



सत्यमेव जयते

महाराष्ट्र शासन राजपत्र

असाधारण भाग एक—मध्य उप-विभाग

वर्ष १, अंक १]

बुधवार, जानेवारी ४, २०२३/पौष १४, शके १९४४

[पृष्ठे १४, किंमत : रुपये ४.००

असाधारण क्रमांक १

प्राधिकृत प्रकाशन

नगर विकास विभाग

हैद्राबाद हाऊस, शिबिर कार्यालय, नागपूर, दिनांक २८ डिसेंबर, २०२२.

अधिसूचना

महाराष्ट्र प्रादेशिक नियोजन व नगररचना अधिनियम, १९६६.

क्रमांक टिपीएस-१८१८/प्र.क्र.२३६/१८(भाग-४)/कलम-३७(१कक)(ग) व कलम २०(४)/फेरबदल/नवि-१३.—ज्याअर्थी, महाराष्ट्र शासनाने राज्यातील बृहन्मुंबई महानगरपालिका, बृहन्मुंबई महानगरपालिका क्षेत्रातील नियोजन प्राधिकरणे / विशेष नियोजन प्राधिकरणे / विकास प्राधिकरणे, महाराष्ट्र औद्योगिक विकास महामंडळ, नैना, जवाहरलाल नेहरू पोर्ट ट्रस्ट, हिल स्टेशन नगरपालिका, पर्यावरण, वन व हवामान बदल मंत्रालयाने अधिसूचित केलेली संवेदनशील क्षेत्रे व लोणावळा नगरपरिषद तसेच नियोजन प्राधिकरण म्हणून सिडको कार्यरत असलेले क्षेत्र, पिंपरी-चिंचवड नवनगर विकास प्राधिकरण, मिहान, एमएडीसी, एमएसआरडीसी, ही नियोजन प्राधिकरणे वगळता उर्वरित सर्व नियोजन प्राधिकरणे व प्रादेशिक योजना क्षेत्रांकरिता लागू करावयाच्या एकत्रिकृत विकास नियंत्रण व प्रोत्साहन नियमावलीस (‘‘युडीसीपीआर’’) (यापुढे ज्याचा उल्लेख ‘‘उक्त नियमावली’’ असा करण्यात आलेला आहे). महाराष्ट्र प्रादेशिक नियोजन व नगर रचना अधिनियम, १९६६ (यापुढे ज्याचा उल्लेख ‘‘उक्त अधिनियम’’ असा करण्यात आलेला आहे) मधील तरतुदीनुसार, शासन अधिसूचना क्र.टिपीएस-१८१८/प्र.क्र.२३६/१८/ वि.यो. व प्रा.यो./कलम ३७(१कक)(ग) व कलम २०(४)/नवि-१३, दि.०२/१२/२०२० अन्वये मंजुरी दिली असून सदर नियमावली, पुणे महानगर प्रदेश विकास प्राधिकरण व रत्नागिरी जिल्हा प्रादेशिक योजनेचे क्षेत्र वगळता, दि.०३/१२/२०२० पासून अंमलात आली आहे;

आणि ज्याअर्थी, शासनाने नियोजन प्राधिकरण म्हणून सिडकोचे क्षेत्र, पिंपरी-चिंचवड नवनगर विकास प्राधिकरण क्षेत्र, मल्टीमोडल इंटरनॅशनल हब एअरपोर्ट (मिहान) अधिसूचित क्षेत्र, विशेष नियोजन प्राधिकरण म्हणून महाराष्ट्र विमानतळ विकास कंपनी लि.चे (एमएडीसी) शिर्डी विमानतळ अधिसूचित क्षेत्र आणि विशेष नियोजन प्राधिकरण म्हणून महाराष्ट्र राज्य रस्ते विकास महामंडळाचे अधिसूचित क्षेत्र, या क्षेत्रांना उक्त मंजूर एकत्रिकृत विकास नियंत्रण व प्रोत्साहन नियमावली लागू करण्यासाठी उक्त अधिनियमाच्या कलम ३७(१कक) व कलम २०(३) अन्वये अनुक्रमे सूचना क्र.टिपीएस-१८१८/प्र.क्र. २३६/१८/कलम ३७(१कक) व कलम २०(३)/नवि-१३, दि.०२/१२/२०२० आणि सूचना क्र.टिपीएस-१८१८/प्र.क्र.२३६/१८/कलम २०(३)/नवि-१३, दि.०२/१२/२०२० (यापुढे ज्याचा उल्लेख ‘‘उक्त सूचना’’ असा करण्यात आलेला आहे) प्रसिध्द केल्या असून कलम १५४ नुसार अनुक्रमे निर्णय क्र.टिपीएस-

(१)

१८१८/प्र.क्र.२३६/१८/कलम ३७(१कक) व कलम २०(३)/नवि-१३, दि.०२/१२/२०२० आणि क्र.टिपीएस-१८१८/प्र.क्र.२३६/१८/कलम २०(३)/नवि-१३, दि.०२/१२/२०२० अन्वये निदेश दिलेले आहेत;

