगर, सारंग सोसायटी, बँक ऑफ महाराष्ट्रच्या वरती, पुणे-४११ ००९.
८	पिंपरी-चिंचवड	
९	सोलापूर	
१०	कोल्हापूर	
११	नाशिक	सह संचालक, नगर रचना, नाशिक विभाग, नाशिक, नविन प्रशासकीय इमारत, पहिला मजला, विभागीय महसूल कार्यालय, नाशिक रोड-४२२ ००१.
१२	जलगाव	
१३	औरंगाबाद	सह संचालक, नगर रचना, औरंगाबाद विभाग, औरंगाबाद, म्हाडा बिल्डींग, दुसरा मजला, हॉटेल पिंट्रॅवल समोर, स्टेशन रोड, औरंगाबाद-४३१ ००१.
१४	नांदेड-वाघाळे	
१५	अमरावती	सह संचालक, नगर रचना, अमरावती विभाग, अमरावती, "निलगीरी" डॉ. अग्रवाल बिल्डींग, विजय कॉलनी, काँग्रेस नगर रोड, अमरावती - ४४४ ६०६.
१६	अकोला	

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

(संजय सावजी)
अवर सचिव, महाराष्ट्र शासन

अनुसूची-ब

**Accompaniment to the Government in Urban Development Department Notice bearing
No. TPS-1812/981/CR-250/2013/UD-13, Dt.03/06/2016.**

**Following modifications are proposed to be inserted in the existing regulation of
Allowing Residential / Commercial user in Industrial (I to R).**

Modifica tion No.	Proposed Modification
M-1	<p>With the previous approval of the Commissioner any open land or lands or closed Industrial unit / units on such land in the Industrial Zone may be permitted to be utilised for all the users permissible in the Residential Zone with permissible FSI in Residential Zone Subject to payment of one time premium to be paid equal to 20% of the rate of Developed lands as given in the Annual Statement of Rates published by IGR every year. Out of the total area proposed to be utilised for Residential Development 20% of the basic FSI shall be built for Residential tenement having built up area up to 50 Sq. m.</p> <p style="text-align: center;">However minimum 25% of such permissible total FSI may be allowed to be utilised towards Commercial users.</p>
M-2	<p>While allowing development permission of such land admeasuring up to 2.00 Ha., the Commissioner shall ensure that 10% land for public utilities and amenities like Electric Sub-Station, Bus-Station, Sub-Post-Office, Police out post and such other amenities, as may be considered necessary, be provided therein. These areas will be in addition to the Recreational space as required to be provided under these regulations.</p>
M-3	<p>With the special written permission of Municipal Commissioner, land having area up to 0.20 Hecter in size may be permitted to be used for Residential purpose or any other permissible user in Residential Zone, provided that in such case the owner / Developer shall require to provide either 10% amenity space in the form of open land or 5% built up space in the proposed construction at appropriate location preferably on ground floor.</p>
M-4	<p>In case of obnoxious industries existing on the remaining part area of the land holding, necessary segregation distance shall be provided.</p> <p>However in case of plots having non-obnoxious user, no such segregating distance shall be provided. In case of development for Industrial use on the plot adjoining to the Residential / Commercial development, the necessary segregating distance from such existing Residential / Commercial development shall be observed.</p>
M-5	<p>Proviso to be inserted in Regulation of Amenity Space -</p> <p>A. If Development Plan reservations (excluding DP Roads / Road Widening) are in the land under I to R conversion, then such reservation may be adjusted in amenity space as mentioned in following manner.</p> <p>i. If the area under Development Plan reservation is less than the required area of public amenity space as per the said Regulation, then only the difference between the area shall be provided for public amenity spaces.</p> <p>ii. If the area under Development Plan reservation is more than the required area of public amenity spaces as per the said regulation, then the area for public amenity spaces shall be provided equal to Development Plan reservation area.</p>

