

महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६

- उक्त अधिनियमाचे कलम ३७(१कक)(ग) अन्वये अधिसूचना.
- बृहन्मुंबई विकास नियंत्रण व प्रोत्साहन नियमावली - २०३४ मधील प्रस्तावित फेरबदलाचे मंजूरीबाबत.

महाराष्ट्र शासन

नगर विकास विभाग

मंत्रालय, मुंबई : ४०० ०३२,

क्रमांक :- टिपीबी-४३२३/युओआर-४८/प्र.क्र.६७/२०२३/नवि-११

दिनांक :- १४ ऑक्टोबर, २०२४

शासन निर्णय : सोबतची सूचना महाराष्ट्र शासनाच्या असाधारण राजपत्रात प्रसिध्द करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.


(निर्मलकुमार चौधरी)
उपसचिव महाराष्ट्र शासन

प्रत -:

१. मा. राज्यपाल यांचे प्रधान सचिव, राजभवन, मुंबई.
२. मा. मुख्यमंत्री महोदय यांचे अप्पर मुख्य सचिव, मंत्रालय, मुंबई.
३. मा. उप मुख्यमंत्री तथा गृह मंत्री महोदय यांचे सचिव, मंत्रालय, मुंबई.
४. मा. उप मुख्यमंत्री तथा वित्त व नियोजन मंत्री महोदय यांचे सचिव, मंत्रालय, मुंबई
५. मा. विरोधी पक्षनेता, विधानपरिषद / विधानसभा, महाराष्ट्र विधानमंडळ सचिवालय.
६. मा. उपसभापती, महाराष्ट्र विधानपरिषद, महाराष्ट्र विधानमंडळ सचिवालय, मुंबई.
७. मा. उपाध्यक्ष, महाराष्ट्र विधानसभा, महाराष्ट्र विधानमंडळ सचिवालय, मुंबई.
८. मा. प्रधान सचिव (नवि-१), नगर विकास विभाग, मंत्रालय, मुंबई.

प्रति,

- (१) आयुक्त, बृहन्मुंबई महानगरपालिका, मुंबई.
- (२) मुख्य कार्यकारी अधिकारी, धारावी पुनर्विकास प्रकल्प, झो.पु. प्राधिकरण, वांद्रे, मुंबई-५१
- (३) संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे.
- (४) उपसंचालक, नगर रचना, बृहन्मुंबई, इन्साहटमेंट, महापालिका मार्ग, मुंबई- ४००००१.
- (५) व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, चर्नीरोड, मुंबई.

(त्यांना विनंती करण्यात येते की, सोबतची अधिसूचना महाराष्ट्र शासनाचे असाधारण राजपत्रात भाग-१ मध्ये प्रसिध्द करून त्याच्या प्रत्येकी १० प्रती १) नगर विकास विभाग नवि-११), मंत्रालय, मुंबई २) आयुक्त, बृहन्मुंबई महानगरपालिका, मुंबई ३) मुख्य कार्यकारी अधिकारी, धारावी पुनर्विकास प्रकल्प, झो.पु. प्राधिकरण, वांद्रे, मुंबई-५१ ४) संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे व ५) उपसंचालक, नगर रचना, बृहन्मुंबई यांना पाठविण्यात याव्यात.)

- (६) कक्ष अधिकारी, कार्यासन नवि-२९, यांना विनंती करण्यात येते की, सोबतची अधिसूचना विभागाच्या वेबसाईटवर प्रसिध्द करावी.
- (७) निवड नस्ती (नवि-११).

Maharashtra Regional & Town Planning Act, 1966.

- Notification under section 37 (1AA)(C) of the said Act.
- Sanction to modification in Development Control and Promotion Regulations -2034 for Greater Mumbai.

GOVERNMENT OF MAHARASHTRA
Urban Development Department,
Mantralaya, Mumbai 400 032.
Dated :- 14th October, 2024

NOTIFICATION

No.TPB-4323/UOR-48/CR-67/2023/UD-11

Whereas, the Brihanmumbai Municipal Corporation is the Planning Authority for the area within its jurisdiction (hereinafter referred to as “the said Corporation”) as per the provision of Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as “the said Act”);

Whereas, in exercise of the powers conferred by sub Section (1) of Section 31 of the said Act, the State Government vide Notification No. TPB-4317/629/CR-118/2017/DP/UD-11, Dt. 08/05/2018 (hereinafter referred to as “the said Notification”) has accorded sanction to the Draft Development Plan-2034 of Greater Mumbai along with the Development Control and Promotion Regulations -2034 for Greater Mumbai (hereinafter referred to as “the said Regulations”) with modifications shown in SCHEDULE-A appended to the said Notification excluding the substantial modifications as shown in SCHEDULE-B appended to the said Notification. And whereas, Government has issued corrigendum of even number dt. 22nd June, 2018; And whereas, thereafter Government has issued a Corrigendum and Addendum of even number dt. 29th June, 2018 to the said Notification, which is published in Government Gazette dt. 30th June, 2018; And whereas, the said Regulations have come into force from 1/09/2018; And whereas, the Government of Maharashtra vide Notification dt. 21/09/2018 has sanctioned EP-1 to EP-168 (Excluding certain EP and provisions which were kept in abeyance) in the said Regulation; And whereas, the Government of Maharashtra vide Notification dt. 12/11/2018 has issued corrigendum in respect of some typographical errors and mistakes and also to clarify and co-relate certain provisions of said Regulations for its proper interpretation;

