

URBAN DEVELOPMENT DEPARTMENT

4th Floor, Main Building, Mantralaya, Mumbai 400 032, dated 24th March 2017

NOTIFICATION

MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966.

No. TPS. 1216/2874/CR-366/16/UD-12.—Whereas, the Government of Maharashtra in Urban Development Department *vide* its Notification No. TPS.1206/330/CR-230/06/UD-12 dated 17th March, 2007, (published in *Government Gazette*, on 19th April 2007) promulgated in exercise of its powers conferred by clause (c) under sub-section (1) of Section 40 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as the 'said Act') appointed Mumbai Metropolitan Region Development Authority (hereinafter referred as 'MMRDA'), established under MMRDA Act 1974, to be the 'Special Planning Authority' (hereinafter referred to as 'the said Special Planning Authority') for Bhiwandi Surrounding Notified Area, which includes the area of 51 villages (revised 60 villages) from Bhiwandi Tahsil of Thane District (hereinafter referred as 'the said Notified Area');

And whereas, the said Special Planning Authority *vide* its notice No. SROK/BSNA/2500/03/DDP/39/2008, dated 7th February 2008 published in *Maharashtra Government Gazette* declared its intention to prepare Development Plan for the said Notified Area as per the provisions of Section 23 of the said Act;

And whereas, the said Special Planning Authority, after carrying out survey of the said Notified Area, prepared a Draft Development Plan of the said Notified Area (hereinafter referred to as 'the said Draft Development Plan');

And whereas, the said Special Planning Authority, had prepared and published the said Draft Development Plan for the said Notified Area under sub-section (1) of the Section 26 of the said Act, which was published in the *Maharashtra Government Gazette*, Extraordinary, Part-II, dated 28th December 2011 for inviting suggestions and objections from the general public;

And whereas, as per the Resolution No. 1257 of MMRDA passed in its 129th Meeting dated the 8th September 2011, the Metropolitan Commissioner, MMRDA is empowered to carry out further statutory procedure under Section 28 and 30 of the said Act, in respect of the said. Draft Development Plan, of the said Notified Area;

And whereas, after considering the objections and suggestions received in respect of the said Draft Development Plan within stipulated period, the Planning Committee appointed under Section 28(2) of the said Act, has submitted its report under Section 28(3) of the said Act to the said Special Planning Authority *i.e.* MMRDA in respect of Draft Development Control Regulations on 29th August 2012 and on 15th December 2012 in respect of Draft Development Plan. Accordingly, the said Special Planning Authority, after considering the report of the Planning Committee including the objections & suggestions received by it, has carried out the changes in the said Draft Development Plan under Section 28(4) of the said Act and a notice to that effect was published in *Maharashtra Government Gazette* dated 5th September, 2012 with respect to Draft Development Control Regulations and 20th December, 2012 with respect to the said Draft Development Plan and submitted the Draft Development Control Regulations and Draft Development Plan for sanction to Government under sub-section (1) of Section 30 of the said Act on 8th October, 2012 and 21st December, 2012 respectively;

And whereas, in accordance with sub-section (1) of Section 31 of the said Act, the said Draft Development Plan of the said Notified Area was sanctioned partly (except for the Excluded Parts No. EP-1 to EP-290) by the Government *vide* Notification No. TPS/1212/1699/C.R.No.127/2013/UD-12, dated 11th March, 2015 published in the *Maharashtra Government Gazette*, Extraordinary, Part-I, dated 13th March, 2015;

And whereas, the Government has published the proposed modifications of substantial nature as the Excluded Parts (EP) of the said Development Plan, EP-1 to EP-290 (hereinafter referred to as the said Excluded Part Schedule-III & IV) *vide* Urban Development Department's Notice No. TPS/1212/1699/C.R.No. 127/(Part-I)/2013/ UD-12, dated 11th March 2015 which is published in the *Maharashtra Government Gazette*, Extra Ordinary, Part-I, dated 13th March, 2015, for inviting objections/suggestions from the general public under second proviso to sub-section (1) of Section 31 of the said Act (hereinafter referred to as "the said Notice") and also appointed the Joint Director of Town Planning, Konkan Division, Navi Mumbai as the Officer under section 31(2) of the said Act, (hereinafter referred to as 'the said Officer');

And whereas, the Government has published a corrigendum to the said Notice *vide* Urban Development Department's Notice No. TPS/1212/1699/C.R. No. 127/(Part-I)/2013/UD-12, dated 20th May, 2015 which is published in the *Maharashtra Government Gazette*, Extra Ordinary, Part-I, dated 6th November 2015 and also published the Addendum to the EP-210 of the said Notice *vide* Urban Development Department's Notice No. TPS/1212/1699/C.R. No.127/(Part-I)/2013/UD-12, dated 19th November, 2015 which is published in the *Maharashtra Government Gazette*, Extra Ordinary, Part-I, dated 19th November, 2015;

