



महाराष्ट्र शासन राजपत्र

असाधारण भाग एक-कोकण विभागीय पुरवणी

वर्ष ७, अंक ६२]

मंगळवार, डिसेंबर २१, २०२१/अग्रहायण ३०, शके १९४३

| पृष्ठे ८, किंमत : रुपये ११.००

असाधारण क्रमांक ९०

प्राधिकृत प्रकाशन

नगर विकास विभाग

४ था मजला, मुख्य इमारत, मंत्रालय, मुंबई ४०० ०३२, दिनांक २१ डिसेंबर, २०२१

महाराष्ट्र प्रादेशिक व नगररचना अधिनियम, १९६६.

एकत्रिकृत विकास नियंत्रण व प्रोत्साहन नियमावलीमधील विनियम क्र. ५.२.१ मध्ये प्रस्तावित फेरबदलासाठी
कलम २०(३) अन्वये सूचना

सूचना

क्रमांक टिपीएस-१२१६/३१९६/प्र.क्र.४२१/१६/नवि-१२. — ज्याअर्थी, शासन नगर विकास विभागाने अधिसूचना क्र. टिपीएस-१२१२/४४९/ प्र.क्र.१९२/१२/नवि-१२, दिनांक ६ जानेवारी २०१८, अन्वये ठाणे-पालघर-रायगड प्रदेशाची प्रादेशिक योजना (यापुढे जिचा उल्लेख “ उक्त प्रादेशिक योजना ” असा करण्यात आला आहे), महाराष्ट्र प्रादेशिक व नगररचना अधिनियम, १९६६ चे कलम १५ (यापुढे ज्याचा उल्लेख “ उक्त अधिनियम ” असा करण्यात आला आहे) अन्वये मंजूर केली असून ती दिनांक ६ जानेवारी २०१८ पासून अंमलात आलेली आहे ;

आणि ज्याअर्थी, शासन नगर विकास विभागाने उक्त अधिनियमाच्या कलम २०(४) मधील तरतुदीनुसार अधिसूचना क्र.टिपीएस-१८१२/१५७/प्र.क्र.७१/१२/पुनर्बांधणी नस्ती क्र.३४/१२/प्रा.यो./नवि-१३, दिनांक २१ नोव्हेंबर २०१३ अन्वये राज्यातील प्रादेशिक योजना क्षेत्रासाठीची प्रमाणित विकास नियंत्रण व प्रोत्साहन नियमावली मंजूर केली असून, ती दिनांक २१ नोव्हेंबर २०१३ पासून अंमलात आली आहे ;

आणि ज्याअर्थी, शासन नगर विकास विभागाने उक्त अधिनियमाच्या कलम २०(४) मधील तरतुदीनुसार अधिसूचना क्र. टिपीएस-१८१८/प्र.क्र.२३६/१८/वियो व प्रायो/कलम ३७ (१कक) (ग) व कलम २०(४)/नवि-१३, दिनांक २ डिसेंबर २०२० अन्वये एकत्रिकृत विकास नियंत्रण व प्रोत्साहन नियमावली मंजूर केली असून ती दिनांक ३ डिसेंबर २०२० पासून अंमलात आली आहे व सदरची नियमावली उक्त प्रादेशिक योजना क्षेत्रासाठीसुद्धा लागू आहे. (यापुढे जिचा उल्लेख “ उक्त विकास नियंत्रण नियमावली ” असा करण्यात आला आहे);

आणि ज्याअर्थी, उक्त विकास नियंत्रण नियमावलीच्या प्रकरण-५ मध्ये प्रादेशिक योजना क्षेत्रासाठीच्या अतिरिक्त तरतुदी अंतर्भूत असून, त्यामधील विनियम ५.२.१ मध्ये तारापूर-बोईसर क्षेत्रामधील विकासाबाबतची तरतूद अंतर्भूत आहे ;

आणि ज्याअर्थी, शासन नगर विकास विभागाने पत्र क्र.टिपीएस-१२१६/३१९६/प्र.क्र.४२१/१६/नवि-१२, दिनांक १९ ऑगस्ट २०२० अन्वये तारापूर अणुशक्ती केंद्रापासून ५.०० कि.मी. ते १६.०० कि.मी. परिसरातील विकासाबाबत मार्गदर्शक तत्वे अथवा धोरण निश्चित करणेकरिता जिल्हाधिकारी, पालघर यांचे अध्यक्षतेखाली समिती गठीत केली आहे (यापुढे जिचा उल्लेख “ उक्त गठीत समिती ” असा करण्यात आला आहे) ;