	B. Provided further that, irrespective of land use zone, where the provisions of Development Control Regulations provide for amenity Space in Residential area which is more than what is stipulated in this regulations, then Amenity Space which is more only shall only be provided.
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Note: - The above modifications are proposed to be inserted at appropriate places in the said existing sanctioned regulation. If any conflicts arises between the existing and above proposed modifications, in such cases the above regulations shall prevail.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

(संजय सावजी)
अवर सचिव, महाराष्ट्र शासन

NOTICE

**Government of Maharashtra,
Urban Development Department,
Mantralaya, Mumbai 400 032.
Date : 03/06/2016**

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

No. TPS-1812/981/CR-250/2013/UD-13, - Whereas, the Government of Maharashtra has sanctioned the various Development Plans for the area of Municipal Corporations as mentioned in **Annexure-A** (hereinafter referred to as “the said Planning authorities”) under the provision of the Maharashtra Regional and Town Planning Act, 1966 (Mah.XXXVII of 1966) (hereinafter referred to as “the said act”)

And whereas, the Government of Maharashtra has sanctioned and made applicable the “Development Control Regulations for the respective Municipal Corporations under the provision of said Act, in which Residential or Commercial development shall be permitted in Industrial Zone (**hereinafter referred to as “the said Regulations”**);

And whereas, the Government of Maharashtra is of the opinion that, such Residential / Commercial development in Industrial Zone is to be permitted on payment of **premium along with other modification in the said Regulations** and for that purpose accordingly decided to make modification to the said regulations as mentioned in **Annexure-B, (hereinafter referred to as “the proposed modification”**);

Now therefore, in exercise of the powers conferred by Clause (a) of sub-section (1 AA) of Section 37 of the Maharashtra Regional and Town Planning Act, 1966 (Mah.XXXVII of 1966) (hereinafter referred to as “the said act”) and all other powers enabling in that behalf, the Government of Maharashtra, hereby publishes a Notice for inviting suggestions and / or objections, from any person with respect to the proposed modifications specified in the **Annexure-B** appended to this Notice (**hereinafter referred to as “the proposed modification”**) within a period of one month from the date of publication of this Notice in the Maharashtra Government Gazette.

Any objections and / or suggestions which may be received by the concerned Divisional Joint Director of Town Planning, on behalf of the Government from any person with respect to the proposed modification before the expiry of the aforesaid period shall be considered by the Government. Opportunity of being heard shall be given to the concerned Planning Authorities with respect to the suggestions and / or objections forwarded by the Government to it. Concerned Divisional Joint Director Town Planning are hereby appointed under section-162 of the said Act, as the Officer for giving hearing in respect of the suggestions and / or objections received in this regard and to the concerned Planning Authorities and submit his report to the Government.

This Notice shall be kept open for inspection to the general public in the following offices for the above period on all working days:-

- (i) Office of the Director of Town Planning, M.S., Central Building, Pune.
- (ii) Office of the Joint Director of Town Planning, Pune/Konkan/Nashik/
Aurangabad/Amravati Division.

(iii) Office of the respective Municipal Corporation

This Notice shall also be made available on the Government website www.maharashtra.gov.in (कायदे व नियम)

By order and in the name of Governor of Maharashtra,

(Sanjay Saoji)
Under Secretary to Government

Annexure-A

**Accompaniment to the Government in Urban Development Department Notice
bearing No. TPS-1812/981/CR-250/2013/UD-13, Dt.03/06/2016**

