

विकास नियंत्रण नियमावली-ठाणे

मंजूर सुधारित विकास नियंत्रण नियमावलीमधील फेरबदल.

महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६ चे कलम ३७(२) अन्वये मंजूरीची अधिसूचना निर्गमित करणेबाबत.

महाराष्ट्र शासन

नगर विकास विभाग,

शासन निर्णय क्र.टिपीएस-१२१५/२२११/ प्र.क्र.२३४/१६/नवि-१२

शिबीर कार्यालय, नागपूर.

दिनांक : - ५ जुलै, २०१८.

शासन निर्णय:- सोबतची शासकीय अधिसूचना (मराठी व इंग्रजी) महाराष्ट्र शासनाच्या राजपत्रात प्रसिध्द करावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नांवाने,

(अशोक का. खांडेकर)
कार्यासन अधिकारी

प्रति,

- १) विभागीय आयुक्त, कोकण विभाग, कोकण भवन, नवी मुंबई.
- २) संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे.
- ३) आयुक्त, ठाणे महानगरपालिका, ठाणे.
- ४) सहसंचालक, नगर रचना, कोकण विभाग, कोकण भवन, नवी मुंबई.
- ५) उपसचिव तथा उपसंचालक (नगर रचना), यांचे स्विय सहाय्यक, मंत्रालय, मुंबई-३२.
- ६) सहाय्यक संचालक, नगर रचना, ठाणे शाखा, ठाणे.
- ७) व्यवस्थापक, शासकीय मुद्रणालय, चर्नी रोड, मुंबई.

(त्यांना विनंती की, सोबतची शासकीय अधिसूचना महाराष्ट्र शासनाच्या राजपत्राच्या भाग-१ कोकण विभागीय पुरवणीमध्ये प्रसिध्द करुन त्यांच्या प्रत्येकी ५ प्रती या विभागास, संचालक,नगर रचना, महाराष्ट्र राज्य, पुणे, सहसंचालक, नगर रचना, कोकण विभाग, कोकण भवन, नवी मुंबई, आयुक्त, ठाणे महानगरपालिका, ठाणे व सहाय्यक संचालक, नगर रचना, ठाणे शाखा यांना पाठवाव्यात.)

- ८) कक्ष अधिकारी, कार्यासन नवि-२९, नगर विकास विभाग, मंत्रालय, मुंबई.
२/- त्यांना विनंती की, सदरहू अधिसूचना विभागाच्या वेबसाईटवर प्रसिध्द करावी.
- ९) निवडनस्ती (कार्यासन नवि-१२)

महाराष्ट्र शासन
नगर विकास विभाग
शिबीर कार्यालय, नागपूर.
दिनांक:- ५ जुलै, २०१८.
अधिसूचना

महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६,
क्रमांक-टिपीएस-१२१५/२२११/प्र.क्र.२३४/१६/नवि-१२,

ज्याअर्थी, ठाणे शहर महानगरपालिकेसाठीची विकास नियंत्रण नियमावली (यापुढे ज्याचा उल्लेख "उक्त नियमावली" असा करण्यांत आला आहे) महाराष्ट्र प्रादेशिक नियोजन व नगर रचना अधिनियम, १९६६ (यापुढे ज्याचा उल्लेख "उक्त अधिनियम" असा करण्यात आला आहे) च्या कलम ३१(१) अन्वये शासन नगर विकास विभागाची अधिसूचना क्र.टिपीएस-१२९४/१२५९/ प्र.क्र. २२२/९४/नवि-१२, दिनांक २८ एप्रिल, १९९५ (यापुढे जिचा उल्लेख "उक्त अधिसूचना" असा करण्यात आला आहे) अन्वये मंजूर झाली असून, ती दिनांक १ जून, १९९५ पासून अंमलात आली आहे;

आणि ज्याअर्थी, उक्त नियमावलीच्या परिशिष्ट-आर च्या विनियम १६५ मध्ये इमारतीच्या पुनर्बांधणी/पुनर्विकासाबाबतची तरतूद अंतर्भूत आहे;