And whereas, the said Officer has submitted his report to the Government *vide* his letter dated 17th February, 2016;

And whereas, in accordance with sub-section (1) of Section 31 of the said Act, the excluded parts of said Development Plan namely EP-1 to EP- 209, EP-211 to EP-253 and EP-255 to EP-289 of the said Notified Area was sanctioned by the Government *vide* Notification No. TPS-1216/1169/ CR.No.162/16/ UD-12, dated 4th November, 2016 published in the *Maharashtra Government Gazette*, Extra Ordinary, Part-I, dated 10th November 2016;

And whereas, in accordance with sub-section (1) of Section 31 of the said Act, the excluded parts of said Development Plan in respect of EP-254 of the said Notified Area was sanctioned by the Government *vide* Notification No.TPS-1216/1169/C.R.No. 162/16/UD-12, dated 10th March, 2017;

And whereas, the said Officer has submitted his report in respect of EP-210 to the Government *vide* his letter dated 29th September 2016;

And whereas, in accordance with sub-section (3) of Section 31 of the said Act, the Government of Maharashtra has taken into consideration the objections and suggestions received and the report of the said Officer;

Now, in exercise of the powers conferred under sub-section (1) of Section 31 of the said Act and of all other powers enabling it in that behalf, the Government of Maharashtra hereby sanctions the Excluded Part of the Development Plan of the Bhiwandi Surrounding Notified Area, namely EP- 210 as more particularly describe in the scheduled annexed hereto, which shall be a part of the final Development Plan of the Bhiwandi Surrounding Notified Area, as regards the said Excluded Parts.

The aforesaid Excluded Part of the said Development Plan of the Bhiwandi Surrounding Notified Area, namely EP-210 shall come into force after one month from the date of publication of this Notification in the *Official Gazette*.

The copy of the said Excluded Part of the Development Plan, as sanctioned by the Government *vide* this Notification shall be kept open for inspection of general public during office hours on all working days, for the period of two years in the office of the Chief, Town & Country Planning Division, MMRDA, 3rd Floor, New Building, E-Block, Bandra-Kurla Complex, Bandra (E), Mumbai - 400 051.

EXCLUDED PART OF THE DEVELOPMENT PLAN-BHIWANDI SURROUNDING NOTIFIED AREA

[51 Villages (Revised 60 Villages) of Bhiwandi Tahsil, Thane District]*Schedule of Sanctioned Excluded Part*

Sr. No.	Excluded Part No.	Modification No. as per plan submitted u/s 30 of MR & TP Act, 1966.	Village	Proposal of Draft Development Plan Published under section 26 of MR & TP Act, 1966	Proposal of Draft Development Plan submitted under section 30 of MR & TP Act, 1966.	Modification of substantial nature as proposed by Government under section 31 of MR & TP Act, 1966.	Modification sanctioned by the Government under section 31(I) of MR & TP Act, 1966.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
I.	EP 210	M-198	DCR	APPENDIX-W (Regulation No. 7.3.1c(iii))	APPENDIX-W (Regulation No. 6.13)	Regulation No. 6.13 is proposed to be renumbered as Regulation No. 10.1 and APPENDIX-W Clause No. 1.4, W.3 (h, i & j), W.4(A), (F), (J), & W.7(D) are proposed to be modified. APPENDIX-W Clause No. 1.1 is proposed to be modified as follows: 1.1 AREA REQUIREMENTS: Any suitable area free from all encumbrances having access by	Regulation No W 1.4, W 3(h), (i), (j), W.4(A), W.4(F), W.4(J), W.7(D)- The special Regulations for Development of Integrated Township Projects which are sanctioned and applicable for Mumbai Metropolitan Region vide Government Notification Dated
						means of an existing or a proposed Development Plan road, having a minimum width of 18 mt. can be identified for the purpose of development as "Special Township Project". The area notified under the Special Township Project, shall be one, contiguous, unbroken and uninterrupted and in any case shall not be less than 40 Ha. (100 acres) at one place. (Explanation - If such minimum 40 Ha. (100 Acre) area proposed to be developed under a Special Township Project is divided by one or more	26/12/2016 are also applicable for MMRDA as Special Planning Authority. Since MMRDA is the Special Planning Authority for Bhiwandi Surrounding Notified Areas, these special Regulations for Development of Integrated Township Projects which are sanctioned and applicable for Mumbai Metropolitan Region vide Government Notification Dated 26/12/2016 shall be mutatis mutandis applicable to this Bhiwandi Surrounding Notified Areas also except the following proviso is added in Regulation No.

