

महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६
बृहन्मुंबई विकास नियंत्रण व प्रोत्साहन नियमावली-२०३४
मधील फेरबदलास उक्त अधिनियमाचे कलम ३७(२)
अन्वये मंजूरीबाबत.

महाराष्ट्र शासन
नगर विकास विभाग

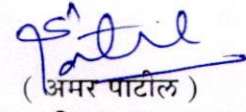
क्रमांक :- टिपीबी-४३२३/२८८/प्र.क्र.३६/२०२४/नवि-११

मंत्रालय, मुंबई : ४०० ०३२,

दिनांक :- १ जुलै, २०२४.

शासन निर्णय : सोबतची अधिसूचना महाराष्ट्र शासनाच्या साधारण राजपत्रात प्रसिध्द करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.


(अमर पाटील)

अवर सचिव, महाराष्ट्र शासन

प्रत :-

१. मा. राज्यपाल यांचे प्रधान सचिव, राजभवन, मुंबई.
२. मा. मुख्यमंत्री महोदय यांचे अपर मुख्य सचिव, मंत्रालय, मुंबई.
३. मा.उप मुख्यमंत्री तथा गृह मंत्री महोदय यांचे सचिव, मंत्रालय, मुंबई.
४. मा.उप मुख्यमंत्री तथा वित्त व नियोजन मंत्री महोदय यांचे सचिव, मंत्रालय, मुंबई.
५. मा. विरोधी पक्षनेता, विधानपरिषद / विधानसभा, महाराष्ट्र विधानमंडळ सचिवालय.
६. मा. उपसभापती, महाराष्ट्र विधानपरिषद, महाराष्ट्र विधानमंडळ सचिवालय, मुंबई.
७. मा. उपाध्यक्ष, महाराष्ट्र विधानसभा, महाराष्ट्र विधानमंडळ सचिवालय, मुंबई.
८. मा.प्रधान सचिव (नवि-१), नगर विकास विभाग, मंत्रालय, मुंबई.

प्रति,

- (१) आयुक्त, बृहन्मुंबई महानगरपालिका, मुंबई.
- (२) संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे.
- (३) उपसंचालक, नगर रचना, बृहन्मुंबई, इन्साइटमेंट, महापालिका मार्ग, मुंबई- ४००००१.
- (४) व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, चर्नीरोड, मुंबई.

(त्यांना विनंती करण्यात येते की, सोबतची अधिसूचना महाराष्ट्र शासनाचे साधारण राजपत्रात भाग-१ मध्ये प्रसिध्द करून त्याच्या प्रत्येकी १० प्रती १)नगर विकास विभाग(नवि-११), मंत्रालय, मुंबई, २) आयुक्त, बृहन्मुंबई महानगरपालिका, मुंबई, ३) संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे व ४) उपसंचालक, नगर रचना, बृहन्मुंबई यांना पाठविण्यात याव्यात.)

- (५) कक्ष अधिकारी, कार्यासन नवि-२९, यांना विनंती करण्यात येते की, सोबतची अधिसूचना विभागाच्या वेबसाईटवर प्रसिध्द करावी.
- (६) निवड नस्ती (नवि-११)

Maharashtra Regional and Town Planning Act, 1966.

Sanction to modification in Development Control and Promotion Regulations-2034 Under Section 37(2) of the said Act.

GOVERNMENT OF MAHARASHTRA

**Urban Development department,
Mantralaya, Mumbai 400032.**

Date : 1st July, 2024.

NOTIFICATION

No.TPB-4323/288/C.R.36/2024/UD-11

Whereas, the Brihanmumbai Municipal Corporation is the Planning Authority for the area within its jurisdiction (hereinafter referred to as "the said Corporation") as per the provision of Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act").

Whereas, in exercise of the powers conferred by sub Section (1) of Section 31 of the said Act, the State Government vide Notification No. TPB-4317/629/CR-118/2017/DP/UD-11, Dt. 08/05/2018 (hereinafter referred to as "the said Notification") has accorded sanction to the Draft Development Plan-2034 of Greater Mumbai (hereinafter referred to as "the said Development Plan") along with the Development Control and Promotion Regulations-2034 (hereinafter referred to as "the said Regulations") for Greater Mumbai with modifications shown in SCHEDULE-A appended to the said Notification excluding the substantial modifications as shown in SCHEDULE-B appended to the said Notification; and whereas, Government has issued corrigendum of even number dt. 22nd June, 2018; and whereas, thereafter Government has issued a Corrigendum and Addendum of even number dt. 29th June, 2018 to the said Notification, which is published in Government Gazette dt. 30th June, 2018; and whereas, the said Regulations have come into force from 1/09/2018;

And whereas, the Government of Maharashtra vide Notification dt. 21/09/2018 has sanctioned EP-1 to EP-168 (Excluding certain EP and provisions which were kept in abeyance) in the said Regulation;

And whereas, the Government of Maharashtra vide Notification dt. 12/11/2018 has issued corrigendum in respect of some typographical errors and mistakes and also to clarify and co-relate certain provisions of said Regulations for its proper interpretation;

