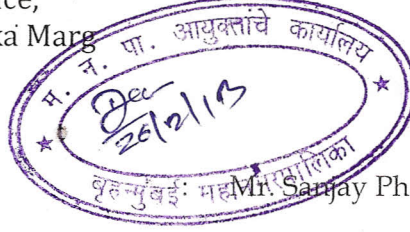


**REQUEST FOR INFORMATION UNDER
CENTRAL RIGHT TO INFORMATION ACT 2005**

To:

The Public Relation Officer

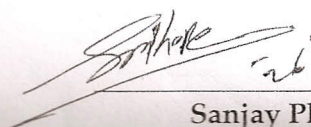
(Administrative Officer to Hon'ble Municipal Commissioner),
Municipal Commissioners Office,
MCGM Head Office, Mahapalika Marg
Mumbai - 400001.



1. **Name of the Applicant** : Mr. Sanjay Phope
2. **Address** : MCHI-CREDAI
Maker Bhavan-II, 4th Floor,
18, Sir Vithaldas Thakersey Marg,
New Marine Lines, Mumbai - 400 020
3. **Particulars of Information required** : Correspondence from Hon'ble Municipal Commissioner's desk related to 20% EWS/LIG scheme.
 - i. **Subject matter of Information** : Require a copies of the letters signed by Hon'ble Municipal Commissioner under subject of clarification regarding the notification number TPB-4312/CSR-45/2012/(2)/UD-11 Dt. 8th Nov. 2013.
 - ii. **The period to which information relates** : Within month of December 2013
 - iii. **Description of the information required** : Provisions regarding inclusive housing for the sub-division or layout of land admeasuring 4000 sq. mt. or more.
 - iv. **Whether information is required By Post or in person. (The actual postal charges shall be included in additional fees)** : By person
 - v. **In case by Post (Ordinary, Registered or Speed.)** : NIL
4. **Whether the applicant is below poverty in (if yes, attach the photo copy of the proof thereof)** : NIL

Place: Mumbai

Date: 26/12/2013


26/12/13
Sanjay Phope



बृहन्मुंबई महानगरपालिका

महानगरपालिका आयुक्तांचे कार्यालय, खोली क्र. ४६,

पहिला मजला, जुनी इमारत, महापालिका मार्ग,

मुंबई - ४०० ००१. दुरध्वनी क्र. : ०२२-२२६२०२५१ (३१४५)

संगणक डाक : www.mcgm.gov.in

क्र. एमआयआर / ००४२ दिनांक ३१/१२/१३

प्रति,

Shri. Sanjay Phope

MCHI - CREDAI

Maker Bhavan II, 4th Floor,

18, Sir Vithaldas Thakersey Marg,

New Marine Lines, Mumbai 20

विषय : माहितीचा अधिकार अधिनियम २००५ अन्वये माहिती
मिळणेबाबतचा आपला दि. २६.१२.१३ रोजीचा अर्ज.

महोदय,

आपला उपरोक्त संदर्भाधिन माहिती अधिकारांतर्गतचा अर्ज या कार्यालयात दि. २८.१२.१३ रोजी प्राप्त झाला. त्याबाबत आपणांस कळविण्यात येते की, माहितीचा अधिकार अधिनियम २००५ मधील, कलम ५(१)/१९(१) अन्वये जनतेला माहिती उपलब्ध करून देण्यासाठी बृहन्मुंबई महानगरपालिकेने खातेस्तरावर/विभागास्तरावर जन माहिती अधिकारी/अपिलीय अधिकारी नियुक्त केलेले आहेत. यास्तव आपल्या अर्जात नमूद केलेल्या मुद्यांबाबतची माहिती खालील नमूद केलेले खाते/विभागातील संबंधित जनमाहिती अधिकारी यांजकडून, उपलब्ध माहिती देण्याबाबत, माहितीचा अधिकार अधिनियम २००५ मधील, कलम ६(३)२ नुसार, आपला सदरहू अर्ज, आपणांस परस्पर माहिती देण्याच्या विनंतीसह संबंधित खाते/विभाग यांचेकडे समक्रमाने व दिनांकान्वये अग्रेषित करण्यात येत आहे. त्यांचा पत्ता खालील प्रमाणे आहे. कृपया आपण त्यांच्या कार्यालयाशी संपर्क साधावा अशी विनंती आहे.

