

महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६
बृहन्मुंबई विकास नियंत्रण नियमावली, १९९१ विनियम
३३(७), परिशिष्ट-IV च्या खंड १०(a) मधील फेरबदलाबाबत
कलम ३७(१अ) खालील सूचना व कलम १५४ खालील
निदेश

महाराष्ट्र शासन

नगर विकास विभाग

क्रमांक :- टिपीबी ४३१३ / प्र.क्र. ८४/ २०१३/ नवि-११

मंत्रालय, मुंबई : ४०० ३२,

दिनांक - १९ मे २०१५.

शासन निर्णय : सोबतची सूचना शासनाच्या साधारण राजपत्रात प्रसिध्द करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.

(संजय बाणाईत)

अवर सचिव, महाराष्ट्र शासन.

प्रत,

मा. मुख्यमंत्री महोदयांचे प्रधान सचिव.

मा. राज्यमंत्री, नगर विकास विभाग यांचे खाजगी सचिव.

प्रति,

- (१) प्रधान सचिव, गृहनिर्माण विभाग, मंत्रालय, मुंबई ४०० ०३२.
- (२) आयुक्त, बृहन्मुंबई महागनरपालिका.
- (३) उपाध्यक्ष तथा मुख्य कार्यकारी अधिकारी, म्हाडा.
- (४) संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे
- (५) सह सचिव, तथा संचालक, नगर रचना, नगर विकास विभाग, मंत्रालय, मुंबई.
- (६) उप संचालक, नगर रचना, बृहन्मुंबई.

२/- सदर सूचना शासनाच्या दिनांक १३.९.२०१० रोजीच्या परिपत्रकातील निदेशानुसार व खालीलप्रमाणे जाहिरात म्हणून प्रसिध्द करून घेणेबाबत सत्वर कार्यवाही करावी.

१)	जाहिरात देणा-या कार्यालयाचे नांव	नगर विकास विभाग, मंत्रालय, मुंबई-३२.
२)	जाहिरात कोणत्या दिनांकास द्यावयाची आहे	तात्काळ
३)	प्रसिध्दीचे स्वरूप	स्थानिक
४)	कोणत्या जिल्ह्यामध्ये	बृहन्मुंबई महागनरपालिका क्षेत्रामध्ये
५)	किती वृत्तपत्रात	एका मराठी व एका इंग्रजी वृत्तपत्रात
६)	वृत्तपत्राचे नांव	सर्वाधिक खपाच्या वृत्तपत्रात
७)	किती वेळा	एकदा
८)	जाहिरात खर्चाचे देयक कोणत्या	संचालक, नगर रचना, महाराष्ट्र राज्य,

अधिका-याकडे पाठवावयाचे कार्यालयाचे नांव व संपूर्ण पत्ता	त्या मध्यवर्ती इमारत, पुणे ४११ ००१.
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- ✓ (७) व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, चर्नीरोड, मुंबई.
 (त्यांना विनंती करण्यात येते की, सोबतची शासकीय सूचना महाराष्ट्र शासनाचे साधारण राजपत्रात भाग-१ मध्ये प्रसिध्द करून त्याच्या २५ प्रती नगर विकास विभाग (नवि-११), मंत्रालय, मुंबई : ४०० ०३२ व उपसंचालक, नगर रचना, बृहन्मुंबई यांना पाठविण्यात याव्यात.)
- (८) कक्ष अधिकारी, माहिती व तंत्रज्ञान विभाग (त्यांना विनंती करण्यात येते की, सोबतची सूचना विभागाच्या वेबसाईटवर प्रसिध्द करण्याबाबत आवश्यक ती कार्यवाही करावी)
- (९) निवड नस्ती (नवि-११)

Maharashtra Regional & Town Planning Act, 1966.

Proposed Modification to Clause 10(a) of Appendix-III of Regulation 33(7) of DCR for Gr. Mumbai, 1991 under Section 37(1AA) and directives under Section 154 of the Act.

GOVERNMENT OF MAHARASHTRA

Urban Development Department,

Mantralaya, Mumbai 400 032.

Dated : 19th May 2015.