And whereas, Government in Housing Department has issued Government Resolutions dated 5/11/2018 and declared Dharavi Redevelopment Project (hereinafter referred to as “the DRP”) a vital public project and incorporated various provision/concession to make DRP more feasible. And whereas, the Cabinet has approved in its meeting dated 21/09/2022 the proposal of non-indexation of Transferable Development Right (TDR) generated from DRP to make DRP more feasible;

And whereas, Government in Housing Department has issued Government Resolutions dated 28/09/2022 and has made a provision of non-indexation of Transferable Development Right (TDR) generated from DRP and also made as a provision to make mandatory use at least 50% TDR generated from DRP firstly;

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And whereas, Deputy Chief Engineer, DRP has submitted its representation to Government in Housing Department and requested to make necessary changes/amendments in said Regulation as per Government Resolution dated 28/09/2022. And whereas the Government in Housing Department has recommended the same and requested to Urban Development Department to incorporate necessary changes/ amendments in the said Regulation;

And whereas, considering the decision taken by the cabinet, accordingly G.R. issued by Government in Housing Department dated 28/09/2022 and request of DRP and recommendation by Housing Department, the Government is of the opinion that in the public interest, it is expedient to modify the said Regulations;

And whereas, in exercise of the powers conferred under Sub-Section (1AA) of Section 37 of the said Act, Government had issued Notice of even no. dated 7th November, 2023 for inviting suggestions/objections from the general public with regard to the proposed modification as mentioned in the Schedule appended to the said Notice (hereinafter referred to as "the proposed modification") and appointed the Deputy Director of Town Planning, Gr. Mumbai as the Officer (hereinafter referred to as "the said Officer") to complete the procedure as stipulated under Section 37(1AA) of the said Act and to submit a Report on the objections / suggestions received in respect of the proposed modification to the Government after giving hearing to the concerned persons;

And whereas, the said Notice dated 7th November, 2023 was published in the Maharashtra Government Gazette (Extra-ordinary Part-I, Kokan Division Supplement) dated 10th November, 2023 and the said Officer has submitted his report vide letter dated 31/01/2024 through the Director of Town Planning, Maharashtra State, after completing the requisite procedure stipulated under Section 37(1AA) of the said Act;

And whereas, after considering the Report of the said Officer and after consulting the Director of Town Planning, Maharashtra State, the Government is of the opinion that the proposed modification is required to be sanctioned;

Now, therefore, in exercise of the powers conferred upon it under section 37(1AA)(c) of the said Act, the Government hereby:-

- A) Sanctions the proposed modification as described more specifically in the Schedule appended herewith.
- B) Fixes the date of publication of this Notification in the Official Gazette as the date of coming into force of this modification.
- C) Directs the said Corporation that in the Schedule of Modifications sanctioning the said DCPR-2034, after the last entry, the Schedule referred to at (A) above shall be added.

This Notification shall also be published on the Government website-
www.maharashtra.gov.in (Acts/ Rules)

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



(Nirmalkumar P. Chaudhari)
Deputy Secretary to Government

SCHEDULE

Accompaniment to the Government in Urban Development Notification No. TPB-4323/UOR48/CR67/2023/UD-11, Dated :- 14/ 10/2024