(१)

आणि ज्याअर्थी, अध्यक्ष, गठीत समिती तथा जिल्हाधिकारी, पालघर यांनी तारापूर-बोईसर क्षेत्रामधील विकासाच्या अनुषंगाने काही मार्गदर्शक सूचना/धोरण प्रस्तावित करून त्याबाबतचा प्रस्ताव दिनांक १७ मे २०२१ च्या पत्रान्वये शासनास सादर केला असून, सदरच्या प्रस्तावानुसार तारापूर-बोईसर क्षेत्रामधील विकासासंदर्भात विकास नियंत्रण नियमावलीत बदल प्रस्तावित केले आहेत ;

आणि ज्याअर्थी, उक्त गठीत समिती यांची विनंती विचारात घेतल्यानंतर व आवश्यक त्या चर्चेअंती तारापूर-बोईसर क्षेत्रामधील विकासाच्या अनुषंगाने उक्त विकास नियंत्रण नियमावलीमध्ये सुधारणा करणे आवश्यक आहे, असे शासन, नगर विकास विभागाचे मत झाले आहे ;

त्याअर्थी आता, उक्त अधिनियमातील कलम २० पोट-कलम (३) मधील तरतुदीनुसार उक्त प्रादेशिक योजनेच्या उक्त नियमावलीमध्ये खाली विश्लेषित केल्याप्रमाणे फेरबदल (यापुढे ज्याचा उल्लेख “ प्रस्तावित फेरबदल ” असा करण्यात आला आहे) करण्याचा हेतु या सुचनेद्वारे शासन प्रसिद्ध करीत आहे आणि प्रस्तावित फेरबदलासंदर्भात आम नागरिकांकडून हरकती आणि/किंवा सूचना मागविण्याची सूचना प्रसिद्ध करीत आहे. प्रस्तावित फेरबदलाच्या अनुषंगाने काही हरकती आणि/किंवा सूचना द्यावयाच्या असतील तर त्या नागरिकांनी ही सूचना **शासन राजपत्रात** प्रसिद्ध झाल्याच्या दिनांकापासून १ (एक) महिन्याच्या आत त्या त्यांनी द्याव्यात. हरकती आणि/किंवा सूचना सह संचालक, नगररचना, कोकण विभाग, कोकण भवन, सी.बी.डी., बेलापूर, नवी मुंबई यांच्या नावे लेखी स्वरूपात द्याव्यात. तसेच प्रस्तावित फेरबदल प्रस्तावावर प्राप्त हरकती/सुचनांवर संबंधितांना सुनावणी देऊन शासनास अहवाल सादर करणेसाठी सह संचालक, नगररचना, कोकण विभाग, तिसरा मजला, मुख्य इमारत, रुम नं. ३०५, कोकण भवन, बेलापूर, नवी मुंबई ४०० ६०१ यांची अधिकारी म्हणून नियुक्ती करण्यात येत आहे. ही सूचना **महाराष्ट्र शासनाच्या राजपत्रात** प्रसिद्ध झाल्याच्या दिनांकापासून १ (एक) महिन्याच्या आत प्राप्त होणाऱ्या हरकती आणि/किंवा सूचना फक्त शासनाकडून विचारात घेण्यात येतील.

प्रस्तावित फेरबदल

तारापूर-बोईसर क्षेत्रामधील तारापूर अणुशक्ती केंद्राच्या ५ किमी ते १६ किमी परीघ क्षेत्रामधील विकासासंबंधीची नियमावली सुधारित करण्याचे प्रस्तावित असून, सोबत जोडलेल्या परिशिष्टामध्ये नमूद केल्यानुसार ते एकत्रिकृत विकास नियंत्रण व प्रोत्साहन नियमावलीच्या विनियम ५.२.१ मध्ये समाविष्ट करण्याचे प्रस्तावित आहे.

०२. ठाणे-पालघर-रायगड प्रदेशाच्या प्रादेशिक योजना क्षेत्रामधील प्रस्तावित फेरबदलाची, परिशिष्टासह, सूचना खालील कार्यालयांमध्ये कामाकाजाच्या दिवशी, एक महिन्याच्या कालावधीकरिता आम जनतेच्या अवलोकनार्थ उपलब्ध राहील.