NOTICE

No. TPB 4313/CR-84/2013/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 20th February, 1991 so as to come into force with effect from the 25th March, 1991;

And whereas, Regulation 33(7) of the said Regulations deals with reconstruction or redevelopment of cessed buildings in the Island City by Co-operative Housing Societies or of old buildings belonging to the Municipal Corporation of Greater Mumbai (hereinafter referred to as the "the said Corporation") or of old buildings belonging to the Police Department;

And whereas, the Government in Urban Development Department has issued Notification No. TPB.4308/3224/CR-268/08/A/UD-11 dt.21.5.2011 under Section 37(2) of the Maharashtra Regional & Town Planning Act, 1966 to modify Regulation 33(7) of the said Regulation, whereby the State Government, inter alia, increased the minimum carpet area of the tenements for the occupants /tenants to 27.88 sq.mt. and enhanced the permissible FSI from 2.5 to 3.0 for the redevelopment projects under the said Regulation;

And whereas, Clause 10(a) of Appendix-III of Regulation 33(7) as modified vide the said Notification dated 21/5/2011, allowed conversion of ongoing Redevelopment Projects in such a way that, in case any Redevelopment Project was in progress and if the construction of rehabilitation building was not completed up to plinth level then the Owner/Developer/Co-op. Housing Society, with the prior approval of Govt., could convert the proposal in accordance with the modified Regulation, only regarding the size of tenements and loading of FSI, in situ;

And whereas, the Hon'ble High Court Mumbai in Writ Petition No. 2457/2011, vide its order dated 20.3.2013, has struck down the words –"if the construction of rehab building is not completed upto plinth level"—in the said amended provision of Clause 10(a) of Appendix III of Regulations 33(7) and the Government in Urban Development Department has issued Order No. TPB 4313/CR-84/2013/UD-11 dated 7th October 2013 under Section 154 of the said Act as per the said order of the Hon'ble High Court;

And whereas, the Government in the Urban Development is of the opinion that for proposals of conversion of ongoing redevelopment project, the necessary verification is to be made by Vice President & Chief Executive Officer, Mhada and such powers should be exercised by the Vice President & Chief Executive Officer, Mhada for better administration;

And whereas, in the public interest it is necessary to urgently carry out suitable modification to the Clause 10(a) of Appendix-III of Regulation 33(7), 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 and during the process under Section 37(1AA) of the said Act, the State Government issues directives under Section 154(1) of the said Act that, the Vice President & Chief Executive Officer, Maharashtra Housing and Area Development Authority shall approve conversion proposals of ongoing redevelopment schemes under Clause 10(a) of Appendix-III of Regulation 33(7) after ascertaining and due verification of such proposals;

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 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

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

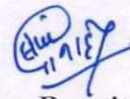
(Sanjay Banait)

Under Secretary to Government.

SCHEDULE

(Accompaniment to Notice No. TPB 4313 / CR-84 / 2013 / UD-11, dated 19th May 2015)

Existing Provision (As per order vide dt. 7.10.2013 under Section 154 of the Maharashtra Regional and Town Planning Act, 1966)	Proposed Provision
<u>Clause 10(a) of Appendix-III of Regulation 33(7)</u> In the case of redevelopment scheme in progress and such schemes where LOI has been issued, the Owner/Developer/Co-op. Housing Society with the prior approval of Govt. may convert the proposal in accordance with modified regulations, only regarding size of tenements and loading of FSI, in situ. However, such conversion is optional and shall not be binding.	<u>Clause 10(a) of Appendix-III of Regulation 33(7)</u> In the case of redevelopment scheme in progress and such schemes where LOI has been issued, the Owner/Developer/Co-op. Housing Society may convert the proposal with the approval of Vice President & Chief Executive Officer, Maharashtra Housing and Area Development Authority, in accordance with modified regulations, only regarding size of tenements and loading of FSI, in situ. However, such conversion is optional and not be binding <i>and further subject to ascertaining and due verification of redevelopment scheme in progress by Vice President & Chief Executive Officer, Maharashtra Housing and Area Development Authority.</i>



(Sanjay Banait)

Under Secretary to Government.