

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

**Proposed Modification to Regulation 67 of DCR for Gr. Mumbai, 1991 under section 37(1AA)**

**GOVERNMENT OF MAHARASHTRA**

**Urban Development Department,  
Mantralaya, Mumbai 400 032.**

**Dated : 17<sup>th</sup> December, 2014.**

**NOTICE**

**No. TPB 4314/29 /CR-104/2014/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 20<sup>th</sup> February, 1991 so as to come into force with effect from the 25<sup>th</sup> March, 1991;

And whereas, a new Regulation No. 67, dealing with Heritage Buildings was incorporated in the said Regulations vide Notification No.DCR/1090/3197/RDP/UD-11, dated 21<sup>st</sup> April, 1995, which came into force from the 1<sup>st</sup> June 1995;

And whereas, pursuant to a decision of the Union Cabinet, the State Government has consented to grant balance F.S.I. of the plot of Indu Mill No.6, Dadar to the Central Government in the form of Transferable Development Rights, after utilizing F.S.I. necessary for construction of a Grand Memorial of Bharat Ratna Dr.Babasaheb Ambedkar on the said plot and in order to facilitate this, also accorded sanction to initiate modification in the Regulation 67 of the said Regulations;

And whereas, in the light of the aforesaid situation, the Govt., is satisfied that in the public interest, it is necessary to urgently carry out suitable modification to the existing Regulation 67, as specifically described in the Schedule appended hereto (hereinafter referred to as "the proposed modification").

Now, therefore, the proposed modification, as mentioned in the Schedule appended hereto, which the State Government proposes to make, in exercise of the powers conferred by sub-section (1AA) of Section 37 of the said Act; and of all other powers enabling it in this behalf, is hereby published, as required by clause (a) of sub-

Section (1AA) of Section 37, for information of all persons likely to be affected thereby; and notice is hereby given that the said 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;

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 objections or suggestions, which may be received by the Deputy Director of Town Planning, Greater Mumbai within the said period will 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,**



**(Sanjay Banait)**

**Under Secretary to Government.**

## SCHEDULE

(Accompaniment to Notice No. TPB 4314/29 /CR-104/2014/UD-11,  
dated 17<sup>th</sup> December, 2014.)

Regulation No.	Existing Provision	Proposed Provision
67(6)	<p><b>Grant of Transferable Development Rights in case of <u>loss of Development Rights</u>--</b></p> <p>If any applications for development is refused under this Regulations and conditions are imposed while <i>permitting</i> such development which deprive the owner / lessee of any unconsumed FSI the said owner / lessee shall be compensated by grant of Development Right Certificate (hereinafter referred to as "TDR") of the nature set out in Development Control Regulations No. 34 and Appendix VII-A and as may be prescribed by Government from time to time. The TDR from heritage buildings in the Island City may be also be consumed in the same ward from which it originated. The extent of TDR certificates to be granted may be determined by the Commissioner. If required in consultation with the Heritage Conservation Committee and will not be awarded unless sanctioned by Government.</p>	<p><b>Grant of Transferable Development Rights in case of <u>loss of Development Rights</u>—</b></p> <p>If any owner/developer of a building or land included in the Heritage list suffers loss of Development right due to refusal of Development permission or any restrictions imposed on such Development, he shall be compensated by grant of Transferable Development Right Certificate (hereinafter referred to as "Heritage TDR") of the nature set out in Development Control Regulations No. 34 and Appendix VII-A and as may be prescribed by the Government from time to time. The Heritage TDR in respect of heritage buildings in the Island City may also be consumed in the same ward from which it is originated. The extent of such TDR Certificates to be granted may be determined by the Commissioner, if required, in consultation with the Heritage Conservation Committee, and the same shall not be awarded unless sanctioned by the Government.</p> <p><b>Explanation :-</b> The Heritage TDR admissible under this Regulation shall also be available in respect of properties owned by the Central Government, the State Government and their statutory agencies.</p>



(Sanjay Banait)

Under Secretary to Government.