(१) अध्यक्ष, गठीत समिती तथा जिल्हाधिकारी, पालघर.

(२) सह संचालक, नगररचना, कोकण विभाग, कोकण भवन, बेलापूर, नवी मुंबई.

(३) सहायक संचालक, नगररचना, पालघर शाखा, पालघर.

०३. सदरची सूचना ही शासनाच्या www.maharashtra.gov.in वेबसाईटवर उपलब्ध राहील.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

पु. म. शिंदे,

कार्यासन अधिकारी.

परिशिष्ट

शासन सूचना क्रमांक टिपीएस-१२१६/३१९६/प्र.क्र.४२१/१६/नवि-१२,
दिनांक २१/१२/२०२१ सोबतचे सहपत्र

Sr. No.	Regulation No.	Existing Regulation
1.	5.2.1	Development in Tarapur - Boisar Area:- The permissible FSI and Height for development in the Tarapur – Boisar Area shall be as per directions issued by the Government time to time.
Above Existing Regulation is proposed to be replaced by following Regulation.		
Sr. No.	New Regulation No.	Proposed Regulation.
1.	5.2.1	<u>Development around Tarapur Atomic power station in Tarapur – Boisar Area :-</u> The development within the area of 5 km. to 16 km. radius of Tarapur Atomic Power Station shall be governed by following regulations.
2.	5.2.1.1	Provisions mentioned in Regulation No. 6.2.3 shall be applicable with following changes :- Side and Rear Marginal Distances for building of Height more than mentioned in Table No. 6D / 6E of Regulation No. 6.2.1 and 6.2.2:- The marginal distances on all sides, except the front side, of building shall be minimum 6.0 m. or H/5, whichever is more. (Where H = Height of building above ground level)
3.	5.2.1.2	Provisions mentioned in Regulation No. 6.2.4 shall be applicable with following changes :- Distance between Two Buildings :- The distance between two buildings shall be 6.00 mt. or H/5 of the taller building between the two adjoining buildings, whichever is more. (Where H = Height of building above ground level)
4.	5.2.1.3	Provisions mentioned in Regulation No. 6.10 shall be applicable with following changes :- Height of Building:- The maximum permissible height of building, including parking floor, shall be 24 mt.
5.	5.2.1.4	Permissible FSI – a) Provisions mentioned in Regulation No. 6.1 and 6.3 shall be applicable with following changes :- The permissible Basic Floor Space Index shall be 1.10. In addition to basic permissible FSI, 0.30 FSI shall be permissible on payment of premium.

		If the land is affected by proposed road or road widening and if the owner hand over the land under such proposed road or road widening of very said plot, free of cost and free from all encumbrances, to the Authority, such FSI can be used instead of FSI on payment of the premium to the maximum extent of 0.30 or 0.30 FSI over and above 1.1. Basic FSI, may be allowed to be utilized partly from road widening FSI of very said plot and partly from premium FSI. Provided that, above provision of FSI shall also be permissible for earlier sanctioned proposals within the limits of maximum permissible FSI of 0.75 or 1.00, as the case may be, subject to the marginal distances and Distance between Two building as prescribed above. b) Provisions mentioned in Regulation No. 7.7.2 shall be applicable with following changes :- Development of Housing for EWS/LIG – proposed in Agriculture Zone as per Regulation No.7.7.2 – FSI permissible shall be 1.0. c) Provisions mentioned in Regulation No. 4.11 shall be applicable with following changes :- FSI for users permissible in Agriculture Zone shall not exceed the FSI as prescribed in Regulation No. 4.11. However, if FSI on payment of premium is permissible over and above the FSI allowed without payment of premium to certain user in Regulation No. 4.11, then the maximum FSI on payment of premium for such user shall be permissible to the extent of such permissible FSI on payment of premium or 0.40, whichever is minimum. d) Provisions mentioned in Regulation No. 6.4 shall be applicable with following changes :- The permissible basic Floor Space Index shall be 1.00. In addition to the basic permissible FSI, 0.40 FSI shall be permissible on payment of premium. e) Provisions mentioned in Regulation No. 6.1 and 6.4 shall be applicable with following changes :- Notwithstanding anything mentioned in various provisions of Unified Development Control and Promotion Regulation, Ancillary FSI shall not be permissible in this area.
6.	5.2.1.5	Excepting the Regulation mentioned above, all other Regulations in Unified Development Control and Promotion Regulation shall be applicable for this area.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

पु. म. शिंदे,
कार्यासन अधिकारी.