माहितीचा अधिकार अधिनियमांतर्गत अर्ज करतांना विषयाशी संबंधित खाते/विभागाकडे अर्ज करणे अपेक्षित आहे. त्यामुळे, संबंधित खाते/विभागाच्या जन माहिती अधिका-याशी परस्पर संपर्क साधावा अशीही विनंती आहे.

याबाबत आपणांस अपिल करावयाचे असल्यास, खाली नमूद केलेल्या खाते/विभाग यांच्या कार्यालयातील अपील अधिका-यांकडे परस्पर अर्ज पाठवावा अशी आपणांस विनंती आहे.

आपला विश्वासू,

डा. द. देवेंद्र

जन माहिती अधिकारी,

प्रशासकीय अधिकारी (एमजीसी/आयुक्त)

मनपा आयुक्त यांचे कार्यालय

३०/१२/१३

प्रत रवाना :-

कार्यकारी अभियंता (विकास नियोजन)

कृपया Shri. Sanjay Phope, यांचा उपरोल्लेखित दि. २८.१२.१३ रोजीच्या माहिती अधिकार अर्जातील मुद्यांबाबत, आपल्या विभागाशी संबंधित माहिती, अर्जदारास परस्पर, विहित मुदतीत देण्यासाठी मूळ अर्ज/मूळ अर्जाची छायांकीत प्रत अग्रेषित करण्यात येत आहे.

सूचना : उपरोक्त संबंधित खाते/विभागातील जन माहिती अधिकारी यांना असे निर्देशित करण्यात येत आहे की, जर अर्जदाराने मागितलेली माहिती, त्यांच्या विभागाशी संबंधित नसल्यास व अन्य संबंधित खाते/विभाग यांचेकडे येत असल्यास, सदरहू अर्ज पुढील कार्यवाहीसाठी संबंधित विभागाकडे परस्पर वर्ग करावा व तसे अर्जदारास कळविण्यात यावे. मात्र कोणत्याही परिस्थितीत सदरहू अर्ज आपल्या कार्यालयाशी संबंधित नसल्यास, आयुक्त कार्यालयास परत अग्रेषित करू नये, यांची संबंधितांनी कृपया नोंद घ्यावी अशी विनंती आहे.

विभाग/खाते यांचा पत्ता :

कार्यकारी अभियंता (विकास नियोजन) :

मुंबई महानगरपालिका मुख्यालय, विस्तारित इमारत, ५ वा मजला, मुंबई ४०० ००१.

MUNICIPAL CORPORATION OF GREATER MUMBAI

No.ChE/29805/DP/Gen/RIA05 dt. 30-1-14



Office of the
Chief Engineer (D.P.)
5th Floor, Annex Building,
Municipal Head Office
Mahapalika Marg, Mumbai 400 001.
Tel.No.22620251 Ext. 2561
Fax No. 22615217

To,

Shri Sanjay Phope
MCHI - CREDAI
Maker Bhavan II, 4th Floor,
18, Sir Vithaldas Thakersey Marg,
New Marine Lines, Mumbai-400 020.

Sub:-Your application dtd. 26.12.13 address to the Mun. Commissioner's office regarding EWS/LIG Scheme.

Gentleman,


Please refer to your application dtd. 26.12.13 addressed to P.I.O. of Mun. Commissioner's office in connection with above subject matter which has received in this office on 31.12.13.

