

RNI No. MAHBIL/2009/36619

Reg. No. MH/MR/South-346/2011-13



सत्यमेव जयते

महाराष्ट्र शासन राजपत्र

असाधारण भाग एक-कोकण विभागीय पुरवणी

वर्ष ५, अंक २०]

शुक्रवार, मे २४, २०१३/ज्येष्ठ ३, शके १९३५

[पृष्ठ ४, किंमत : रुपये १५.००

असाधारण क्रमांक ६७

प्राधिकृत प्रकाशन

URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Mumbai 400032, dated 17th May 2013

NOTIFICATION

MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966.

No.CMS/TPB 4312/1/CR-47/2012/UD-11.—Whereas, the Government in Urban Development Department *vide* Notification No.TPB 4308/3709/CR-347/08/UD-11, dated the 14th May 2009 under section 40(1)(c) of the Maharashtra Regional and Town Planning Act, 1966 (Mah. XXXVII of 1966) (hereinafter referred to as "the said Act") has appointed Mumbai Metropolitan Region Development Authority (hereinafter referred to as its acronym "MMRDA") established under the Mumbai Metropolitan Region Development Authority Act, 1974 (Mah. IV of 1975) to be the Special Planning Authority for the Chhatrapati Shivaji International Airport Notified area bounded by the Airport Boundary (hereinafter referred to as "the said Notified Area");

And whereas, the MMRDA *vide* its Resolution No.1207 dated 3rd August 2009 declared its intention under section 23 of the said Act to prepare a fresh Development plan for the said Notified Area and notice of such declaration was published at Pages Nos.7 and 8 in the *Maharashtra Government Gazette, Miscellaneous Part-II, dated the 24th December 2009*;

And whereas, the MMRDA after carrying out survey of the entire land of the said Notified Area as required under section 25 of the said Act, prepared the Interim Draft Development Plan for part of the said Notified Area (hereinafter referred to as the "said Development Plan") and published a notice under sub-section (1) of Section 26 of the said Act in the *Maharashtra Government Gazette, Extra-Ordinary Part-II, dated the 6th January 2011 on Pages Nos. 1 to 4* for inviting objections or suggestions from the general public;

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And whereas, the said Act has been amended *vide* Maharashtra Act, X of 2011 with effect from 5th April 2011 and as per amended provision of Section 30 of the said Act, the MMRDA was required to submit the said Development Plan for sanction to the State Government before expiry of one year period from 5th April 2011, after following the legal procedure specified under Section 28 of the said Act;

And whereas, the MMRDA failed to submit the said Development Plan under provision of section 30 of the said Act to the State Government within the stipulated period of one year from 5th April 2011;

And whereas, in accordance with the provisions of sub-section 4 and 4A of the Section 21 of the said Act, the Divisional Deputy Director, Town Planning, Konkan Division appointed the Deputy Director of Town Planning, Greater Mumbai as the officer for carrying out the remaining work up to the submission stage of the said Development Plan under Section 30 of the said Act;

And whereas, in accordance with the provision of sub-section (1) of Section 30 of the said Act, the Deputy Director of Town Planning, Greater Mumbai, appointed as the officer under sub-sections 4 and 4A of Section 21 of the said Act, has submitted the said Development Plan alongwith the Development Control Rules to the State Government for sanction *vide* letter dated the 3rd January 2013;

And whereas, in accordance with sub-section (1) of Section 31 of the said Act, after making necessary enquiries and after consulting the Director of Town Planning, Maharashtra State, the State Government has decided to sanction the said Development Plan excluding, the substantial modifications specified as EP- 1, EP-2 in **SCHEDULE-A**.

Now therefore, in exercise of the powers conferred by sub-section (1) of Section 31 of the said Act and of all other powers enabling it on that behalf, the Government of Maharashtra hereby:-

(a) Sanctions the said Development Plan for a part of the said Notified Area, excluding the proposals under substantial modifications, as specified in **SCHEDULE-A** appended hereto.

(b) Fixes the 25th June 2013 to be the date on which sanctioned Interim Development Plan, for the part of the said Notified Area, shall come into force.