आणि ज्याअर्थी, कलम ३७(१कक) अन्वये उक्त सूचनेद्वारे प्रसिध्द उक्त नियमावलीस शासनाने अधिसूचना क्र.टिपीएस-१८१८/प्र.क्र.२३६/१८(भाग-३)/कलम ३७(१कक)(ग) व कलम २०(४)/नवि-१३, दि.१२/१०/२०२२ अन्वये, नवनगर विकास प्राधिकरणाच्या माध्यमातून नियोजन प्राधिकरण म्हणून सिडको क्षेत्रासाठीच्या उक्त नियमावलीस मंजुरी दिली आहे;

आणि ज्याअर्थी, उक्त नियमावलीतील काही तरतुदींची अंमलबजावणी करण्यासंदर्भात येणाऱ्या अडचणींचे निराकरण होण्याच्या दृष्टीने त्यामध्ये सुधारित करणेबाबत ठाणे महानगरपालिका तसेच अन्य काही संस्थांकडून प्राप्त निवेदने विचारात घेऊन उक्त नियमावलीतील काही तरतुदींमध्ये सुधारणा करणे (यापुढे ज्याचा उल्लेख "उक्त प्रस्तावित फेरबदल" असा करण्यात आलेला आहे) आवश्यक आहे, असे शासनाचे मत झाले;

आणि ज्याअर्थी, उक्त अधिनियमाच्या कलम ३७(१कक)(क) व कलम २०(३) मधील तरतुदींप्रमाणे शासनास प्राप्त अधिकारांनुसार उक्त प्रस्तावित फेरबदलाबाबत शासन नगर विकास विभागाने इरादा जाहीर केला आणि प्रस्तावित फेरबदलासंदर्भात आम जनतेकडून सूचना/हरकती मागविण्यासाठी सूचना क्र.टिपीएस-१८१८/प्र.क्र.२३६/१८/कलम ३७(१कक) व कलम २०(३)/नवि-१३, दि.१८/०१/२०२२ अन्वये सूचना प्रसिध्द केली असून सदर सूचना दि.२७ जाने. - ०२ फेब्रु., २०२२ रोजीच्या **महाराष्ट्र शासन राजपत्र**, भाग एक-मध्य उप-विभाग मध्ये प्रसिध्द झाली आहे. तसेच प्राप्त होणाऱ्या सूचना/हरकतीवर संबंधितांना सुनावणी देण्याकरिता आणि संबंधित नियोजन प्राधिकरणांचे म्हणणे घेऊन त्यावरील अहवाल शासनास सादर करण्याकरिता संबंधित विभागीय सहसंचालक, नगररचना यांची 'अधिकारी' म्हणून (यापुढे 'उक्त अधिकारी' असे उल्लेखिलेले) नियुक्ती करण्यात आली;

आणि ज्याअर्थी, संबंधित उक्त नियुक्त अधिकारी यांनी, ज्याप्रमाणे लागू असेल त्याप्रमाणे, उक्त अधिनियमाच्या कलम ३७(१कक) आणि कलम २० मधील तरतुदींनुसारची, वैधानिक कार्यवाही पूर्ण करून त्यांचे अहवाल शासनास सादर केले आहेत;

आणि ज्याअर्थी, संबंधित उक्त नियुक्त अधिकारी यांचे अहवाल विचारात घेतल्यानंतर आणि संचालक, नगररचना, महाराष्ट्र राज्य यांचेशी सल्लामसलत केल्यानंतर आणि आवश्यक ती चौकशी केल्यानंतर, उक्त प्रस्तावित फेरबदल, काही सुधारणांसह मंजूर करणे आवश्यक असल्याचे शासनाचे मत झाले आहे;

आता त्याअर्थी, उक्त अधिनियमाच्या कलम ३७(१कक)(ग) आणि कलम २०(४) अन्वये प्रदत्त असलेल्या अधिकारांचा वापर करून शासन याद्वारे :-

(अ) उक्त मंजूर एकत्रिकृत विकास नियंत्रण व प्रोत्साहन नियमावलीतील उक्त प्रस्तावित फेरबदलास, काही सुधारणांसह, सोबतच्या परिशिष्ट-अ मध्ये सविस्तरपणे नमूद केल्याप्रमाणे, मंजुरी देत आहे.

(ब) सदर मंजूर फेरबदल, सदर अधिसूचना शासन राजपत्रात प्रसिध्द झाल्याच्या दिनांकापासून अंमलात येईल, असे निश्चित करित आहे.

प्रस्तुत अधिसूचना, त्यासोबतच्या परिशिष्टासह, सर्व संबंधित नियोजन प्राधिकरणे / समुचित प्राधिकरणे आणि नगररचना आणि मूल्यनिर्धारण विभागाची सर्व विभागीय कार्यालये, सर्व जिल्हा शाखा कार्यालये, सर्व जिल्हाधिकारी कार्यालये, सर्व जिल्हापरिषदा कार्यालये यांचे कार्यालयात नागरिकांच्या अवलोकनार्थ १ महिन्याच्या कालावधीसाठी उपलब्ध राहील.