Xerox copies of notification issued by Under Secretary to Govt. of Maharashtra under No.TPB/4312/cr-45/2012/(2)/UD-11 dt. 08.11.2013 are enclosed herewith for your information & record please.

The Appellate Authority is Shri Vijay Patil, Executive Engineer (Dev.Plan) H & K whose office is situated at 5th floor , Annex Bldg., Municipal Head Office, Mahapalika Marg, Fort, Mumbai-400 001. You can file appeal within 30 days from receipt of this letter.

This disposes off your RTI application dt. 26.12.13 received in this office on 31.12.13.

Yours faithfully,


(Shri G.B.Lokhande)
Public Information Officer
Administrative Officer ,
(Development Plan) -II

- Notification under Section 37(1AA)(c) of the said Act.
- Modification to Development Control Regulations for Greater Mumbai, 1991.

Government of Maharashtra,
Urban Development Department,
Mantralaya, Mumbai-400 032.
Dated : 8th November, 2013.

NOTIFICATION

No. TPB 4312/CR-45 /2012 /(2)/UD-11

Whereas Development Control Regulations for Greater Mumbai, 1991 (hereinafter referred to as "the said Regulations") have been sanctioned by the Government under section 31(1) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act"), vide Urban Development Department Notification No. DCR/1090/UD-11 (RDP) dated the 20/2/1991, so as to come into force with effect from the 25/3/1991.

And whereas, in furtherance of the Housing Policy of the State which provides for inclusive housing for the Low Income Groups (LIG) in private layouts, the Govt., in exercise of the powers conferred under sub-section (1AA) of section 37, had issued a Notice bearing No. TPB/4307/CR-337 /2007 /UD-11 dated 18th January, 2012 for inviting suggestions/objections from the general public, with regard to the modification proposed in the Schedule-A appended to the said Notice (hereinafter referred to as "the proposed modification"), for the Municipal Corporations mentioned in the Schedule-B appended thereto including the Municipal Corporation of Greater Mumbai (hereinafter referred to as "the said Corporation") and appointed the 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 the said Corporation.

And whereas, the said Notice was published in the Maharashtra Government Gazette (Extra-Ordinary Gazette) (hereinafter referred to as "the Official Gazette") dt. 24th January 2012 and the said Officer has submitted his Report vide letter No.1391 dt.8.11.2012, through the Director of Town Planning, Maharashtra State, after completing the legal procedure stipulated under section 37(1AA) of the said Act,

Copy of the documents issued
under CHE (DP) I, 2005 by office of
Dy CHE (DP) I

[Signature]
30/11/14
ADMINISTRATIVE OFFICER

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

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

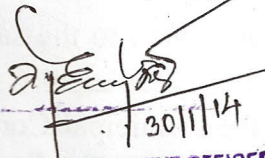
- A) Sanctions the proposed modification with some changes so as to incorporate the Regulation for Inclusive Housing in the Development Control Regulations of the said Corporation, as described more specifically in the Schedule appended hereto.
- B) Fixes the date of publication of this Notification in the Official Gazette as the date of coming into force of this modification.
- C) Directs the said Corporation that in the Schedule of Modifications sanctioning the said Regulations, after the last entry, the Schedule referred to at (A) above shall be added.

By order and in the name of Governor of Maharashtra,


(Sanjay Banait)

Under Secretary to Government.

Copy of the documents issued
under RTI Act, 2005 by office of
Dy CHE (DP) I


30/11/14
ADMINISTRATIVE OFFICER
DEVELOPMENT PLAN

SCHEDULE

(Accompaniment to Notification No. TPB 4312/CR-45 /2012 /(2)/UD-11

Dated 8th November, 2013.)

The following provisions regarding Inclusive Housing are incorporated in the Development Control Regulations of Greater Mumbai :-

Regulation for Inclusive Housing

(1) (a) For the sub-division or layout of the land admeasuring 4000 sq.mt. or more for residential purpose, minimum 20% of the net plot area shall have to be provided ----

i) either in the form of developed plots of 30 to 50 sq.mt. size for Economically Weaker Sections / Low Income Groups (EWS/LIG), (hereinafter referred to as "affordable plots") in which plots of 30 sq.mtr. size shall be kept for EWS.