Regulation	Existing Provision	Sanctioned Provision
30(A)(6)	Premium shall be charged for 'additional FSI on payment of premium' (as per column no 5 of table no 12) for BUA at the rate of 50% of the land rates as per ASR (for FSI 1) of the year in which such FSI is granted or as may be decided by Govt. from time to time. Premium so recovered shall be shared between the State Govt., MCGM, MSRDC and Dharavi Authority on 25:25:25:25 basis. The MCGM shall utilize the premium for implementation of D P.	Premium shall be charged for 'additional FSI on payment of premium' (as per column no 5 of table no 12) for BUA at the rate of 50% of the land rates as per ASR (for FSI 1) of the year in which such FSI is granted or as may be decided by Govt. from time to time. Premium so recovered shall be shared between the State Govt., MCGM and MSRDC and Dharavi Authority on 25:50:25 basis. The MCGM shall utilize the premium for implementation of D P.
Reg. 32(4)(4.1)(4.1.1) Table No.12A SR. No.2	In case of Regulation 33(7), 33(8), 33(9),33(10), 33(11), 33(20)(B)	In case of Regulation 33(7), 33(8), 33(9), 33(9)(A),33(10), 33(10)(A), 33(11), 33(20)(B)
New proviso in Reg. 32(4)(4.2) is inserted.	---	Provided further that, in case of Redevelopment Scheme under Regulation 33(9)(A) & 33(10)(A) where permissible in-situ FSI cannot be utilized in-situ, the difference between permissible FSI and FSI that can be used in-situ will be the quantum of TDR generated as per Regulation 32.
New proviso in Note of Reg. 32(5)(5.3) is inserted.	Note:- All TDR including slum and heritage TDR shall be utilized as per this regulation only.	Note:- All TDR including slum and heritage TDR shall be utilized as per this regulation only. Provided that the TDR generated from the Dharavi redevelopment Project as per Regulation 33(9)(A) & 33(10)(A) shall be allowed to utilise without applying the indexation provision above with following conditions: a) The quantum of TDR to be utilised shall be equivalent to built up area.



		<p>b) In order to dispose off the available TDR in fair and transparent manner in market, BMC in consultation with State Government will prepare and implement the e-tender / e-auction / e-quotation/ d mat or any other electronic system.</p> <p>c) In utilisation of TDR without indexation as per above, the maximum sale price of TDR shall not exceed 90% of the Value of Land as per ASR of the receiving plot of the year of loading the TDR.</p>
<p>New proviso in Note (iii) of Reg. 32(5)(5.4) is inserted.</p>	<p>iii) The quantum of maximum permissible TDR loading mentioned above shall include slum TDR at least 20 % and maximum to the extent of 50% of column no. 6 of Table No. 12 regulation 30(A) or as decided by Govt. time to time. Slum TDR as per this regulation and DRC generated from the vary said land and/or DRC generated from other location may be utilized up to the permissible limit mention above.</p>	<p>iii) The quantum of maximum permissible TDR loading mentioned above shall include slum TDR at least 20 % and maximum to the extent of 50% and Dharavi TDR 40% of column no. 6 of Table No. 12 regulation 30(A) or as decided by Govt. time to time. Provided further that, TDR generated from Dharavi Redevelopment Project (DRP) under regulation 33(9)(A) & 33(10)(A) shall be used on priority, such that TDR generated from Dharavi Redevelopment Project (DRP) shall be used first before utilization of other TDR. Slum TDR, Dharavi TDR as per this regulation and DRC generated from the vary said land and/or DRC generated from other location may be utilized up to the permissible limit mentioned above. Provided that provision of utilisation of Dharavi TDR shall be applicable only when it is available for utilisation in market, till such time and in case of unavailability after starting generation of said TDR, this provision of utilisation of Dharavi TDR shall not be applicable. The quantum of total TDR generated from DRP and available for utilisation shall be displayed on BMC and DRP websites with real time update for information of general public.</p>



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Reg.33(9)(A) DRP Area which shall have an overall FSI of 4.00 DRP Area which shall have an overall FSI of 4.00 or sum total of renewal FSI plus incentive FSI whichever is more.
Reg.33(9)(A)(1){3(a)} the TDR generated from the plot in the said SRD/SRA scheme would be deducted from over all calculation of FSI 4.00	the TDR generated from the plot in the said SRD/SRA scheme would be deducted from over all calculation of FSI 4.00 or sum total of Renewal BUA plus incentive BUA whichever is more.
Reg.33(9)(A)(1){3(b)}	(b) For private unencumbered plot/s situated within DNA but presently excluded, the FSI shall be 4.00 on their inclusion in DRP. The developer however, shall have to pay premium as decided by DRP on BUA equivalent to 2.67 FSI of that plot upon which he could go up to BUA equivalent to 4.00 FSI in his free sale component.	(b) For private unencumbered plot/s situated within DNA but presently excluded, the FSI shall be 4.00 or sum total of Renewal BUA plus incentive BUA whichever is more on their inclusion in DRP. The developer however, shall have to pay premium as decided by DRP on BUA equivalent to 2.67 FSI or difference between sum total of Renewal BUA plus Incentive BUA whichever is more , of that plot upon which he could go up to BUA equivalent to 4.00 FSI or sum total of Renewal BUA plus incentive BUA whichever is more in his free sale component.
New provision (c) in Reg.33(9)(A)(6) is inserted.	----	(c) Out of the total permissible BUA on any of the plot in DRP area, unconsumed sale BUA due to constraints may be allowed to be utilised on any other plot in DRP or may be allowed in the form of transferable development rights as per Regulation 32 of these Regulations. TDR will be allowed in proportion to construction of rehabilitation component.
New provision in Reg. 33(9)(A)(6) is inserted.	---	(d) Additional commercial area in the form of amenity area having 10% of the total rehabilitation component shall be constructed by the Developer and shall be handed over to DRP/SRA. This amenity area shall be considered for computation of rehabilitation area and incentive on the same shall be permissible as per clause (a) above. This amenity area may be allowed to lease by the Society or by the DRP/SRA on annual