And Whereas, Clause 2 of Regulation 41 of the said Regulations stipulate about 'Side and rear open space in relation to the height of the building for light and ventilation'; And whereas, in pursuant to the request made by M/S CREDAI-MCHI to the Government vide their letter dated 27/08/2021, accordingly Government in Urban Development Department has communicated to the said Corporation vide letter dated 25/05/2022 (hereinafter referred to as "the said letter");

And whereas, with respect to above request and the said letter, in exercise of the powers conferred under Sub-Section (1) of Section 37 of the said Act, the said Corporation has initiated modification proposal to modify the Table No.A under Regulation 41(2) of the said Regulations by adding new Column No.7&8 for side & rear marginal open spaces for buildings deriving light & Mechanical Ventilation for external wall built with Glass façade or other similar material (hereinafter referred to as 'the proposed modification'); and whereas, the said Corporation has



issued Notice for inviting suggestions/objections from the general public with regard to the proposed modification which is published in Maharashtra Government Gazette on 2nd - 8th November, 2023; and whereas, the said Corporation after completing all the legal procedure regarding the proposed modification as stipulated under Section 37(1) of the said Act, has submitted the modification proposal vide letter dated 21/06/2023 to the Government for sanction;

And whereas, Director of Town Planning, Maharashtra State, Pune vide his letter dated 21/02/2024 has submitted his report to the Government on the proposed modification;

And whereas, after considering the request 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 certain changes;

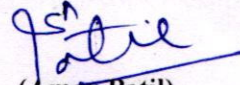
Now, therefore, in exercise of the powers conferred upon it under Section 37(2) of the said Act, the Government hereby:-

- A) Sanctions the proposed modification as described more specifically in the Schedule appended herewith.
- 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.

This Notification shall also be published on the Maharashtra Government website- www.maharashtra.gov.in (Acts/ Rules)

By order and in the name of the Governor of Maharashtra




(Amar Patil)

Under Secretary to Government

SCHEDULE

(Accompaniment to the Government in Urban Development Department's Notification No.TPB-4323 /288/CR-36/2024/UD-11,

dated – 1st July, 2024.)


New Column No.7 & 8 are added in Table No.A under Regulation 41(2) of DCPR-2034 as follows:-

Regulation	Existing Provision						Sanctioned Provision							
Table No.A under Regulation 41(2)	Sr. no	Height of Building (H)	Side & rear marginal open space		Side & rear marginal open space		Sr. No.	Height of Building (H)	Side & rear marginal open space		Side & rear marginal open space		Side and rear marginal open space for Non-Residential building deriving Artificial Light and Mechanical Ventilation and external wall built with Glass façade or other similar material.	
			Plot up to 1000 sq. m or where average width/depth of plot is less than 20 m		Plot size more than 1000 sq. m and average width/depth of plot more 20 m				Plot up to 1000 sq. m or where average width/depth of plot is less than 20 m		Plot size more than 1000 sq. m and average width/depth of plot more 20 m		Plot up to 1000 sq.m. or where average width/depth of plot is less than 20m	Plot Size more than 1000 sq.m. and average width/depth of plot more than 20m
			Light & ventilation	Dead wall	Light & ventilation	Dead wall			Light & ventilation	Dead wall	Light & ventilation	Dead wall		
	1	Up to 32m	Min - 3.6in case of Residential building & 4.5 m in case of commercial building subject to H/5	3.6 m	Min - 3.6in case of Residential building & 4.5 m in case of commercial building subject to H/4	3.6 m			Light & ventilation	Dead wall	Light & ventilation	Dead wall		
	2	More than 32m & up to 70m	H/5 subject to maximum 12 m	6 m	H/4 subject to maximum 12 m	6m	1	2	3	4	5	6	7	8
	3	More than 70m & up to 120 m	-----		H/4 or 16 m Max.	9 m	1	Up to 32m	Min - 3.6in case of Residential building & 4.5 m in case of commercial building subject to H/5	3.6 m	Min - 3.6in case of Residential building & 4.5 m in case of commercial building subject to H/4	3.6 m	H/5 subject to maximum 4.5m	H/4 subject to maximum 4.5m
	4	More than 120 m	-----		20 m	9 m	2	More than 32m & up to 70m	H/5 subject to maximum 12 m	6 m	H/4 subject to maximum 12 m	6m	H/4 subject to maximum 9m	H/4 subject to maximum 9m



		<table><tr><td>3</td><td>More than 70m & up to 120 m</td><td>-----</td><td>H/4 or 16 m Max.</td><td>9 m</td><td>9m or requirements of CFO whichever is higher</td></tr><tr><td>4</td><td>More than 120 m</td><td>-----</td><td>20 m</td><td>9 m</td><td>9m or requirements of CFO whichever is higher</td></tr></table>	3	More than 70m & up to 120 m	-----	H/4 or 16 m Max.	9 m	9m or requirements of CFO whichever is higher	4	More than 120 m	-----	20 m	9 m	9m or requirements of CFO whichever is higher
3	More than 70m & up to 120 m	-----	H/4 or 16 m Max.	9 m	9m or requirements of CFO whichever is higher									
4	More than 120 m	-----	20 m	9 m	9m or requirements of CFO whichever is higher									
Regulation 41(2) Table No.A Note-(i)	i. Provision of glass facade without construction of dead wall inside the facade shall be treated as side deriving Light & Ventilation.	<p style="text-align: center;">This provision is deleted.</p>												




 (Amar Patil)
 Under Secretary to Government