URBAN DEVELOPMENT DEPARTMENT

4th Floor, Main Building, Mantralaya,
Mumbai 400 032, dated 21st December, 2021.

Maharashtra Regional and Town Planning Act, 1966.

**Notice under section 20(3) regarding Proposed Modification
to the Regulation No. 5.2.1 of the Unified Development Control and
promotion Regulations of**

Notice

No. TPS-1216/3196/C.R.421/16/UD-12.—Whereas, the Government in Urban Development Department has sanctioned the Regional Plan for Thane-Palghar-Raigad Region (hereinafter referred to as “the said Regional Plan”) *vide* Notification No.TPS-1212/449/C.R.192/12/UD-12, dated the 6th January, 2018 as per the provision of Section 15 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as “the said Act”) which has come into force with effect from 6th January 2018 ;

And whereas, the Government in Urban Development Department under section 20(4) of the said Act, has sanctioned the Standardised Development Control and Promotion Regulations for Regional Plan areas in Maharashtra *vide* Notification No.TPS-1812/157/CR-71/12, Reconstruction No.34/12/RP/UD-13, dated 21st November 2013 which has come in to force with effect from 21st November 2013 ;

And whereas, Government in Urban Development Department has sanctioned the Unified Development Control and Promotion Regulations for the Regional Plan areas of the State, which is applicable for the said Regional Plan (hereinafter referred to as “the said Development Control Regulations”) *vide* Notification No. TPS-1818/C.R. 236/18/DP&RP/Sec. 37(1AA)(c) and Sec. 20(4)/UD-13, dated the 2nd December, 2020 as per the provision of Section 20 of the said Act, Which has come into force with effect from 3rd December 2020 (hereinafter referred to as “the said Unified Development Control and Promotion Regulations”) ;

And whereas, the Chapter-5 of the said Unified Development Control and Promotion Regulations provides the additional provision for Regional Plan areas, and in that Regulation No.5.2.1 is regarding the Development in Tarapur-Boisar area ;

And whereas, the Government in Urban Development Department *vide* letter No.TPS-1216/3196/C.R.421/16/UD-12, dated 19th August 2020, has constituted a committee under the chairmanship of the Collector, Palghar to decide the policy or to formulate the guidelines for the development in the Tarapur-Boisar area between 5 to 16 km. from the centre of the Tarapur Atomic Power Station (hereinafter referred to as “the said committee”) ;

And whereas, the Chairman, Constituted Committee and Collector, Palghar through the committee has submitted a proposal to the Government suggesting some guidelines / policy *vide* letter dated 17th May 2021 which needs modification to Regulations in respect of Development around Tarapur Atomic Power Station in Tarapur-Boisar area ;

And whereas, considering the request of the said committee and after making necessary enquiries, the Government is of the opinion that in the public interest it is necessary to carry out suitable modification to the said Unified Development Control and Promotion Regulations in respect of the Development in Tarapur-Boisar area of the said Regional Plan ;

Now, therefore, in accordance with the provisions contained in sub-section (3) of section 20 of the said Act, the Government hereby, publishes this notice for inviting objections and / or suggestions in respect of the proposed modification more specifically described below (hereinafter referred to as “the Proposed Modification”), from the general public within 1 (one) month from the date of publication of the notice in the *Official Gazette*. The objections and/or suggestions in this regards shall be addressed to the Joint Director of Town Planning, Konkan Division, 3rd Floor, Main Building, Room No. 305, Konkan Bhavan, Belapur, Navi Mumbai 400 601 who is hereby appointed as an officer to hear the objections and/or suggestions which may be received within the aforesaid prescribed period and submit his report to the Government. The objections and / or suggestions received within the the aforesaid stipulated period, shall only be considered by the Government.

Proposed Modification

The sanctioned regulations for the Development around Tarapur Atomic Power Station in the Tarapur-Boisar area are proposed to be replaced as per the schedule attached herewith.

