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NOTIFICATION

Urban Development Department,
Mantralaya, Bombay 32.

Dated the 16th January 1992

Maharashtra
Town and
Planning
Act, 1966

No.TPO 4391/2805/UD-III : Whereas, in the exercise of its powers conferred by clause (c) of sub-section (3) of section 40 of Maharashtra Regional and Town Planning Act, 1966 (Maharashtra XXXVII of 1966; (hereinafter referred to as "the said Act") and all other powers enabling in this behalf, the Government of Maharashtra appointed the Dombay Metropolitan Regional Development Authority (hereinafter referred to as "the said Authority") as the Special Planning Authority for planning and developing the District Centre Oshiwara Notified Area (hereinafter referred to as "the said Notified Area") more particularly described in Notification No.TPO 438/26/UD-5, dated 18th June 1982 promulgated in this behalf.

And whereas, after following the procedure as laid down in sub-section (2) of section 115 as substituted by clause (d) of sub-section (3) of section 40 of the said Act, prepared its proposals for the development of lands being lands either belonging to or vesting in or acquired or proposed to be acquired by the said Authority and published notice No.TCP(P-2)/ODC-1/1498, dated 2nd November 1984 in the Maharashtra Government Extra-ordinary Gazette dated 13th November 1984 and the local newspapers, inviting objections and suggestions from the public to said draft Proposals (hereinafter referred to as "the said Draft Proposals");

2.

And whereas, the said Authority after considering the suggestions and objections received by it to the said Draft Proposals and after making such modifications or changes as considered proper in the said Draft Proposals, by incorporating them in the Report of the Draft Proposals of Ushiwara District Centre (Notified Area (Annexure-I) and the plan showing land use proposals, submitted on 6th November 1991 the said Draft Proposals to the Govt. of Maharashtra for approval under sub-section (3) of the said section 115 of the said Act;

And whereas, the Government of Maharashtra, after carrying out enquiries and after consulting the Director of Town Planning, is of the opinion that the said Draft Proposals, as submitted by the said Authority, should be approved, subject to the modifications appended hereto;

Now therefore, in exercise of the powers conferred by sub-section (3) of the said section 115 of the Act and all other powers enabling it in that behalf, the Government of Maharashtra hereby -

- a) approves the said Draft Proposals as submitted to it by the said Special Planning Authority, subject to the modifications specified in the Schedule hereto appended,
- b) Fixes the 1st March 1992 to be the date on which the Planning Proposals of Ushiwara District Centre shall come into force,

Note : The documents of the planning proposals as sanctioned by the Govt. of Maharashtra shall be kept open for inspection by the public during working hours for a period of one year at the office of the -

- 1) The Chief Planner,
Bombay Metropolitan Region Development Authority,
C-14, C-15, Dandra-Kurla Complex, Dandra (E)
- 2) The Deputy Director of Town Planning,
Bombay Division,
ENSA Hutment, Azad Maidan, Bombay

(3)

SCHEDULE OF MODIFICATION

- 1) The land that would be created ^{due} to the ~~south~~ ^{training} of the Nala running by the northern boundary of the said Notified Area is to be put to the use as assigned to the adjoining land from the said Notified Area. The land abutting existing cemetery and cemetery reservations would be used for cemetery purpose;
- 2) The Authority is to help make a proposal to shift the stables from the said Notified Area and rehabilitate them elsewhere.
- 3) The plots meant for parking use are specifically indicated by inscribing there the word 'Parking', as shown on the plan
- 4) In Regulation No.4.2.1 of Special Development Control Regulations, pertaining to use provisions in Commercial (Integrated Development) zone, sub-rule (i) is deleted and the following ~~xxxxxxx~~ proviso is added.
 "Provided that, while permitting development of any plot for ~~xxxx~~ any of the ^{users} ~~uses~~ mentioned in sub-regulation (a) to (h) the Authority shall ensure that 15% of the total floor area from the zone taken as a block, to be distributed according to needs, shall be used for residential purpose, preferably for rehabilitating xx existing occupants in the plot and for natural expansion of their families."
- 5) In Regulation No.4.2.2 of Special Development Control Regulations pertaining to use provisions in commercial (Transformation) Zone, Sub-Regulation No.(c) is deleted and following proviso is added;
 "Provided that, while permitting development of any plot for any of the ^{users} ~~uses~~ mentioned in sub-regulation (a) to (h), the Authority should ensure that 15% of the total floor area from the zone"

taken as a block, to be distributed according to
 for needs, shall be used for residential purpose
 preferably for rehabilitating xx existing
 occupants in the plot, natural expansion of their
 families".

- 6) In Regulation No.4.2.3 of Special Development
 Control Regulations, pertaining to use provisions in
 Social and Cultural facility zone, after sub-rule (i)
 the following proviso is added namely :

~~Provided that, the additional ESI admissible under
 Regulation 33(2) of the Development Control~~

Regulation 33(2) of ~~the~~ Development Control
 Regulations for Gr. Dombay, 1991 shall however
 be restricted to the buildings of educational
 and medical institutions and institutional
 buildings as defined in item No.2(11)(vi)(g)
 of the Development Control Regulations for
 Greater Dombay, 1991."

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

(N.S.Kulkarni)
 Under Secretary to Government