प्रस्तुत फेरबदलाची अधिसूचना, त्यासोबतच्या परिशिष्टासह, शासनाचे अधिकृत संकेतस्थळ www.maharashtra.gov.in (कायदे / नियम) येथे उपलब्ध करण्यात येत आहे.

परिशिष्ट-अ

अधिसूचना क्र.टीपीएस्-१८१८/प्र.क्र.२३६/१८(भाग-४)/कलम ३७(एकक)(ग) आणि कलम २०(४)/फेरबदल/नवि-१३, दि.२८/१२/२०२२ सोबतचे सहपत्र

विनियम क्रमांक	मंजूर युडीसीपीआरनुसारची तरतूद	मंजूर फेरबदलानुसारची तरतूद																																																																
4.8.1 (vi)	The land having area up to 0.20 hectare in size which is allocated for industrial use may be permitted to be used for Residential purpose or any other permissible uses in Residential/ Commercial Zone. The owner / developer shall provide either 10% amenity space in the form of open land or 5% built up space in the proposed construction at appropriate location, preferably on ground floor. Amenity TDR, as per regulation containing provisions of TDR, shall be permissible.	The land having area up to 1.0 hectare in size which is allocated for industrial use may be permitted to be used for Residential purpose or any other permissible uses in Residential/Commercial Zone. The owner / developer shall provide either 10% amenity space in the form of open land or 5% built up space in the proposed construction at appropriate location, preferably on ground floor. Amenity TDR, as per regulation containing provisions of TDR, shall be permissible.																																																																
8.2.1 Table No. 8B	<table><tr><th>Sr. No</th><th>Occupancy</th><th>Size of tenement</th><th colspan="4">Parking Spaces Required</th><th>Remarks</th></tr><tr><td></td><td></td><td></td><td colspan="2">Congested Area</td><td colspan="2">Non Congested Area</td><td></td></tr><tr><td></td><td></td><td></td><td>Car</td><td>Scooter</td><td>Car</td><td>Scooter</td><td></td></tr><tr><td>1</td><td>Residential i) Multi-Family residential</td><td>For every tenement having carpet area of 150 sq.m. and above. For every tenement having carpet area equal to or above 80 sq.m. but less than 150 sq.m. For every two tenements with each tenement having carpet area equal to or above 40 sq.m. but less than 80 sq.m. For every two tenements with each tenement having</td><td>2</td><td>2</td><td>2</td><td>3</td><td>In addition 5% visitor parking In addition 5% visitor parking In addition 5% visitor parking</td></tr></table>	Sr. No	Occupancy	Size of tenement	Parking Spaces Required				Remarks				Congested Area		Non Congested Area						Car	Scooter	Car	Scooter		1	Residential i) Multi-Family residential	For every tenement having carpet area of 150 sq.m. and above. For every tenement having carpet area equal to or above 80 sq.m. but less than 150 sq.m. For every two tenements with each tenement having carpet area equal to or above 40 sq.m. but less than 80 sq.m. For every two tenements with each tenement having	2	2	2	3	In addition 5% visitor parking In addition 5% visitor parking In addition 5% visitor parking	<table><tr><th>Sr. No</th><th>Occupancy</th><th>Size of tenement</th><th colspan="4">Parking Spaces Required</th><th>Remarks</th></tr><tr><td></td><td></td><td></td><td colspan="2">Congested Area</td><td colspan="2">Non Congested Area</td><td></td></tr><tr><td></td><td></td><td></td><td>Car</td><td>Two Wheeler</td><td>Car</td><td>Two Wheeler</td><td></td></tr><tr><td>1</td><td>Residential i) Multi-Family residential</td><td>For every tenement having carpet area of 150 sq.m. and above. For every tenement having carpet area equal to or above 80 sq.m. but less than 150 sq.m. For every two tenements with each tenement having carpet area equal to or above 40 sq.m. but less than 80 sq.m. For every two tenements with each tenement having</td><td>2</td><td>2</td><td>2</td><td>2</td><td>In addition 5% visitor parking In addition 5% visitor parking In addition 5% visitor parking</td></tr></table>	Sr. No	Occupancy	Size of tenement	Parking Spaces Required				Remarks				Congested Area		Non Congested Area						Car	Two Wheeler	Car	Two Wheeler		1	Residential i) Multi-Family residential	For every tenement having carpet area of 150 sq.m. and above. For every tenement having carpet area equal to or above 80 sq.m. but less than 150 sq.m. For every two tenements with each tenement having carpet area equal to or above 40 sq.m. but less than 80 sq.m. For every two tenements with each tenement having	2	2	2	2	In addition 5% visitor parking In addition 5% visitor parking In addition 5% visitor parking
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	tenements with each tenement having carpet area less than 40 Sq.m. but more than 30 sq.m.	For every two tenements with each tenement having carpet area less than 30 Sq.m.	For every 100 sq.m. carpet area of the administrative as well as public service areas therein	5% Visitor parking	In addition 5% visitor parking
4	Educational Schools and the administrative as well as public service areas therein	For every 100 sq.m. carpet area of the administrative as well as public service area of the school.	For every 3 class rooms	4	4
				0	0
				1	1
				4	4
				2	2
				9	9
				2 (mini Bus)	2 (mini Bus)
				---	---