आणि ज्याअर्थी, उक्त नियमावलीच्या परिशिष्ट-आर मधील विनियम १६५ च्या खंड १(सी) मध्ये कोणत्या तारखेपूर्वीच्या अस्तीत्वातील इमारती पुनर्बांधणी/ पुनर्विकासासाठी पात्र होतात, याबाबतची तरतूद अंतर्भूत असून ठाणे महानगरपालिकेने (यापुढे ज्याचा उल्लेख "उक्त महानगरपालिका" असा करण्यात आला आहे) उक्त अधिनियमातील कलम ३७ (१) अन्वयेची सर्व वैधानिक कार्यवाही पूर्ण करून सदर तरतुदीमध्ये खालीलप्रमाणे बदल करण्याचा प्रस्ताव दिनांक २० ऑगस्ट, २०१५ च्या पत्रान्वये शासनाच्या मंजूरीकरीता सादर केला आहे. (यापुढे ज्याचा उल्लेख "प्रस्तावित फेरबदल" असा करण्यात आला आहे);

Proposed Modification to Appendix "R"

(Regulations No.165)

Existing Provision as per sanctioned Regulations	Modification Proposed by the Thane Municipal Corporation		
<p style="text-align: center;">Appendix R (Regulation No.165) Regulation for reconsrtuction/redevelopment</p> <p>1(c)- The reconstruction under (a) above shall be allowed only in respect of the buildings existing prior to the dates as mentioned below.</p> <table border="1" data-bbox="172 1787 799 2051"><tr><td data-bbox="172 1787 496 2051">4th November, 1974 The date of coming into Force of the sanctioned Development Plan of Thane</td><td data-bbox="496 1787 799 2051">For the areas covered under the sanctioned Development Plan of the Earswhile Municipal Council limits.</td></tr></table>	4th November, 1974 The date of coming into Force of the sanctioned Development Plan of Thane	For the areas covered under the sanctioned Development Plan of the Earswhile Municipal Council limits.	<p style="text-align: center;">Appendix R (Regulation No.165) Regulation for reconsrtuction/redevelopment</p> <p>1(c)- The reconstruction under (a) above shall be allowed for all authorized building in which the redevelopment is proposed after 20 years. The additional 15% FSI shall be allowed as an incentive to the owner.</p>
4th November, 1974 The date of coming into Force of the sanctioned Development Plan of Thane	For the areas covered under the sanctioned Development Plan of the Earswhile Municipal Council limits.		

16th August, 1973. The date of coming into Force of the sanctioned Regional Plan of the Bombay Metropolitan Region.	For the remaining areas included in the Corporation limits.	
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आणि ज्याअर्थी, आवश्यकती चौकशी केल्यानंतर व संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे यांचा सल्ला घेतल्यानंतर प्रस्तावित फेरबदल काही बदलांसह मंजूर करणे आवश्यक आहे, असे शासनाचे मत झाले आहे;

आणि त्याअर्थी, आता उक्त अधिनियमाच्या कलम ३७ चे पोटकलम (२) अन्वये शासनास प्रदत्त असलेल्या शक्तींचा वापर करून शासन प्रस्तावित फेरबदल काही बदलांसह मंजूर करित आहे आणि त्यासाठी उक्त विकास योजना मंजूरीच्या दिनांक २८ एप्रिल, १९९५ रोजीच्या अधिसूचनेतील फेरबदलाच्या अनुसूचीमध्ये शेवटच्या नोंदीनंतर पुढील नवीन नोंद समाविष्ट करण्यात येत आहे;

नोंद

Sanctioned Modification to

APPENDIX-R

[Regulation No. 165]