02. A copy of the Proposed Modification in the Regional Plan for Thane-Palghar-Raigad Region, shall be kept open for inspection by the general public during office hours in the offices of the following officers for the period of one month—

- (1) Chairman, Constituted Committee and The Collector, Palghar.
- (2) The Joint Director of Town Planning, Konkan Division, Konkan Bhavan, Navi Mumbai.
- (3) The Assistant Director of Town Planning, Palghar Branch, Palghar.

03. This notice is also available on the Government website www.maharashtra.gov.in

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

P. M. SHINDE,
Section Officer.

Schedule

Accompaniment to the Government Notice

No. TPS-1216/3196/CR-421/16/UD-12, Dated 21st December 2021.

Sr. No.	Regulation No.	Existing Regulation
1.	5.2.1	Development in Tarapur - Boisar Area:- The permissible FSI and Height for development in the Tarapur – Boisar Area shall be as per directions issued by the Government time to time.
Above Existing Regulation is proposed to be replaced by following Regulation.		
Sr. No.	New Regulation No.	Proposed Regulation.
1.	5.2.1	<u>Development around Tarapur Atomic power station in Tarapur – Boisar Area :-</u> The development within the area of 5 km. to 16 km. radius of Tarapur Atomic Power Station shall be governed by following regulations.
2.	5.2.1.1	Provisions mentioned in Regulation No. 6.2.3 shall be applicable with following changes :- Side and Rear Marginal Distances for building of Height more than mentioned in Table No. 6D / 6E of Regulation No. 6.2.1 and 6.2.2:- The marginal distances on all sides, except the front side, of building shall be minimum 6.0 m. or H/5, whichever is more. (Where H = Height of building above ground level)
3.	5.2.1.2	Provisions mentioned in Regulation No. 6.2.4 shall be applicable with following changes :- Distance between Two Buildings :- The distance between two buildings shall be 6.00 mt. or H/5 of the taller building between the two adjoining buildings, whichever is more. (Where H = Height of building above ground level)
4.	5.2.1.3	Provisions mentioned in Regulation No. 6.10 shall be applicable with following changes :- Height of Building:- The maximum permissible height of building, including parking floor, shall be 24 mt.
5.	5.2.1.4	Permissible FSI – a) Provisions mentioned in Regulation No. 6.1 and 6.3 shall be applicable with following changes :- The permissible Basic Floor Space Index shall be 1.10. In addition to basic permissible FSI, 0.30 FSI shall be permissible on payment of premium.

		If the land is affected by proposed road or road widening and if the owner hand over the land under such proposed road or road widening of very said plot, free of cost and free from all encumbrances, to the Authority, such FSI can be used instead of FSI on payment of the premium to the maximum extent of 0.30 or 0.30 FSI over and above 1.1. Basic FSI, may be allowed to be utilized partly from road widening FSI of very said plot and partly from premium FSI. Provided that, above provision of FSI shall also be permissible for earlier sanctioned proposals within the limits of maximum permissible FSI of 0.75 or 1.00, as the case may be, subject to the marginal distances and Distance between Two building as prescribed above. b) Provisions mentioned in Regulation No. 7.7.2 shall be applicable with following changes :- Development of Housing for EWS/LIG – proposed in Agriculture Zone as per Regulation No.7.7.2 – FSI permissible shall be 1.0. c) Provisions mentioned in Regulation No. 4.11 shall be applicable with following changes :- FSI for users permissible in Agriculture Zone shall not exceed the FSI as prescribed in Regulation No. 4.11. However, if FSI on payment of premium is permissible over and above the FSI allowed without payment of premium to certain user in Regulation No. 4.11, then the maximum FSI on payment of premium for such user shall be permissible to the extent of such permissible FSI on payment of premium or 0.40, whichever is minimum. d) Provisions mentioned in Regulation No. 6.4 shall be applicable with following changes :- The permissible basic Floor Space Index shall be 1.00. In addition to the basic permissible FSI, 0.40 FSI shall be permissible on payment of premium. e) Provisions mentioned in Regulation No. 6.1 and 6.4 shall be applicable with following changes :- Notwithstanding anything mentioned in various provisions of Unified Development Control and Promotion Regulation, Ancillary FSI shall not be permissible in this area.
6.	5.2.1.5	Excepting the Regulation mentioned above, all other Regulations in Unified Development Control and Promotion Regulation shall be applicable By order and in the name of the Governor of Maharashtra,

P. M. SHINDE,
Section Officer.