Note -

- i) After calculating ----- rounded to next digit.
 ii) In case of independent ----- and maximum 18.0 sq.m. built up area.
 iii) In the case of shops, ----- need not be insisted.
 iv) Mechanical/Hydraulic / ----- be allowed to meet the requirement.
 v) Parking more than 50% over and above ----- public semi-public, hotel, hospital, educational buildings, such charges shall not be leviable.
 (1) Parking requirement ----- for such sanctioned permission, or
 If the building permission proposal ----- to the Authority free of cost.
 vi) In case of plan for additional ----- to arrive the new number of parking units required.

Note -

- i) After calculating ----- rounded to next digit.
 ii) In case of independent ----- and maximum 18.0 sq.m. built up area.
 iii) In the case of shops, ----- need not be insisted.
 iv) Mechanical/Hydraulic / ----- be allowed to meet the requirement.
 v) Parking more than 50% over and above ----- public semi-public, hotel, hospital, educational buildings, such charges shall not be leviable.
 (1) Parking requirement ----- for such sanctioned permission,

	or If the building permission proposal ----- to the Authority free of cost. vi) In case of plan for additional ----- to arrive the new number of parking units required. <u>vii) Multiplying factor as per regulation 8.2.2 Table No.8C shall not be applicable for Two Wheeler parking.</u>	
14.8.1 i)	“Urban Renewal Scheme” (URS) means ----- for urban renewal:- <u>However, in specific cases, in which URS is not bounded by roads, nallahs and railway lines etc. and / or, areas of any vacant or encroached land situated in the periphery of 400 mt. belonging to Municipal Corporation / any Public Authority / Planning Authority / Special Planning Authority, which is not contiguous, is proposed to be included in the URS, then the boundaries of such cluster having non-contiguous area can be decided/ finalised the by Municipal Commissioner, in consultation with High Power Committee (H.P.C.).</u> In case of demonstrable ----- in consultation with H.P.C. However no forest land shall be included in such URS. <u>Provided that encroached forest land may be included in such URS for clearance of encroachment on such forest land with NOC of Forest Department. However after clearance of encroachment, such forest land shall be used as mentioned in regulation 14.8.7 fi) (c) with NOC of Forest Department.</u>	“Urban Renewal Scheme” (URS) means ----- for urban renewal:- <u>However, in specific cases, in which URS is not bounded by roads, nallahs and railway lines etc. and / or, areas of any vacant or encroached land situated in the periphery of 400 mt. belonging to Municipal Corporation / any Public Authority / Planning Authority / Special Planning Authority, which is not contiguous, is proposed to be included in the URS, then the boundaries of such cluster having non-contiguous area can be decided/ finalised the by Municipal Commissioner, in consultation with High Power Committee (H.P.C.).</u> In case of demonstrable ----- in consultation with H.P.C. However no forest land shall be included in such URS. <u>Provided that encroached forest land may be included in such URS for clearance of encroachment on such forest land with NOC of Forest Department. However after clearance of encroachment, such forest land shall be used as mentioned in regulation 14.8.7 fi) (c) with NOC of Forest Department.</u>
14.8.5 (v)	No Provision	<u>14.8.5. v)-(New provision).</u> <u>After consideration for land falling under URC to the person(s) having legal rights in land as per regulation No.14.8.8(iv)(c) is offered and provision for rehabilitation all the eligible beneficiaries of the building(s) under URC is proposed in redeveloped building(s) in URC area as per Regulation No.14.8.4.</u> <u>In respect of those eligible beneficiaries of authorized / unauthorized / illegal buildings and slums entitled for rehabilitation tenement in URC who do not join the scheme willingly the following steps shall be taken:-</u> <u>i) Provision for all of them shall be made in the rehabilitation component of the scheme.</u>