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		basis. The lease income generated from the same shall be used for the purpose of operation and maintenance of the building and society premises. However, the ownership of this area shall vest with DRP/SRA.
Reg.33(10)(A) The DRP area shall have an overall FSI of 4.00 .The entitlement of FSI on that particular plot would be in accordance with the guidelines given below.The DRP area shall have an overall FSI of 4.00 or sum total of Rehabilitation BUA plus incentive BUA whichever is more.guidelines given below.
Reg.33(10)(A)(3)(3.4)(a)	If the FSI required for rehabilitation of existing hutment dwellers plus free sale component exceeds FSI 4.00 of a particular plot, such excess quantum shall get absorbed while calculating overall FSI of 4.00 on entire DRP Area.	If the FSI required for rehabilitation of existing hutment dwellers plus free sale component exceeds FSI 4.00 of a particular plot, such excess quantum shall get absorbed while calculating overall FSI of 4.00 on entire DRP Area. The maximum permissible BUA in DRP area shall be FSI 4.0 or area required for rehabilitation component plus incentive thereon whichever is more with minimum tenement density of 650 per Ha. Out of the total permissible BUA on any of the plot in DRP area, unconsumed sale BUA due to constraints may be allowed to be utilised on any other plot in DRP or may be allowed in the form of transferable development rights as per Regulation 32 of these Regulations. TDR will be allowed in proportion to construction of rehabilitation component. TDR will not be allowed to be exceeded by 50% of the construction of rehabilitation area sector/phase wise, at any point of time till completion of the construction of rehabilitation component. On sector/phase wise completion of construction of rehabilitation component and obtaining Occupation Certificate, the balance TDR shall be released sector/ phase wise.
Reg. 33(10)(A)(5)(5.2) for commercial/office/shop/Industrial establishments/structures for potter's/economic activity, both free of cost. for commercial/office/shop/Industrial establishments/structures for potter's/economic activity, both free of cost. The carpet area of such



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		residential unit shall not exceed 27.88 Sqm and carpet area of Commercial Unit shall be as mentioned in the Gumasta Licence.
New Provision 5.7 in Reg.33(10)(A)(5) is inserted.	-----	Additional commercial area in the form of amenity area having 10% of the total rehabilitation component shall be constructed by the Developer and shall be handed over to DRP/SRA. This amenity area shall be considered for computation of rehabilitation area and incentive on the same shall be permissible as per clause (a) above. This amenity area may be allowed to lease by the Society or by the DRP/SRA on annual basis. The lease income generated from the same shall be used for the purpose of operation and maintenance of the building and society premises. However, the ownership of this area shall vest with DRP/SRA.
Reg. 33(10)(A)(6)(6.8)	the distance between any two rehab/composite buildings shall not be less than 6 m for the height up to 32 m and for the building with height more than 32 m the open spaces shall be as per Regulation No 41(5) 12m.	Notwithstanding anything contained in regulation 41(5) of these regulations, the distance between any two rehab/composite buildings shall not be less than 6 m for the height up to 32 m and for the building with height more than 32 m the open spaces shall be as per Regulation No 41(5) 12m.
New Provision 11 in Reg.33(10)(A) is inserted.	-----	Provision for non eligible slum dwellers: Non eligible slum dwellers in DRP area, be dealt as per Government in Housing Department GR. nO. drP-2022/Pra.kra87/zopsu, dt 28 th September, 2022.




 (Nirmalkumar Chaudhari)
 Deputy Secretary to Government.

महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६

- उक्त अधिनियमाचे कलम ३७(१कक)(ग) अन्वये अधिसूचना.
- बृहन्मुंबई विकास नियंत्रण व प्रोत्साहन नियमावली - २०३४ मधील प्रस्तावित फेरबदलाचे मंजूरीबाबत.

महाराष्ट्र शासन

नगर विकास विभाग

मंत्रालय, मुंबई : ४०० ०३२.