Or

ii) in the form of equivalent 20% net plot area for constructing EWS/LIG tenements, which area shall be handed over to MHADA at the land rate prescribed in the Annual Statement of Rates prepared by the Inspector General of Registration, Maharashtra State, Pune (hereinafter referred to as ASR) of the year in which final approval is accorded to such sub-division or layout.

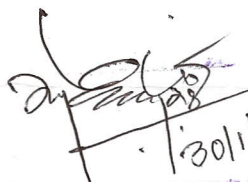
(b))The Landowner/ Developer shall sell the affordable plots to MHADA at one place in lieu of equivalent FSI to be utilized in the remaining plots. If MHADA declines to purchase the same within a reasonable time of six months, he can sell the affordable plots in the open market, in such case additional FSI of affordable plots shall not be admissible.

(2) For a plot of land, admeasuring 4000 sq.mt. or more to be developed for a Housing Scheme consisting of one or more buildings (hereinafter referred to as 'the said Scheme'), EWS/LIG Housing in the form of tenements of size ranging between 30 to 50 Sq.mt, (hereinafter referred to as 'affordable housing tenements') shall be constructed at least to the extent of 20% of the basic zonal F.S.I., subject to the following conditions.:-

(a) The built up area of the EWS/LIG tenements constructed under the Scheme shall not be counted towards F.S.I.

(b) The Landowner / Developer shall construct the stock of the affordable housing tenements in the same plot and the Planning Authority shall ensure that the Occupation Certificate for the rest of the development under the said Scheme is not issued till the Occupation Certificate is issued for the Affordable Housing tenements under the said Scheme.

This is one of the documents issued
under RTI Act, 2005 by office of
Dy CHE (DP) I


30/1/14
ADMINISTRATIVE OFFICER
DEVELOPMENT PLAN

(c) The completion of the Affordable Housing tenements under the said Scheme, along with necessary particulars, including a copy of the Occupation Certificate granted by the Planning Authority in respect thereof, shall be immediately intimated by the Landowner/ Developer to MHADA. Upon such intimation, MHADA, within a period of six months from the date of receipt of such intimation, shall either purchase such affordable housing tenements or allot such tenements to the allottees selected by MHADA through a system of lottery, drawn after such Affordable Housing tenements have been granted Occupation Certificate and thereafter, the Land Owner/ Developer shall dispose of such tenements to MHADA or such allottees, as the case may be, at the construction rates in the ASR applicable to the land under the Scheme, on the date of grant of Occupation Certificate to such Affordable Housing tenements .

(d) The Landowner / Developer may also be permitted to utilize 1/4th of the total 20% F.S.I. earmarked for Affordable Housing towards construction of Affordable Housing Tenements in the form of service quarters on the same plot but in a separate block which shall have to be sold as service quarters only to the purchasers of free sale flats under the said Scheme.

(e) There shall be no obligation to construct affordable housing tenements in accordance with these provisions in any Housing Scheme or residential development project wherein owing to the relevant provisions of the Development Control Regulations, more than 20% of the basic zonal FSI is required to be utilized towards construction of residential tenements for EWS, LIG or MIG.

(3) Amalgamation of affordable plots / affordable tenements shall not be allowed.

(4) These provisions shall be applicable prospectively and shall not be applicable to any Housing Scheme or residential development project wherein Commencement Certificate had been issued prior to the date of coming into force of these provisions and was valid on such date.

By order and in the name of Governor of Maharashtra,



(Sanjay Banait)

Under Secretary to Government.

Copy of the documents issued
under RTI Act, 2005 by office of
Dy CHE (DP) I



30/1/14
ADMINISTRATIVE OFFICER
DEVELOPMENT PLAN