	ii) <u>The details of the tenement that would be given to them by way of allotment on the same basis as for those who have joined the scheme will be communicated to them in writing by the Implementation Agency.</u> iii) <u>The transit tenement that would be allotted to them would also be indicated along with those who have joined the scheme.</u> iv) <u>If they do not join the scheme within 15 days after the approval for Implementation Agency has been given to the scheme, then action under the relevant provision of the M.R. & T.P. Act, as amended from time to time, shall be taken and their structures will be removed and it shall be ensured that no obstruction is caused to the scheme of the majority of persons, who have joined the scheme willingly.</u> v) <u>After this action under the foregoing clause is initiated, they will not be eligible for transit tenement along with the others and they will not be eligible for the reconstructed tenement, but they will still be entitled only to what is available after others have chosen, which may be on the same or some other site.</u> vi) <u>If they do not join till the building permission to the scheme is given, they will completely lose the right to any built-up tenement and their tenement shall be taken over by the Commissioner and to be disposed off as per MMC Act or as per guidelines issued by the Government from time to time and used for the purpose of accommodating Project Affected Persons and other beneficiaries etc. who cannot be accommodated in-situ.</u>
14.8.8 iv) c) i)	Consideration for any land required to be procured for URP shall be either in terms of payment due for entitled area collectively against that parcel of land, as calculated in Regulation No. 14.8.8 (iv) (b) above as per ASR, along with 100% solatium, as applicable for the year of possession, along with 12% annual simple interest from date of possession to date of payment, or in terms of TDR equivalent to the entitled area as per TDR Regulation No.11.2, or in terms of equivalent area constructed in URS, <u>or in terms of developed free sale vacant plot of area equal to 50% of entitled area calculated as per clause (i), (ii), (iii) and (iv) of Regulation No.14.8.8 (iv) (b) above, with base FSI of 1.1 in the same URC fronting on same road width as original plot, subject to availability of land.</u> Concerned person(s) shall have option to choose from amongst these <u>four</u> modes of consideration. The option once chosen shall be registered and shall be irrevocable.

14.8.9 i)	Net area of URC shall be calculated ----- Free Sale Plots shall be deemed to belong to C1/C2 Zone for the purposes of permissible users thereon.	Net area of URC shall be calculated ----- Free Sale Plots shall be deemed to belong to C1/C2 Zone for the purposes of permissible users thereon. <u>Provided that, in exceptional cases, the above percentage of free sale plot may further be enhanced beyond 50% in order to make scheme viable and minimize generation of URT, subject to fulfilment of following conditions, subject to the approval of HPC:-</u> <u>a) 100% in-situ rehabilitation;</u> <u>b) no dilution more than what is mentioned in Regulation No.14.8.7, in the area of development plan reservations.</u>
14.8.10	If an owner or group of owners or proposed co-op. Hsg. Society of occupants or federation of occupants, either directly or through a Power of Attorney Holder, collectively owning more than 51% of the area of URC or a part thereof, come forward for implementation of URS as per the Detailed Plan prepared by the Commissioner for such URC, or within such extended period as may be granted by the Commissioner, they may be selected as Implementation Agency for implementation of URS on such URC. In such a case, an Infrastructural charges at the rate of 10% of construction cost as per prevailing ASR to be received by the Corporation. In case owners / stakeholders owning more than 51% of whole or part area of URS as mentioned above fail to come together, selection of an implementation agency for the URS shall be done through a transparent bid process.	If an owner or group of owners or proposed co-op. Hsg. Society of occupants or federation of occupants, either directly or through a Power of Attorney Holder, collectively owning more than 51% of the area of URC or a part thereof, come forward for implementation of URS as per the Detailed Plan prepared by the Commissioner for such URC, within 3 months of declaration of the detailed plans of URC, or within such extended period as may be granted by the Commissioner, they may be selected as Implementation Agency for implementation of URS on such URC. In such a case <u>the infrastructure should be developed by the Implementing Agency at their own cost. otherwise</u> an Infrastructural charges at the rate of 10% of construction cost <u>of buildings of rehab. & free sale component (excluding infrastructure)</u> as per prevailing ASR to be received by the corporation. In case owners / stakeholders owning more than 51% of whole or part area of URS as mentioned above fail to come together, selection of an implementation agency for the URS shall be done through a transparent bid process.
---	Following new note is added below Reg. No.14.8.20 <u>Foot Note – If any correction / changes are needed in URS Regulation for the benefit of URC or for success of URC scheme, the decision can be taken at HPC level and subsequently should be communicated to the Government to incorporate such decision in this Regulation.</u>	

महाराष्ट्राचे राज्यपाल यांचे आदेशानुसार व नावाने

किशोर गोखले,
शासनाचे अवर सचिव.

URBAN DEVELOPMENT DEPARTMENT

Hydrabad House, Camp Office, Nagpur, dated the 28th December, 2022.

NOTIFICATION

THE MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966.

No. TPS-1818/CR-236/18 (Part-4)/Sec.37(1AA)(c) & Sec.20(4)/Modification/UD-13.—Whereas, the Government of Maharashtra has sanctioned the Unified Development Control and Promotion Regulations ('UDCPR') (hereinafter referred to as 'the said Regulations') for the state except Municipal Corporation of Greater Mumbai, other Planning Authorities / Special Planning Authorities / Development Authorities within the limits of Municipal Corporation of Greater Mumbai, MIDC, NAINA, Jawaharlal Nehru Port Trust, Hill Station Municipal Councils, Eco-Sensitive/ Eco-Fragile region notified by MoEF & CC and Lonavala Municipal Council and Area under CIDCO's jurisdiction as Planning Authority, PCNTDA, MIHAN, MADC, MSRDC, in Maharashtra under the provisions of the Maharashtra Regional & Town Planning Act, 1966 (hereinafter referred to as 'the said Act') *vide* Notification No.TPS-1818/CR.236/18/DP. & RP./Sec.37 (1AA)(c) & sec.20(4)/UD-13, dated 02/12/2020 which has come into force from 03/12/2020, excluding area of Pune Metropolitan Region Development Authority and Regional Plan of Ratnagiri District;

