

URBAN DEVELOPMENT DEPARTMENT

1st Floor, Main Building, Mantralaya, Mumbai 400 032, dated 10th March 2017

NOTIFICATION

MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966.

No. TPB. 1216/1169/CR-162/16/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 '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*, Extra Ordinary, 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 and 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 and 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*, Extraordinary, 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*, Extraordinary, Part-I, dated 6th November 2015 and also published the Addendum to 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*, Extraordinary, 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 (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;

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 has already been sanctioned by the Government *vide* Notification No. TPS. 1216/1169/C.R.No.162/16/UD-12, dated 4th November, 2016, published in the *Maharashtra Government Gazette*, Extraordinary, Part-I, dated 10th November 2016.

Now, in exercise of the powers conferred under sub-section (1) of section 31 of the said Act and all other powers enabling it in that behalf, the Government of Maharashtra hereby—

(a) sanctions the Excluded Part of the Development Plan of the Bhiwandi Surrounding Notified Area, namely EP-254 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.

(b) Extends the period for sanctioning the said Excluded Part, upto and inclusive of 10th March 2017.

The aforesaid Excluded Part of the said Development Plan of the Bhiwandi Surrounding Notified Area, namely EP-254 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 and Country Planning Division, MMRDA, 3rd Floor, New Building, E-Block, Bandra-Kurla Complex, Bandra (E.), Mumbai 400 051.

[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 and TP Act, 1966.	Village	Proposal of Draft Development Plan published under section 26 of MR and TP Act, 1966.	Proposal of Draft Development Plan submitted under section 30 of MR and TP Act, 1966.	Modification of substantial nature as proposed by Government under section 31 of MR and TP Act, 1966.	Modification sanctioned by the Government under section 31(1) of MR and TP Act, 1966.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
2	EP 254	M-198	DCR	Regulation No. 8.40	Renumbered as Regulation No. 6.14 and modified.	Regulation No. 6.14 is proposed to be deleted and Regulation No. 10.2 Affordable Housing is newly proposed.	<p>Regulation No. 6.14 is deleted.</p> <p>Regulations for Affordable Housing Scheme is sanctioned with folloing modifications.</p> <p>Regulation No. 10.2 Affordable Housing 10.2.1 is modified as follows:--</p> <p>In order to promote construction of affordable housing stock on private lands, the Planning Authority may permit implementation of Affordable Housing Scheme in accordance with the provisions of these Regulations Affordable Housing Schemes (hereinafter referred to as ' the Scheme') shall be permissible only on the lands situated within the limits of the Bhiwandi Surrounding Notified Area in the Mumbai Metopolitan Region (MMR).</p> <p>10.2.1(i) is modified follows :—</p> <p>Affordable Housing Scheme shall be permissible in Residential Zone/ Affordable Housing Zone shown on Development Plan only and on plots having access from an existing or proposed Develop-</p>

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
							<p>ment Plan Road having width equal to or in excess of 18mt. or an existing road in respect of which Regular Line of Street has been declared under the relevant provisions of Maharashtra Municipal Corporation Act, Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 for a width of 18mt. or more provided permissible FSI on such plot is 0.95 or more TDR/ additional FSI on payment of premium more than 0.6 is allowable. However, in case of a proposed road, the land under the said proposed road shall be acquired before the approval of building plans for the Affordable Housing Scheme. Affordable Housing Scheme shall not be allowed in areas where FSI is less than 0.95 or where use of TDR is not permissible.</p> <p>Following proviso shall be added in the Rule No. 10.2.4(i)</p> <p>For lands in Affordable Housing Zones, the owner/ developer may be allowed to develop the land as per the Ruels of the Affordable Housing Policy with the proviso that free sale to Affordable Housing FSI ratio will be 1.8 : 1 instead of 1.66 : 1 and the maximum FSI will be 2.5.</p> <p>“Urban Local Body” word is rea as “ Special Planning Authority ” for Bhiwandi surrounding Notified Area wherever applicable in theses regulation.</p>

(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
							In the Regulations of Affordable Housing Schemes, after the word “Municipal Commissioner of Municipal Corporation/Chief Officer of Municipal Council”, the words “Chief Executive Officer of Special Planning Authority” is added.

This notification is also available on the Government Website www.maharashtra.gov.in

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

ASHOK K. KHANDEKAR,
Section Officer.