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CREDAI - MCHI

मध्यवर्ती स्थल केंद्र
मुख्यमंत्री सचिवालय
महाराष्ट्र शासन

Ref. No. MCHI/PRES/24-25/121
Date: 01/10/2024

To,
Shri Ekanth Shinde ji
Hon'ble Chief Minister
Govt. of Maharashtra
Mantralaya, Mumbai - 400 032

मंत्रालय, मुंबई ४०० ०३२
११/१०/२०२४

Subject: Request to modify the provisions of Regulation 14.1, Integrated Township Project (ITP) in UDCPR-2020 for incorporation of geographical constraints in the holding.

Reference: The Government in Urban Development Department Notification modifying Regulation 14.1 of UDCPR-2020 vide No. TPS-1821/452/CR-105/2022/(Part-2)/UD-13, dated 05.09.2024

Respected Sir,

We are grateful for approving the modifications in regulation 14.1 of UDCPR-2020 for proper Implementation of Integrated Township Project (ITP) vide Government in Urban Development Department notification referred above.

However, the issue of geographical constraints in holding area and its corresponding effect on consideration of its area, contiguity and its declaration as ITP and if needed the acquisition of certain area are not effectively dealt with in the recently modified regulation like in cluster development/ redevelopment scheme under the said UDCPR-2020

As per prevailing provisions of ITP, the project proponent/s shall have the ownership of all the land parcels under project of minimum 40 hectares and the entire land shall be contiguous one, then only it is possible to develop such lands under existing prevailing regulations for ITP purposes.

However, somewhere the geographical location of land may be typical in nature. Such lands may be surrounded by natural water bodies, such as river, creek, Nallah or some other water body on all sides having only the access by an existing road or the proposed road. Just like an Island area. somewhere there are constraints in comprehensive development of such areas, as some land holdings are with central government/ state government/ planning authority/ special planning authority in spars locations and some private owners which are having spars holdings in such Island area. Thus, it is not possible either to the government or a private landholder to develop their lands in a comprehensive manner, not being a contiguous land. However, such area forms a part of any Development Plan area within the Municipal Corporation limit. The piecemeal development of such isolated land like an Island area which is not contiguous leads to haphazard development in the entire such area due to lack of detailed planning or any TP Scheme in such Island area.

In normal TP scheme under MRTTP Act, 1966, there is a concept of land pooling, the lands of all land owners are pooled together and then after proper layout, 50 % land area of each land owner is taken out for basic social infrastructure and roads. The remaining 50 % land area is distributed amongst all owners in the proportion of their land holdings.

In some area due to geographical constraints, it is difficult for a single landowner to develop his non-contiguous land in isolation if other landowners not come together for comprehensive development.

Maharashtra Chamber of Housing Industry

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BHIWANDI | PALGHAR BOISAR | SHAHAPUR-MURBAD | URAN-DRONAGIRI |
VASAI VIRAR | ALIBAG | KARJAT-KHALAPUR-KHOPOLI | YOUTH NMR

However, the provision of TP Scheme by different owners after coming together is applicable only to the Agriculture Zone as per prevailing provision in UDCPR -2020.

To overcome such difficulties of spars ownership in cluster redevelopment, the government has introduced acquisition provision in DCPR-2034 of MCGM, but this is limited to built up area only. However, in UDCPR-2020, under regulation 14.8.8(c)(i) to (v) of Urban Renewal Scheme, it is provided for acquisition of land including vacant land also for the purpose of Urban Renewal Scheme of smaller area of minimum 10000 sq.m. if it included in cluster to be defined by the Authority/ the Municipal Commissioner. So why not such provision shall be incorporated in larger areas of ITP in exceptional cases.

Thus, it will be better to have a provision in UDCPR-2020 for acquisition of land under notified ITP scheme area, provided all expenses of such acquisition of land shall be borne by the project proponent. Provided further that, such project proponent shall have minimum 70 % land holding for declaration of ITP scheme area.

Thus, to achieve a comprehensive and well planned development of such Island area and for most effective implementation of ITP in such isolated area a suitable modification in ITP regulation with provision for acquisition like in cluster development is seems to be necessary for the limited purpose as stated above.

Accordingly, the provisions where modifications are necessary in regulation 14.1 are attached herewith for your consideration as a ready reference.

In view of the above, you are requested to do the necessary modifications in Regulation 14.1 of UDCPR-2020 under section 37(1AA)(a) of the MRTP Act, 1966.

Thanking you,

Yours sincerely,
For **CREDAI-MCHI**



Domnic Romell
President



Dhaval Ajmera
Hon. Secretary

PS: Contact Person Mr. Sanjay Phope - + 91 9619345193

CC:

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