And whereas, to make applicable the said sanctioned Unified Development Control and Promotion Regulations for the area of CIDCO as Planning Authority, for the area of Pimpri-Chinchwad New Town Development Authority, for the area of Multi-Model International Hub Airport Notified area (MIHAN), for Shirdi Airport Notified area of Maharashtra Airport Development Company Ltd. (MADC) as Special Planning Authority and for notified area of Maharashtra State Road Development Corporation as Special Planning Authority, the Government has published Notices under section 37(1AA) & section 20(3) of the said Act, bearing No.TPS-1818/CR-236/18/Sec.37(1AA) & Sec.20(3)/UD-13, dated 02/12/2020 and No.TPS-1818/CR-236/18/Sec.20(3)/UD-13, dated 02/12/2020 (hereinafter referred to as 'the said Notice') respectively, along with directives under section 154 of the said Act, 1966 *vide* resolutions No.TPS-1818/CR-236/18/ Sec.37(1AA) & Sec.20(3)/UD-13, dated 02/12/2020 and No.TPS-1818/CR-236/18/ Sec.20(3)/UD-13, dated 02/12/2020 respectively;

And whereas, the said Regulations published u/s.37(1AA) *vide* the said Notice has been sanctioned by the Government *vide* Notification No.TPS-1818/CR-236/18(Part-3)/ Sec.37(1AA)(c) & Sec.20(4)/UD-13, dated 12/10/2022, for the area of CIDCO as Planning Authority by virtue of New Town Development Authority;

And whereas, considering the representations received from Thane Municipal Corporation and some other Organisations with respect to difficulties in implementation of some of the provisions in the said Regulations, the Government is of opinion that, to remove such difficulties, it is necessary to modify some provisions of the said Regulations (hereinafter referred to as 'the said Modification');

And whereas, in exercise of the powers conferred under section 37(1AA)(a) and section 20(3) of the said Act, the Government in Urban Development Department has declared its intention regarding the said Modification and published a Notice No.TPS-1818/ CR-236/18/Sec.37(1AA) & Sec.20(3)/UD-13, dated 18/01/2022 to that effect, for inviting suggestions/objections from the general public, which appeared in the *Maharashtra Government Gazette*, Part-1-Central sub-division dated 27 Jan. - 03 Feb., 2022. Also concerned Divisional Joint Directors of Town Planning are appointed as an 'Officer' (hereinafter referred to as 'the said Officers') to hear the suggestions and objections which are received and also say of the respective Planning Authorities and submit their reports to the Government;

And whereas, the said Officers have submitted their reports to the Government after completing the legal procedure as contemplated under section 37(1AA) and 20(3) of the said Act, as the case may be;

And whereas, after considering the reports of the said Officers and after consulting the Director of Town Planning, Maharashtra State and after necessary enquires the Government is of the opinion that, the said Modifications needs to be sanction, with some changes;

Now therefore, in exercise of the powers conferred under section 37(AA)(c) and section 20(4) of the said Act, the Government hereby :—

(A) Sanctions the said Modification, with some changes, in the said sanctioned Unified Development Control and Promotion Regulations, as specifically mention in ***Schedule-A*** appended herewith.

(B) Fixes the date of publication of this Notification in Government Gazette as the date of coming into force of the said sanctioned Modification.

This Notification along with the schedule shall be available in the offices of all concerned Planning Authorities / Appropriate Authorities and all Divisional Offices and District Branch Offices of Town Planning and Valuation Department, all Collector Offices, all Zilla Parishad Offices for inspection of general public for a period of one month.

This notification of modification along with the schedule is made available on official Government website *www.maharashtra.gov.in* (Acts/Rules)

Schedule-A**Accompaniment of Notification No. TPS-1818/CR.236/18(Part-4)(Sec.37(1AA)(c) & Sec.20(4)/Modification/UD-13, dated 28/12/2022**