Existing Provision as per sanctioned Regulations		Sanctioned Provision
Appendix R (Regulation No.165) Regulation for reconsrtuction/redevelopment		Appendix R (Regulation No.165) Regulation for reconsrtuction/redevelopment
1(c)- The reconstruction under (a) above shall be allowed only in respect of the buildings existing prior to the dates as mentioned below.		1(c)- The reconstruction under (a) above shall be allowed for all authorized building which are at least 30 years of age.
4th November, 1974 The date of coming into Force of the sanctioned Development Plan of Thane	For the areas covered under the sanctioned Development Plan of the Earswhile Municipal Council limits.	Age of building shall be as on the 1 st January of the year in which development proposal is submitted to the Corporation and shall be calculated from the date of Occupation Certificate or where such Occupation Certificate is not available, from the date of assessment as per property tax record in respect of such building available with Municipal Corporation.
16th August, 1973. The date of coming into Force of the sanctioned Regional Plan of the Bombay	For the remaining areas included in the Corporation limits.	

Metropolitan Region.		
<p>Note -</p> <p>1) For the purpose of deciding authenticity of the structure if the approved plans of existing structure are not available, the Commissioner shall consider other evidence such as Assessment Record or City Survey Record or Sanad.</p> <p>2) In cases where there are number of buildings on plot, in such cases, equivalent land component of the building, which is declared unsafe shall be worked out and incentive FSI shall be based on such land component.</p>		<p>Note –</p> <p>i. Deleted.</p> <p>ii. In cases where there are number of buildings on plot in such cases, equivalent land component of the building which is declared unsafe shall be worked out and incentive FSI shall be based on such land component.</p>

०२. सदरचा मंजूर फेरबदल ही अधिसूचना शासन राजपत्रात प्रसिध्द झाल्याच्या दिनांकापासून अंमलात येईल.

०३. उक्त मंजूर फेरबदल नागरीकांच्या अवलोकनार्थ कार्यालयीन वेळेमध्ये कामकाजाच्या दिवशी खाली नमूद कार्यालयामध्ये एक महिन्याच्या कालावधी करिता उपलब्ध राहिल.

१) आयुक्त, ठाणे महानगरपालिका, ठाणे.

२) सहसंचालक, नगर रचना, कोकण विभाग, कोकण भवन, नवी मुंबई.

३) सहाय्यक संचालक, नगर रचना, ठाणे शाखा, जि. ठाणे.

०४. सदर फेरबदलाची अधिसूचना ही महाराष्ट्र शासनाच्या www.maharashtra.gov.in वेबसाईटवर प्रसिध्द करण्यात आली आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावांने,

(अशोक का. खांडेकर)

कार्यासन अधिकारी

GOVERNMENT OF MAHARASHTRA
URBAN DEVELOPMENT DEPARTMENT

Camp Office, Nagpur.

Dated :- 5th July, 2018.

NOTIFICATION

No. TPS-1215/2211/CR-234/16/UD-12,

Whereas, the Development Control Regulations for Thane City Municipal Corporation (hereinafter referred to as "the said Regulations") have been sanctioned by the Government in the Urban Development Department, under section 31(1) of the Maharashtra Regional and Town Planning Act, 1966, (hereinafter referred to as "the said Act") vide Notification No. TPS/1294/ 1259/CR-222/94/UD-12, dated the 28th April, 1995 (hereinafter referred to as "the said Notification ") and have come into force with effect from 1st June 1995;

And whereas, the reconstruction/redevelopment schemes situated within the area of Development Plan of Thane are carried out as per the Appendix-R of the Regulation 165 of the said Regulations;

And whereas, the provision for the date of eligibility regarding reconstruction/redevelopment of the building are given in clause-1(c) of the Appendix-R of Regulation 165 (hereinafter referred to as "the said provision") and the Thane Municipal Corporation (hereinafter referred to as "the said Corporation"), after following the legal procedure under sub-section (1) of section 37 of the said Act, has submitted a proposal vide letter dated 20th August, 2015 for effecting a modification to the said provision, as given below (hereinafter referred to as "the proposed modification"):-

Proposed Modification to Appendix "R"
(Regulations No.165)