दिनांक :- १४ ऑक्टोबर, २०२४

अधिसूचना

क्र. टिपीबी-४३२३/युओआर-४८/प्र.क्र.६७/२०२३/नवि-११

ज्याअर्थी, महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६ (यापुढे ज्याचा उल्लेख "उक्त अधिनियम" असा करणेत आलेला आहे.) च्या तरतुदीनुसार बृहन्मुंबई महानगरपालिका त्यांचे अधिकार क्षेत्राकरीता (यापुढे ज्याचा उल्लेख "उक्त महानगरपालिका" असा करणेत आलेला आहे.) नियोजन प्राधिकरण आहे;

आणि ज्याअर्थी, उक्त अधिनियमाच्या कलम ३१, पोट-कलम (१) अन्वये प्राप्त अधिकारांचा वापर करून राज्य शासनाने अधिसूचना क्र.टिपीबी-४३१७/६२९/प्र.क्र.११८/२०१७/वि.यो./नवि-११, दि.८/०५/२०१८ (यापुढे ज्याचा उल्लेख "उक्त अधिसूचना" असा करणेत आलेला आहे) द्वारे बृहन्मुंबई प्रारूप विकास योजना-२०३४ सह विकास नियंत्रण व प्रोत्साहन नियमावली-२०३४ (यापुढे याचा उल्लेख "उक्त नियमावली" असा करणेत आलेला आहे) ला उक्त अधिसूचनेसोबतचे परिशिष्ट-ब मध्ये दर्शविलेले सारभूत स्वरूपाचे फेरबदल (ई.पी.) वगळून उक्त अधिसूचनेसोबतचे परिशिष्ट-अ मध्ये दर्शविलेल्या सुधारणेसह मंजूरी दिली आहे. आणि ज्याअर्थी शासनाने उक्त अधिसूचनेस सम क्रमांकाचे शुध्दीपत्रक दि.२२ जून २०१८ रोजी निर्गमित केले आहे; आणि ज्याअर्थी, त्यानंतर उक्त अधिसूचनेस शासनाने समक्रमांकाचे शुध्दीपत्रक व पुरकपत्र दि. २९ जून, २०१८ रोजी पारित केले असून सदर शुध्दीपत्रक व पुरकपत्र महाराष्ट्र शासनाच्या राजपत्रात दि. ३० जून, २०१८ रोजी प्रसिध्द करण्यात आले आहे; आणि ज्याअर्थी, उक्त नियमावली दि.१/०९/२०१८ पासून अंमलात आली आहे; आणि ज्याअर्थी, शासनाने दि. २१/०९/२०१८ रोजीच्या अधिसूचनेद्वारे उक्त नियमावलीमधील सारभूत स्वरूपाचे बदल ईपी-१ ते ईपी-१६८ ला (ठराविक ईपी व निर्णयार्थ प्रलंबित ठेवलेल्या ठराविक तरतुदी वगळून) मंजूरी प्रदान केली आहे; आणि ज्याअर्थी, उक्त मंजूरीच्या अधिसूचनेत आणि मंजूर तरतुदीमध्ये टंकलेखनाच्या त्रुटी व चुका तसेच उक्त नियमावलीमधील काही तरतुदीच्या अर्थबोधाची स्पष्टता करून सुसंगती आणणे या करिता शासनाने दि.१२/११/२०१८ रोजी शुध्दीपत्रक निर्गमित केले आहे;

आणि ज्याअर्थी, शासन, गृहनिर्माण विभागाने दि. ५/११/२०१८ रोजीचा शासन निर्णय निर्गमित करून धारावी पुनर्वसन प्रकल्पाला (यापुढे ज्याचा उल्लेख "डीआरपी" असा करणेत आलेला आहे.) अत्यावश्यक नागरी प्रकल्प म्हणून घोषित केले असून, डिआरपीला अधिक व्यवहार्य बनवण्यासाठी विविध तरतुदी/सवलती दिल्या आहेत/मंजूर केल्या आहेत. आणि ज्याअर्थी मंत्रिमंडळाने दि. २१/०९/२०२२ रोजीचे बैठकीत सदर



डीआरपी योजना अधिक व्यवहार्य बनवण्यासाठी डीआपी मध्ये उत्पन्न झालेला टीडीआर करीता इंडेक्सेशन न करता वापरण्याच्या प्रस्तावास मान्यता दिली आहे;

आणि ज्याअर्थी, शासन गृहनिर्माण विभागाने दि.२८/०९/२०२२ रोजीचे शासन निर्णयाद्वारे धारावी पुनर्वसन प्रकल्पातून उत्पन्न होणारा टीडीआर इंडेक्सेशन न करता वापरण्यास तसेच डीआरपी मध्ये उत्पन्न झालेला टीडीआर चा वापर प्राथम्याने तसेच किमान ५०टक्के वापर अनिवार्य करणेबाबत तरतूद केली आहे;

आणि ज्याअर्थी, उप प्रमुख अभियंता, डीआरपी यांनी शासन, गृहनिर्माण विभागाला केलेल्या निवेदनाद्वारे शासन निर्णय दि. २८/०९/२०२२ अनुसार उक्त नियमावली मध्ये आवश्यक बदल करणेबाबत विनंती केली आहे. आणि ज्याअर्थी, शासन गृहनिर्माण विभागाने सदर प्रस्तावाची शिफारस करून शासन, नगर विकास विभागास उक्त नियमावली मध्ये आवश्यक बदल करणेबाबत विनंती केली आहे;