Sr. No.	Excluded Part No.	Modification No. as per plan submitted u/s 30 of MR & TP Act, 1966.	Village	Proposal of Draft Development Plan Published under section 26 of MR & TP Act, 1966	Proposal of Draft Development Plan submitted under section 30 of MR & TP Act, 1966.	Modification of substantial nature as proposed by Government under section 31 of MR & TP Act, 1966.	Modification sanctioned by the Government under section 31(1) of MR & TP Act, 1966.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
						<p>water courses (such as nalas, canal, etc.), existing or proposed roads of any width or railways, etc., then such area shall be considered to be continuous, unbroken and uninterrupted, subject to the condition that the Developer shall construct necessary connecting roads or bridges as per site requirements at his own cost with due permission from the concerned authorities.)</p> <p>The area under Special Township Project shall not include the area under notified forest, Hill-tops, Hill-Slopes, water bodies like rivers / creeks / canals / reservoirs,</p>	<p>1.1 (Area Requirements).</p> <p>Proviso to be added in regulation no.1.1:-</p> <p>However, such Special Township Project may also include private lands under commercial zone, industrial zone, Transport Hub & Logistic Park and Public/Semi-public Zone subject to the conditions that-</p> <p>i) In case of lands falling under industrial zone, minimum 60 percent built-up area of the basic FSI from the land under Industrial Zone shall be for the</p>
						<p>Tribal lands, lands falling within the belt of 100 mt. from the High Flood Line (HFL) of major lakes, dams and their surrounding restricted areas, lands in the command area of irrigation projects, lands falling within a belt of 200 mt. from historical monuments and places of Archaeological importance, Archaeological monuments, Heritage precincts and places, any restricted areas, notified National parks, gaathan areas and congested areas, Defence areas, Cantonment areas, truck terminus specially earmarked on Development Plan, area under Eco-</p>	<p>purpose of Industrial user, and the remaining maximum 40 percent, for the Residential and Allied users and</p> <p>ii) In case of lands falling under commercial zone, minimum 50 percent built-up area of the basic FSI from the land under commercial Zone shall be for the purpose of commercial user and the remaining maximum 50 percent, for the Residential and Allied users.</p> <p>iii) In case of lands falling under Transport Hub & Logistic Park, minimum 60 percent</p>

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
						<p>sensitive Zone, <i>other environmentally sensitive areas</i>, Quarry Zone and Recreational and Tourism Development Zone, notified areas of SEZ, wildlife corridors and biosphere reserves, catchment areas of water bodies, designated Port/Harbour areas and designated Airport areas.</p> <p>However, such Special Township Project may also include private lands under commercial zone, industrial zone, subject to the conditions that-</p> <p>i) In case of lands falling under industrial zone, minimum 60</p>	<p>built-up area of the basic FSI from the land under Transport Hub & Logistic Park shall be for the purpose of Transport Hub & Logistic Park user and the remaining maximum 40 percent, for the Residential and Allied users.</p> <p>iv) In case of lands falling under Public/Semi-public Zone, minimum 60 percent built-up area of the basic FSI from the land under Public/Semi-public Zone shall be for the purpose of Public/Semi-public Zone and the remaining maximum</p>
						<p>percent built-up area from the land under Industrial Zone shall be for the purpose of Industrial user, and the remaining maximum 40 percent, for the Residential and Allied users and</p> <p>ii) In case of lands falling under commercial zone, minimum 50 percent built-up area from the land under commercial Zone shall be for the purpose of commercial user and the remaining maximum 50 percent, for the Residential and Allied users.</p>	<p>40 percent, for the Residential and Allied users.</p> <p>Note:- Modification Sanctioned vide notification dated 11/3/2015 regarding Special Township Policy (SM-182, SM-183, SM-184, SM-185, SM-186, SM-187, SM-188, SM-189) of Bhiwandi Surrounding Notified Areas stands superseded by the respective regulation of the Integrated Township Policy finally sanctioned on dated 26.12.2016 and applicable to MMRDA as Special Planning Authority. If any clarification is required to be</p>

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(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
						<p><i>Explanation:-</i> The minimum built-up area prescribed under the aforesaid proviso towards the main user of such zone shall be in addition to the built-up area required [under Regulation 4(j)] towards Economic Activity over the remaining area of the Special Township Project. APPENDIX-W Clause No. 5.1 is proposed to be modified as follows: 5.1 Special Township Projects in Residential Zone, Urbanisable Zone, Commercial Zone and Industrial Zone The admissible FSI in respect of a</p>	issued regarding implementation and conflict of these regulations, government will issue directives as and when required.
						Special Township Project in the Residential, Urbanisable Zone, Commercial Zone, and Industrial Zone within the Development Plan area shall be as given below.	

This Notification is also available on the Website of Government of Maharashtra www.maharashtra.gov.in

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

ASHOK K. KHANDEKAR,
Section Officer.