Sr. No.	Name of Municipal Corporation	Joint Director, Town Planning is an officer authorized on behalf of Government
1	Thane	Joint Director of Town Planning, Konkan Division, Navi Mumbai, Konkan Bhavan, Third Floor, CBD Belapur, Navi Mumbai-400 614.
2	Kalyan-Dombivali	
3	Vasai-Virar	
4	Mira-Bhayander	
5	Ulhasnagar	
6	Bhiwandi-Nijampur	
7	Pune	Joint Director of Town Planning, Pune Division, Pune, S.No.74/2, Sahakarnagar, Sarang Society, above Bank of Maharashtra, Pune-411 009.
8	Pimpri-Chinchwad	
9	Solapur	
10	Kolhapur	
11	Nashik	Joint Director of Town Planning, Nashik Division, Nashik, New Central Administrative Building, First Floor, Divisional Commissionerate, Nashik Road-422 001.
12	Jalgaon	
13	Aurangabad	Joint Director of Town Planning, Aurangabad Division, Aurangabad, MHADA Building, Second Floor, Opp. Hotel Printravel, Station Road, Aurangabad-431 001.
14	Nanded-Vaghala	
15	Amravati	Joint Director of Town Planning, Amravati Division, Amravati, “Nilgiri”, Dr.Agarwal Building, Vijay Colony, Congress nagar Road, Amravati-444 606.
16	Akola	

By order and in the name of Governor of Maharashtra,

**(Sanjay Saoji)
Under Secretary to Government**

Annexure-B

**Accompaniment to the Government in Urban Development Department Notice bearing
No. TPS-1812/981/CR-250/2013/UD-13, Dt.03/06/2016.**

**Following modifications are proposed to be inserted in the existing regulation of
Allowing Residential / Commercial user in Industrial Zone (I to R).**

Modifica tion No.	Proposed Modification
M-1	<p>With the previous approval of the Commissioner any open land or lands or closed Industrial unit / units on such land in the Industrial Zone may be permitted to be utilised for all the users permissible in the Residential Zone with permissible FSI in Residential Zone Subject to payment of premium to be paid equal to 20% of the rate of Developed lands as given in the Annual Statement of Rates published by IGR every year. Out of the total area proposed to be utilised for Residential Development 20% of the basic FSI shall be built for Residential tenement having built up area up to 50 Sq. m.</p> <p style="text-align: center;">However minimum 25% of such permissible total FSI may be allowed to be utilised towards Commercial users.</p>
M-2	<p>While allowing development permission of such land admeasuring up to 2.00 Ha., the Commissioner shall ensure that 10% land for public utilities and amenities like Electric Sub-Station, Bus-Station, Sub-Post-Office, Police out post and such other amenities, as may be considered necessary, be provided therein. These area will be in addition to the Recreational space as required to be provided under these regulations.</p>
M-3	<p>With the special written permission of Municipal Commissioner, land having area up to 0.20 Hecter in size may be permitted to be used for Residential purpose or any other permissible user in Residential Zone, provided that in such case the owner / Developer shall require to provide either 10% amenity space in the form of open land or 5% built up space in the proposed construction at appropriate location preferably on ground floor.</p>
M-4	<p>In case of obnoxious industries existing on the remaining part area of the land holding, necessary segregation distance shall be provided.</p> <p>However in case of plots having non-obnoxious user, no such segregating distance shall be provided. In case of development for Industrial use on the plot adjoining to the Residential / Commercial development, the necessary segregating distance from such existing Residential / Commercial development shall be observed.</p>
M-5	<p>Proviso to be inserted in Regulation of Amenity Space -</p> <p>A. If Development Plan reservations (excluding DP Roads / Road Widening) are in the land under I to R conversion, then such reservation may be adjusted in amenity space as mentioned in following manner.</p> <p>i. If the area under Development Plan reservation is less than the required area of public amenity space as per the said Regulation, then only the difference between the area shall be provided for public amenity spaces.</p> <p>ii. If the area under Development Plan reservation is more than the required area of public amenity spaces as per the said regulation, then the area for public amenity spaces shall be provided equal to Development Plan reservation area.</p>

	B. Provided further that, irrespective of land use zone, where the provisions of Development Control Regulations provide for amenity Space in Residential area which is more than what is stipulated in this regulations, then Amenity Space which is more only shall only be provided.
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Note: - The above modifications are proposed to be inserted at appropriate places in the said existing sanctioned regulation. If any conflicts arises between the existing and above proposed modifications, in such cases the above regulations shall prevail.

By order and in the name of Governor of Maharashtra,

(Sanjay Saoji)
Under Secretary to Government