आणि ज्याअर्थी, मंत्रिमंडळाने घेतलेला निर्णय, त्यानुसार गृहनिर्माण विभागाने दि.२८/०९/२०२२ रोजी निर्गमित केलेला शासन निर्णय, डीआरपी ची विनंती विचारात घेता, उक्त नियमावलीमध्ये फेरबदल करणे सार्वजनिक हिताचे दृष्टीने आवश्यक आहे, अशी शासनाची खात्री झाली आहे;

आणि ज्याअर्थी, उक्त अधिनियमाच्या कलम ३७ च्या पोट कलम (१कक) अन्वये प्राप्त अधिकाराचा वापर करून शासनाने समक्रमांकाची दि.७/११/२०२३ रोजीची सूचना त्यासोबतचे परिशिष्टामध्ये नमूद प्रस्तावित फेरबदलावर (यापुढे ज्यांचा उल्लेख "प्रस्तावित फेरबदल" असा करण्यात आला आहे.) जनतेकडून हरकती / सूचना मागविण्यासाठी प्रसिध्द केली आहे आणि ज्याद्वारे प्रस्तावित फेरबदलाबाबत प्राप्त होणाऱ्या हरकती / सूचनांवर संबंधितांना सुनावणी देण्याकरीता तसेच उक्त अधिनियमाच्या कलम ३७(१कक) अन्वये विहित केलेली कार्यवाही पूर्ण करून प्रस्ताव शासनास सादर करणेसाठी उपसंचालक, नगर रचना, बृहन्मुंबई यांची अधिकारी (यापुढे ज्यांचा उल्लेख "उक्त अधिकारी" असा करण्यात आला आहे.) म्हणून नियुक्ती करण्यात आली आहे;

आणि ज्याअर्थी, प्रस्तावित फेरबदलाची सदर शासन सूचना दि. ७/११/२०२३ ही महाराष्ट्र शासन राजपत्र (असाधारण भाग-१ कोकण विभागीय पुरवणी) मध्ये दि. १०/११/२०२३ रोजी प्रसिध्द करण्यात आली होती आणि उक्त अधिकारी यांनी अधिनियमाचे कलम ३७(१कक) अन्वये आवश्यक वैधानिक कार्यवाही पूर्ण करून दि.३१/०१/२०२४ रोजीच्या पत्रान्वये त्यांचा अहवाल नगर रचना संचालनालयामार्फत शासनाचे अंतिम मंजूरीसाठी सादर केला आहे;

आणि ज्याअर्थी, उक्त अधिकारी यांनी सादर केलेला अहवाल विचारात घेता व संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे यांचेशी सल्ला-मसलत केल्यानंतर उक्त प्रस्तावित फेरबदल मंजूर करणे जनहिताच्या दृष्टीने आवश्यक आहे, असे शासनाचे मत झाले आहे;

आता त्याअर्थी, उक्त अधिनियमाच्या कलम ३७(१कक)(ग) अन्वये प्राप्त अधिकारात आणि त्या संदर्भातील सर्व शक्तींचा वापर करून शासन याद्वारे :

- उक्त प्रस्तावित फेरबदलाचे प्रस्तावास सोबतचे परिशिष्टामध्ये नमूद केलेप्रमाणे मंजूरी देत आहे.
- सदरची अधिसूचना शासकीय राजपत्रामध्ये प्रसिध्द झालेचा दिनांक हा उक्त फेरबदल अंमलात आलेचा दिनांक असेल.



क) बृहन्मुंबई महानगरपालिकेच्या विकास नियंत्रण व प्रोत्साहन नियमावली-२०३४ च्या मंजूरी सोबतच्या फेरबदलाचे परिशिष्टामध्ये शेवटच्या नोंदीनंतर खालील परिशिष्ट समाविष्ट करणेचे निर्देश देत आहे.

सदर अधिसूचना महाराष्ट्र शासनाच्या www.maharashtra.gov.in (कायदा / नियम) या वेबसाइटवर देखील प्रसिद्ध करण्यात येत आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,



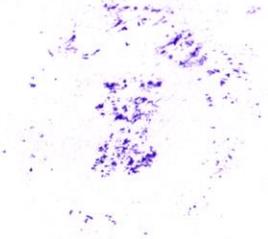

(निर्मलकुमार पं. चौधरी)
उपसचिव, महाराष्ट्र शासन

परिशिष्ट

(शासन नगर विकास विभागाकडील अधिसूचना क्र. टिपीबी ४३२३/ युओआर-४८/प्र.क्र.६७/२०२३/ नवि-११,
दिनांक -१४ ऑक्टोबर, २०२४ सोबतचे परिशिष्ट)