Regulation No.	Provision as per sanctioned UDCPR	Provision as per sanctioned Modification									
4.8.1 (vi)	The land having area up to 0.20 hectare in size which is allocated for industrial use may be permitted to be used for Residential purpose or any other permissible uses in Residential/ Commercial Zone. The owner / developer shall provide either 10% amenity space in the form of open land or 5% built up space in the proposed construction at appropriate location, preferably on ground floor. Amenity TDR, as per regulation containing provisions of TDR, shall be permissible.	Sr. No	Occupancy	Size of tenement	Parking Spaces Required				Remarks		
					Congested Area		Non Congested Area				
					Car	Two Wheeler	Car	Two Wheeler			
		1	Residential i) Multi-Family residential	For every tenement having carpet area of 150 sq.m. and above.	2	2	2	2	In addition 5% visitor parking		
				For every tenement having carpet area equal to or above 80 sq.m. but less than 150 sq.m.	1	2	1	2	In addition 5% visitor parking		
8.2.1 Table No. 8B	The land having area up to 1.0 hectare in size which is allocated for industrial use may be permitted to be used for Residential purpose or any other permissible uses in Residential/Commercial Zone. The owner / developer shall provide either 10% amenity space in the form of open land or 5% built up space in the proposed construction at appropriate location, preferably on ground floor. Amenity TDR, as per regulation containing provisions of TDR, shall be permissible.	Sr. No	Occupancy	Size of tenement	Parking Spaces Required				Remarks		
					Congested Area		Non Congested Area				
					Car	Two Wheeler	Car	Two Wheeler			
		1	Residential i) Multi-Family residential	For every tenement having carpet area of 150 sq.m. and above.	2	2	2	2	In addition 5% visitor parking		
				For every tenement having carpet area equal to or above 80 sq.m. but less than 150 sq.m.	1	2	1	3	In addition 5% visitor parking		
	The land having area up to 0.20 hectare in size which is allocated for industrial use may be permitted to be used for Residential purpose or any other permissible uses in Residential/ Commercial Zone. The owner / developer shall provide either 10% amenity space in the form of open land or 5% built up space in the proposed construction at appropriate location, preferably on ground floor. Amenity TDR, as per regulation containing provisions of TDR, shall be permissible.				Congested Area		Non Congested Area				
					Car	Scooter	Car	Scooter			
		1	Residential i) Multi-Family residential	For every tenement having carpet area of 150 sq.m. and above.	2	2	2	3	In addition 5% visitor parking		
				For every tenement having carpet area equal to or above 80 sq.m. but less than 150 sq.m.	1	2	1	3	In addition 5% visitor parking		
				For every two tenements with each tenement having carpet area equal to or above 40 sq.m. but less than 80 sq.m.	1	4	1	5	In addition 5% visitor parking		
	The land having area up to 0.20 hectare in size which is allocated for industrial use may be permitted to be used for Residential purpose or any other permissible uses in Residential/ Commercial Zone. The owner / developer shall provide either 10% amenity space in the form of open land or 5% built up space in the proposed construction at appropriate location, preferably on ground floor. Amenity TDR, as per regulation containing provisions of TDR, shall be permissible.				Congested Area		Non Congested Area				
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				For every tenement having carpet area equal to or above 80 sq.m. but less than 150 sq.m.	1	2	1	3	In addition 5% visitor parking		
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		1	Residential i) Multi-Family residential	For every tenement having carpet area of 150 sq.m. and above.	2	2	2	3	In addition 5% visitor parking		
				For every tenement having carpet area equal to or above 80 sq.m. but less than 150 sq.m.	1	2	1	3	In addition 5% visitor parking		
				For every two tenements with each tenement having carpet area equal to or above 40 sq.m. but less than 80 sq.m.	1	4	1	5	In addition 5% visitor parking		
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	The land having area up to										

[illegible]

	or If the building permission proposal ----- to the Authority free of cost. vi) In case of plan for additional ----- to arrive the new number of parking units required. <u>vii) Multiplying factor as per regulation 8.2.2 Table No.8C shall not be applicable for Two Wheeler parking.</u>	
14.8.1 i)	“Urban Renewal Scheme” (URS) means ----- for urban renewal:- <u>However, in specific cases, in which URS is not bounded by roads, nallahs and railway lines etc. and / or, areas of any vacant or encroached land situated in the periphery of 400 mt. belonging to Municipal Corporation / any Public Authority / Planning Authority / Special Planning Authority, which is not contiguous, is proposed to be included in the URS, then the boundaries of such cluster having non-contiguous area can be decided/ finalised the by Municipal Commissioner, in consultation with High Power Committee (H.P.C.).</u> In case of demonstrable ----- in consultation with H.P.C. However no forest land shall be included in such URS.	“Urban Renewal Scheme” (URS) means ----- for urban renewal:- <u>However, in specific cases, in which URS is not bounded by roads, nallahs and railway lines etc. and / or, areas of any vacant or encroached land situated in the periphery of 400 mt. belonging to Municipal Corporation / any Public Authority / Planning Authority / Special Planning Authority, which is not contiguous, is proposed to be included in the URS, then the boundaries of such cluster having non-contiguous area can be decided/ finalised the by Municipal Commissioner, in consultation with High Power Committee (H.P.C.).</u> In case of demonstrable ----- in consultation with H.P.C. However no forest land shall be included in such URS. <u>Provided that encroached forest land may be included in such URS for clearance of encroachment on such forest land with NOC of Forest Department. However after clearance of encroachment, such forest land shall be used as mentioned in regulation 14.8.7 fi) (c) with NOC of Forest Department.</u>
14.8.5 (v)	No Provision	<u>14.8.5. v)-(New provision).</u> <u>After consideration for land falling under URC to the person(s) having legal rights in land as per regulation No.14.8.8(iv)(c) is offered and provision for rehabilitation all the eligible beneficiaries of the building(s) under URC is proposed in redeveloped building(s) in URC area as per Regulation No.14.8.4.</u> <u>In respect of those eligible beneficiaries of authorized / unauthorized / illegal buildings and slums entitled for rehabilitation tenement in URC who do not join the scheme willingly the following steps shall be taken:-</u> i) <u>Provision for all of them shall be made in the rehabilitation component of the scheme.</u>