Areas of reserved sites mentioned in the report of the sanctioned Interim Development Plan are approximate and subject to actual measurement on site as per boundaries shown on the Final Interim Development Plan.

Draftsman's errors which are required to be corrected as per actual situation on site or as per survey records, sanctioned layout, etc, shall be corrected by the Metropolitan Commissioner, MMRDA after due verification and with prior approval of the Director of Town Planning, Maharashtra State, Pune.

The aforesaid Interim Development Plan of a part of the said Notified Area, sanctioned by the State Government shall be kept open for inspection by the public during office hours on all working days for a period of one month from the date of coming into force of this Notification, in the office of the Mumbai Metropolitan Region Development Authority, Bandra -Kurla Complex, Bandra (E), Mumbai-51.

This Notification shall also be made available on the Government website-
www.urban.maharashtra.gov.in

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SCHEDULE-A

Description of proposals in which substantial modifications are proposed under Section 31 (1) of the said Act and which are being published separately for suggestions and objections from general public.

(ACCOMPANIMENT TO THE GOVERNMENT NOTIFICATION

No.CMS/TPB 4312/1/CR-47/2012/UD-11, DATED the 17th May, 2013)

Sr. No.	Excluded part	Proposals of Draft Development Plan Published under Section 28 of the MR & TP Act, 1966.	Proposals of Draft Development Plan Submitted to the Government for Sanction under Section 30 of the MR & TP Act, 1966.	Modifications proposed by Government while Sanctioning the Interim Development Plan under Section 31 of the MR & TP Act, 1966.
(1)	(2)	(3)	(4)	(5)
1	EP-1	<p><u>Regulation No. 33</u> (4) Building of Starred Category Residential Hotels:—With the previous approval of Government and subject to payment of such premium as may be fixed by Government (out of which 50 per cent shall be payable to the Authority), and subject to such other terms and conditions as it may specify, the floor space indices in Table 14 may be permitted to be exceeded in the case of buildings of all starred category residential hotels in independent plots and under one establishment as approved by the Department of Tourism, by a maximum of 100 percent over the normal permissible floor space index in notified area of CSIA. No condonation is required open spaces, parking and other requirements as in these Regulations shall be allowed in the case of grant of such additional floor space index.</p>	<p><u>Regulation No. 33</u> (4) Building of Starred Category Residential Hotels :- No Change.</p>	<p><u>Regulation No. 33</u> (4) Building of Starred Category Residential Hotels and Conventional Center:- In the case of— (i) Buildings of all starred category residential hotels on independent plots and under one establishment, as approved by the Ministry of Tourism, Government of India and (ii) Convention Center, The Metropolitan Commissioner may grant additional floor space index upto 1.00, over and above the maximum allowable FSI of 4, on any individual plot in the Notified area of CSIA, where such use is otherwise permissible under these regulations subject to payment of such premium as may be fixed by the Metropolitan Commissioner (out of which 50 per cent shall be payable to the State Government), and subject to such other terms and conditions as he may specify. No condonation is required open spaces, parking and other requirements as mentioned in these Regulations shall be allowed in the case of grant of such additional floor space index.</p>

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(1)	(2)	(3)	(4)	(5)
2	EP-2	<p><u>Section-B</u></p> <p>List of Additional Regulations/ Sections of MCGM DCR modified in CSIANA DCR.Regulation/ Section as per MCGM DCR- 51. Purely Residential Zone (R1 Zone)- Ancillary use permitted.</p> <p>• Regulation deleted - uses permitted as per provisions in Regulation 49.</p>	<p><u>Section-B</u></p> <p>List of Additional Regulations/ Sections of MCGM DCR modified in CSIANA DCR. No Change.</p>	<p><u>Section-B</u></p> <p>List of Additional Regulations/ Sections of MCGM DCR Modified in CSIANA DCR.</p> <p>The provision is proposed to be redrafted as under— "Permissible uses in Non-Aeronautical zone shall be as per provisions in Table 49-B under Regulation 49 of these Regulations and shall also include uses permissible in R-1 Zone under Regulation No.51 of the MCGM, DCR 1991, but without any restriction on the size of Office."</p>

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

SANJAY BANAIT,
Under Secretary to Government.