विनियम	विद्यमान तरतुद	मंजूर तरतुद
30(A)(6)	Premium shall be charged for 'additional FSI on payment of premium' (as per column no 5 of table no 12) for BUA at the rate of 50% of the land rates as per ASR (for FSI 1) of the year in which such FSI is granted or as may be decided by Govt. from time to time. Premium so recovered shall be shared between the State Govt., MCGM, MSRDC and Dharavi Authority on 25:25:25:25 basis. The MCGM shall utilize the premium for implementation of D P.	Premium shall be charged for 'additional FSI on payment of premium' (as per column no 5 of table no 12) for BUA at the rate of 50% of the land rates as per ASR (for FSI 1) of the year in which such FSI is granted or as may be decided by Govt. from time to time. Premium so recovered shall be shared between the State Govt., MCGM and MSRDC and Dharavi Authority on 25:50:25 basis. The MCGM shall utilize the premium for implementation of D P.
Reg. 32(4)(4.1)(4.1.1) Table No.12A SR. No.2	In case of Regulation 33(7), 33(8), 33(9),33(10), 33(11), 33(20)(B)	In case of Regulation 33(7), 33(8), 33(9), 33(9)(A) ,33(10), 33(10)(A) , 33(11), 33(20)(B)
New proviso in Reg. 32(4)(4.2) is inserted.	---	Provided further that, in case of Redevelopment Scheme under Regulation 33(9)(A) & 33(10)(A) where permissible in-situ FSI cannot be utilized in-situ, the difference between permissible FSI and FSI that can be used in-situ will be the quantum of TDR generated as per Regulation 32.
New proviso in Note of Reg. 32(5)(5.3) is inserted.	Note:- All TDR including slum and heritage TDR shall be utilized as per this regulation only.	Note:- All TDR including slum and heritage TDR shall be utilized as per this regulation only. Provided that the TDR generated from the Dharavi redevelopment Project as per Regulation 33(9)(A) & 33(10)(A) shall be allowed to utilise without applying the indexation provision above with following conditions: a) The quantum of TDR to be utilised shall be equivalent to built up area.



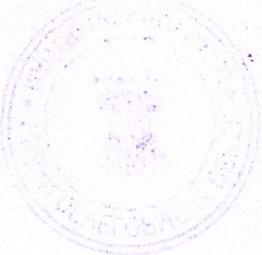
		<p>b) In order to dispose off the available TDR in fair and transparent manner in market, BMC in consultation with State Government will prepare and implement the e-tender / e-auction / e-quotation/ d mat or any other electronic system.</p> <p>c) In utilisation of TDR without indexation as per above, the maximum sale price of TDR shall not exceed 90% of the Value of Land as per ASR of the receiving plot of the year of loading the TDR.</p>
<p>New proviso in Note (iii) of Reg. 32(5)(5.4) is inserted.</p>	<p>iii) The quantum of maximum permissible TDR loading mentioned above shall include slum TDR at least 20 % and maximum to the extent of 50% of column no. 6 of Table No. 12 regulation 30(A) or as decided by Govt. time to time. Slum TDR as per this regulation and DRC generated from the vary said land and/or DRC generated from other location may be utilized up to the permissible limit mention above.</p> 	<p>iii) The quantum of maximum permissible TDR loading mentioned above shall include slum TDR at least 20 % and maximum to the extent of 50% and Dharavi TDR 40% of column no. 6 of Table No. 12 regulation 30(A) or as decided by Govt. time to time. Provided further that, TDR generated from Dharavi Redevelopment Project (DRP) under regulation 33(9)(A) & 33(10)(A) shall be used on priority, such that TDR generated from Dharavi Redevelopment Project (DRP) shall be used first before utilization of other TDR. Slum TDR, Dharavi TDR as per this regulation and DRC generated from the vary said land and/or DRC generated from other location may be utilized up to the permissible limit mentioned above. Provided that provision of utilisation of Dharavi TDR shall be applicable only when it is available for utilisation in market, till such time and in case of unavailability after starting generation of said TDR, this provision of utilisation of Dharavi TDR shall not be applicable. The quantum of total TDR generated from DRP and available for utilisation shall be displayed on BMC and DRP websites with real time update for information of general public.</p>