	ii) <u>The details of the tenement that would be given to them by way of allotment on the same basis as for those who have joined the scheme will be communicated to them in writing by the Implementation Agency.</u> iii) <u>The transit tenement that would be allotted to them would also be indicated along with those who have joined the scheme.</u> iv) <u>If they do not join the scheme within 15 days after the approval for Implementation Agency has been given to the scheme, then action under the relevant provision of the M.R. & T.P. Act, as amended from time to time, shall be taken and their structures will be removed and it shall be ensured that no obstruction is caused to the scheme of the majority of persons, who have joined the scheme willingly.</u> v) <u>After this action under the foregoing clause is initiated, they will not be eligible for transit tenement along with the others and they will not be eligible for the reconstructed tenement, but they will still be entitled only to what is available after others have chosen, which may be on the same or some other site.</u> vi) <u>If they do not join till the building permission to the scheme is given, they will completely lose the right to any built-up tenement and their tenement shall be taken over by the Commissioner and to be disposed off as per MMC Act or as per guidelines issued by the Government from time to time and used for the purpose of accommodating Project Affected Persons and other beneficiaries etc. who cannot be accommodated in-situ.</u>
14.8.8 iv) c) i)	Consideration for any land required to be procured for URP shall be either in terms of payment due for entitled area collectively against that parcel of land, as calculated in Regulation No. 14.8.8 (iv) (b) above as per ASR, along with 100% solatium, as applicable for the year of possession, along with 12% annual simple interest from date of possession to date of payment, or in terms of TDR Regulation No.11.2 or in terms of equivalent area constructed in URS. Concerned person(s) shall have option to choose from amongst these three modes of consideration. The option once chosen shall be registered and shall be irrevocable.

14.8.9 i)	Net area of URC shall be calculated ----- Free Sale Plots shall be deemed to belong to C1/C2 Zone for the purposes of permissible users thereon. <u>Provided that, in exceptional cases, the above percentage of free sale plot may further be enhanced beyond 50% in order to make scheme viable and minimize generation of URF, subject to fulfilment of following conditions, subject to the approval of HPC:-</u> <u>a) 100% in-situ rehabilitation;</u> <u>b) no dilution more than what is mentioned in Regulation No.14.8.7. in the area of development plan reservations.</u>	Net area of URC shall be calculated ----- Free Sale Plots shall be deemed to belong to C1/C2 Zone for the purposes of permissible users thereon. <u>Provided that, in exceptional cases, the above percentage of free sale plot may further be enhanced beyond 50% in order to make scheme viable and minimize generation of URF, subject to fulfilment of following conditions, subject to the approval of HPC:-</u> <u>a) 100% in-situ rehabilitation;</u> <u>b) no dilution more than what is mentioned in Regulation No.14.8.7. in the area of development plan reservations.</u>
14.8.10	If an owner or group of owners or proposed co-op. Hsg. Society of occupants or federation of occupants, either directly or through a Power of Attorney Holder, collectively owning more than 51% of the area of URC or a part thereof, come forward for implementation of URS as per the Detailed Plan prepared by the Commissioner for such URC, within 3 months of declaration of the detailed plans of URC, or within such extended period as may be granted by the Commissioner, they may be selected as Implementation Agency for implementation of URS on such URC. In such a case, an Infrastructural charges at the rate of 10% of construction cost as per prevailing ASR to be received by the Corporation. In case owners / stakeholders owning more than 51% of whole or part area of URS as mentioned above fail to come together, selection of an implementation agency for the URS shall be done through a transparent bid process.	If an owner or group of owners or proposed co-op. Hsg. Society of occupants or federation of occupants, either directly or through a Power of Attorney Holder, collectively owning more than 51% of the area of URC or a part thereof, come forward for implementation of URS as per the Detailed Plan prepared by the Commissioner for such URC, within 3 months of declaration of the detailed plans of URC, or within such extended period as may be granted by the Commissioner, they may be selected as Implementation Agency for implementation of URS on such URC. In such a case <u>the infrastructure should be developed by the Implementing Agency at their own cost, otherwise</u> an Infrastructural charges at the rate of 10% of construction cost <u>of buildings of rehab & free sale component (excluding infrastructure)</u> as per prevailing ASR to be received by the corporation. In case owners / stakeholders owning more than 51% of whole or part area of URS as mentioned above fail to come together, selection of an implementation agency for the URS shall be done through a transparent bid process.
---	<u>Following new note is added below Reg. No.14.8.20</u> <u>Foot Note – If any correction / changes are needed in URS Regulation for the benefit of URC or for success of URC scheme, the decision can be taken at HPC level and subsequently should be communicated to the Government to incorporate such decision in this Regulation.</u>	

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

KISHOR GOKHALE,
Under Secretary to Government.