Existing Provision as per sanctioned Regulations	Modification Proposed by the Thane Municipal Corporation		
<p style="text-align: center;">Appendix R (Regulation No.165) Regulation for reconsrtuction/redevelopment</p> <p>1(c)- The reconstruction under (a) above shall be allowed only in respect of the buildings existing prior to the dates as mentioned below.</p> <table border="1" data-bbox="204 1951 804 2031"><tr><td data-bbox="204 1951 504 2031">4th November, 1974</td><td data-bbox="504 1951 804 2031">For the areas covered under the</td></tr></table>	4th November, 1974	For the areas covered under the	<p style="text-align: center;">Appendix R (Regulation No.165) Regulation for reconsrtuction/redevelopment</p> <p>1(c)- The reconstruction under (a) above shall be allowed for all authorized building in which the redevelopment is proposed after 20 years. The additional 15% FSI shall be allowed as an incentive to the owner.</p>
4th November, 1974	For the areas covered under the		

The date of coming into Force of the sanctioned Development Plan of Thane	sanctioned Development Plan of the Earswhile Municipal Council limits.	
16th August, 1973. The date of coming into Force of the sanctioned Regional Plan of the Bombay Metropolitan Region.	For the remaining areas included in the Corporation limits.	

And whereas, after making necessary enquiries and after consulting the Director of Town Planning, Maharashtra State, Pune, the Government is of the opinion that it is necessary to sanction the proposed modification with some changes;

Now therefore, in exercise of the powers conferred under sub section (2) of section 37 of the said Act, the State Government hereby sanctions the proposed modification with some changes as described below:-

"In the Schedule of modifications appended with the said Notification, dated 28th April 1995, after the last entry, the following new entry shall be inserted viz. :-

ENTRY
Sanctioned Modification to
APPENDIX-R
Regulation No. 165]

Existing Provision as per sanctioned Regulations		Sanctioned Provision
Appendix R (Regulation No.165) Regulation for reconsrtuction/redevelopment		Appendix R (Regulation No.165) Regulation for reconsrtuction/redevelopment
1(c)- The reconstruction under (a) above shall be allowed only in respect of the buildings existing prior to the dates as mentioned below.		1(c)- The reconstruction under (a) above shall be allowed for all authorized building which are at least 30 years of age. Age of building shall be as on the 1 st January of the year in which development proposal is submitted to the Corporation and shall be calculated from the date of Occupation Certificate or where such Occupation Certificate is not available, from the date of assessment as per property tax record in respect of such building available with Municipal
4th November, 1974 The date of coming into Force of the sanctioned Development Plan of Thane	For the areas covered under the sanctioned Development Plan of the Earswhile Municipal Council limits.	
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The date of coming into Force of the sanctioned Regional Plan of the Bombay Metropolitan Region.	areas included in the Corporation limits.	Corporation.
<p>Note -</p> <p>1) For the purpose of deciding authenticity of the structure if the approved plans of existing structure are not available, the Commissioner shall consider other evidence such as Assessment Record or City Survey Record or Sanad.</p> <p>2) In cases where there are number of buildings on plot, in such cases, equivalent land component of the building, which is declared unsafe shall be worked out and incentive FSI shall be based on such land component.</p>		<p>Note –</p> <p>i. Deleted.</p> <p>ii. In cases where there are number of buildings on plot in such cases, equivalent land component of the building which is declared unsafe shall be worked out and incentive FSI shall be based on such land component.</p>

02.The date of publication of this Notification in the Maharashtra Government Gazette is fixed as the date of coming into force of this sanctioned modification.

03.The said sanctioned modification shall be made available for inspection by the general public during office hours on all working days at the following offices for a period of one month:-

- i) The Commissioner, Thane Municipal Corporation, Thane.
- ii) The Joint Director of Town Planning, Konkan division, Konkan Bhavan, Navi Mumbai.
- iii) The Assistant Director of Town Planning, Thane Branch, Thane.

04.This notification shall also be published on the Government Website at www.maharashtra.gov.in

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

(Ashok K. Khandekar)
Section Officer