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Reg.33(9)(A) DRP Area which shall have an overall FSI of 4.00 DRP Area which shall have an overall FSI of 4.00 or sum total of renewal FSI plus incentive FSI whichever is more.
Reg.33(9)(A)(1){3(a)} the TDR generated from the plot in the said SRD/SRA scheme would be deducted from over all calculation of FSI 4.00	the TDR generated from the plot in the said SRD/SRA scheme would be deducted from over all calculation of FSI 4.00 or sum total of Renewal BUA plus incentive BUA whichever is more.
Reg.33(9)(A)(1){3(b)}	(b) For private unencumbered plot/s situated within DNA but presently excluded, the FSI shall be 4.00 on their inclusion in DRP. The developer however, shall have to pay premium as decided by DRP on BUA equivalent to 2.67 FSI of that plot upon which he could go up to BUA equivalent to 4.00 FSI in his free sale component.	(b) For private unencumbered plot/s situated within DNA but presently excluded, the FSI shall be 4.00 or sum total of Renewal BUA plus incentive BUA whichever is more on their inclusion in DRP. The developer however, shall have to pay premium as decided by DRP on BUA equivalent to 2.67 FSI or difference between sum total of Renewal BUA plus Incentive BUA whichever is more , of that plot upon which he could go up to BUA equivalent to 4.00 FSI or sum total of Renewal BUA plus incentive BUA whichever is more in his free sale component.
New provision (c) in Reg.33(9)(A)(6) is inserted.	----	(c) Out of the total permissible BUA on any of the plot in DRP area, unconsumed sale BUA due to constraints may be allowed to be utilised on any other plot in DRP or may be allowed in the form of transferable development rights as per Regulation 32 of these Regulations. TDR will be allowed in proportion to construction of rehabilitation component.
New provision in Reg. 33(9)(A)(6) is inserted.	---	(d) Additional commercial area in the form of amenity area having 10% of the total rehabilitation component shall be constructed by the Developer and shall be handed over to DRP/SRA. This amenity area shall be considered for computation of rehabilitation area and



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		incentive on the same shall be permissible as per clause (a) above. This amenity area may be allowed to lease by the Society or by the DRP/SRA on annual basis. The lease income generated from the same shall be used for the purpose of operation and maintenance of the building and society premises. However, the ownership of this area shall vest with DRP/SRA.
Reg.33(10)(A) The DRP area shall have an overall FSI of 4.00 .The entitlement of FSI on that particular plot would be in accordance with the guidelines given below.The DRP area shall have an overall FSI of 4.00 or sum total of Rehabilitation BUA plus incentive BUA whichever is more.guidelines given below.
Reg.33(10)(A)(3)(3.4)(a)	If the FSI required for rehabilitation of existing hutment dwellers plus free sale component exceeds FSI 4.00 of a particular plot, such excess quantum shall get absorbed while calculating overall FSI of 4.00 on entire DRP Area.	If the FSI required for rehabilitation of existing hutment dwellers plus free sale component exceeds FSI 4.00 of a particular plot, such excess quantum shall get absorbed while calculating overall FSI of 4.00 on entire DRP Area. The maximum permissible BUA in DRP area shall be FSI 4.0 or area required for rehabilitation component plus incentive thereon whichever is more with minimum tenement density of 650 per Ha. Out of the total permissible BUA on any of the plot in DRP area, unconsumed sale BUA due to constraints may be allowed to be utilised on any other plot in DRP or may be allowed in the form of transferable development rights as per Regulation 32 of these Regulations. TDR will be allowed in proportion to construction of rehabilitation component. TDR will not be allowed to be exceeded by 50% of the construction of rehabilitation area sector/ phase wise, at any point of time till completion of the construction of rehabilitation component. On sector/ phase wise completion of construction of rehabilitation component and obtaining Occupation Certificate, the balance TDR shall be released sector/ phase wise.



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Reg. 33(10)(A)(5)(5.2) for commercial/office/shop/Industrial establishments/structures for potter's/economic activity, both free of cost. for commercial/office/shop/Industrial establishments/structures for potter's/economic activity, both free of cost. The carpet area of such residential unit shall not exceed 27.88 Sqm and carpet area of Commercial Unit shall be as mentioned in the Gumasta Licence.
New Provision 5.7 in Reg.33(10)(A)(5) is inserted.	-----	Additional commercial area in the form of amenity area having 10% of the total rehabilitation component shall be constructed by the Developer and shall be handed over to DRP/SRA. This amenity area shall be considered for computation of rehabilitation area and incentive on the same shall be permissible as per clause (a) above. This amenity area may be allowed to lease by the Society or by the DRP/SRA on annual basis. The lease income generated from the same shall be used for the purpose of operation and maintenance of the building and society premises. However, the ownership of this area shall vest with DRP/SRA.
Reg. 33(10)(A)(6)(6.8)	the distance between any two rehab/composite buildings shall not be less than 6 m for the height up to 32 m and for the building with height more than 32 m the open spaces shall be as per Regulation No 41(5) 12m.	Notwithstanding anything contained in regulation 41(5) of these regulations, the distance between any two rehab/composite buildings shall not be less than 6 m for the height up to 32 m and for the building with height more than 32 m the open spaces shall be as per Regulation No 41(5) 12m.
New Provision 11 in Reg.33(10)(A) is inserted.	-----	Provision for non eligible slum dwellers: Non eligible slum dwellers in DRP area, be dealt as per Government in Housing Department GR. nO. drP-2022/Pra.kra87/zopsu, dt 28th September, 2022.



(निर्मलकुमार चौधरी)
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