

महाराष्ट्र प्रादेशिक नियोजन व नगर रचना अधिनियम, १९६६
चे कलम ३७(१क क) क अन्वये सूचना...

नवी मुंबई महानगरपालिकेच्या 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.टिपीएस-१८१२/९८१/प्र.क्र.२५०/१३/ नवि-१३

शासन निर्णय :- सोबतची सूचना महाराष्ट्र शासनाच्या, साधारण राजपत्रामध्ये 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, नवी मुंबई
- ३) सह संचालक, नगर रचना, कोकण विभाग.
- ४) सहायक संचालक, नगर रचना, ठाणे
- ५) व्यवस्थापक, शासकीय मुद्रणालय, चर्नीरोड, मुंबई - त्यांना विनंती करण्यांत येते की, सोबतची शासकीय अधिसूचना महाराष्ट्र शासनाच्या राजपत्र कोकण विभागीय पुरवणी मध्ये 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).

Maharashtra Regional and town Planning Act, 1966.

Proposed Modification to Development Control Regulation for Navi Mumbai Municipal Corporation under section 37(1AA)

GOVERNMENT OF MAHARASHTRA
Urban Development Department,
Mantralaya, Mumbai 400 032.
Dated :3rd June, 2016

NOTICE

No. TPS-1812/981/CR-250/2013/UD-13

Whereas, the Government of Maharashtra, in Urban Development Department, vide its Notification No. TPB-4306/564/CR-55/06/UD-11, dated 12th December 2007, under sub-section(2) of Section 37 of the Maharashtra Regional and town Planning Act,1966 (hereinafter referred to as “the said Act”) sanctioned the proposal of modification to Development Control Regulation 1994(hereinafter referred to as the “the said Regulations ”) as submitted under sub-section (1) of the Section 37 of the said Act by **Navi Mumbai Municipal Corporation** (hereinafter referred to as the said Corporation) for its area by keeping some of the Regulations in abeyance and whereas the said Regulations have become applicable with effect from 27th December 2007;

And whereas, the Government in Urban Development Department, vide its Notification No.TPB/4306/564/CR-55/06/UD-11 dated 21st July 2008, has sanctioned the Regulations which are kept in abeyance vide its earlier Notification dated 12th December 2007 under sub-section (2) of Section 37 of the said Act, and the same have come into force with effect from 23rd July 2008;

And whereas, the other Municipal Corporations in Maharashtra State have the provision of permitting residential use in industrial zone in their Development Control Regulations except in the area of the said Corporation;

And whereas, the Government in the Urban Development Department is of the opinion that the provision regarding permitting residential use in industrial zone (I to R) should be incorporated in the said Regulations and accordingly it is necessary to urgently carry out suitable modification to the said Regulations, as specifically described in the Schedule-A 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 for inviting suggestions and objections from any person with respect to proposed modification, as required by clause (a) of sub-section (1AA) of Section 37, within period 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 Joint Director of Town Planning, Konkan Division , having his office at 3rd Floor, Konkna Bhavan, Navi Mumbai 400 614. Any objection or suggestion, which may be received by the Joint Director of Town Planning, Konkan Division, 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 (कायदे व नियम)

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

(Sanjay Saoji)
Under Secretary to Government.

SCHEDULE- A

(Accompaniment to Notice TPS-1812/981/CR-250/2013/UD-13, Dated 3rd June 2016)

Special Regulations for permitting Predominant Residential use in Industrial Zone of the Development Plan Navi-Mumbai (I to R Policy)

A) With the previous approval of the Municipal Commissioner any open lands or lands or closed industrial unit/units on such lands or any existing or newly built-up area of unit in the Industrial Zone may be permitted to be utilized for all the users permissible in the Predominant Residential Zone with permissible FSI in the such Zone subject to payment of one time premium to be paid equal to 20% of the rate of Developed land as given in the Annual Statement of Rates published by IGR every year.

Provided that in respect of industries which are not in operation such residential use shall not be permitted unless NOC from Labour Commissioner, Maharashtra State, Mumbai stating that all legal dues have been paid to the workers or satisfactory arrangement between management and workers have been made, is obtained. However, in respect of any open land in the Industrial Zone where industry never existed, NOC from Labour Commissioner is not required.

B) Condition for provision of Amenity Spaces -

i) In the layout or sub-division of such land admeasuring up to 2 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.

ii) In such layouts of sub-division having area more than 2 Ha. but less than 5Ha., the Commissioner shall ensure that 20% land for public utilities and amenities , like Electric Sub-Station. Bus-Station, Sub-post Office, Police out post and such other amenities, garden, playground, dispensary as may be considered necessary, be provided therein.

iii) In such layout or sub division each more than 5Ha. the Commissioner shall ensure that 25% land for public utilities and amenities , like Electric Sub-Station. Bus-Station, Sub-post Office, Police out post and such other amenities, garden, playground, dispensary as may be considered necessary, be provided therein.

iv) With the special written permission of Municipal Commissioner, land having area upto 0.20 Hecter in size may be permitted to be used for Residential purpose/Commercial purpose or any other permissible user, provided that in such case the Owner/Developer shall be required 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

v) The land under public utility / amenity provided above shall be handed over to the Planning Authority in lieu of in-situ FSI or TDR or may be developed by the Owner / Developer with proper access and basic land development.

vi) These Amenity areas will be in addition to the recreational space as required to be provided under these regulations provided that at least 50% of land out of the total provided public amenity/ utility space shall be kept open for the purposes such as garden, recreational ground, parking etc.

vii) 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 regulation, then out of these two Amenity Space, the Amenity Space which is more only be provided.

C) Other Conditions

i) Such residential/commercial development shall be allowed within the FSI permissible in Predominant Residential Zone. Out of the total area proposed to be utilised for residential development, 20% of the basic FSI of Residential shall be built for residential tenements having built up area upto 50 sq.m.

ii) While allowing such residential use, minimum 25% FSI of such permissible total FSI shall be used for Commercial or Office purpose.

iii) Conversion from Industrial Zone to Predominant Residential Zone shall be applicable to the part area of the land holding subject to the condition that total area of the entire land holding shall be considered for deciding the percentage of the land to be reserved for public amenity/ utility spaces, as per these regulations.

iv) 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.

a. 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.

b. 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.

v) In case of obnoxious industries existing on the remaining part area of the land holding, necessary segregation distance shall be provided. 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.

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

(Sanjay Saoji)
Under Secretary to Government.