

महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६

- उक्त अधिनियमाचे कलम ३७(१कक) खालील सूचना.
- बृहन्मुंबई विकास नियंत्रण व प्रोत्साहन नियमावली - २०३४ मधील प्रस्तावित फेरबदलाबाबत.

महाराष्ट्र शासन

नगर विकास विभाग

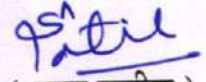
मंत्रालय, मुंबई : ४०० ०३२,

क्रमांक :- टिपीबी-४३२४/प्र.क्र.७५/२०२४/नवि-११

दिनांक :- ८ एप्रिल, २०२५.

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

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.



(अमर पाटील)

अवर सचिव 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 (वित्त व नियोजन) महोदय यांचे सचिव, मंत्रालय, मुंबई.
४. मा.उप मुख्यमंत्री (नगर विकास) महोदय यांचे सचिव, मंत्रालय, मुंबई.
५. मा. उपसभापती, महाराष्ट्र विधानपरिषद, महाराष्ट्र विधानमंडळ सचिवालय, मुंबई.
६. मा. उपाध्यक्ष, महाराष्ट्र विधानसभा, महाराष्ट्र विधानमंडळ सचिवालय, मुंबई.
७. मा. अप्पर मुख्य सचिव (नवि-१), नगर विकास विभाग, मंत्रालय, मुंबई.

प्रति,

- (१) आयुक्त, बृहन्मुंबई महानगरपालिका, मुंबई.
- (२) संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे.
- (३) व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, चर्नीरोड, मुंबई.
- (४) त्यांना विनंती करण्यात येते की, सोबतची सूचना महाराष्ट्र शासनाचे साधारण राजपत्रात भाग-१ मध्ये प्रसिध्द करून त्याच्या प्रत्येकी १० प्रती नगर विकास विभाग (नवि-११), मंत्रालय, मुंबई, आयुक्त, बृहन्मुंबई महानगरपालिका, मुंबई, संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे व उपसंचालक, नगर रचना, बृहन्मुंबई यांना पाठविण्यात याव्यात.)
- (४) उपसंचालक, नगर रचना, बृहन्मुंबई, इन्साइटमेंट, महापालिका मार्ग, मुंबई- ४००००१.

२/- सदर सूचना शासनाच्या दिनांक १३.९.२०१० रोजीच्या परिपत्रकातील निदेशानुसार व खालीलप्रमाणे जाहिरात म्हणून प्रसिध्द करून घेणेबाबत सत्वर कार्यवाही करावी.

१)	जाहिरात देणा-या कार्यालयाचे नांव	नगर विकास विभाग, मंत्रालय, मुंबई- ३२.
२)	जाहिरात कोणत्या दिनांकास द्यावयाची आहे	तात्काळ
३)	प्रसिध्दीचे स्वरूप	स्थानिक
४)	कोणत्या जिल्ह्यामध्ये	बृहन्मुंबई महानगरपालिका क्षेत्रामध्ये
५)	किती वृत्तपत्रात	एक मराठी व एक इंग्रजी वृत्तपत्रात
६)	वृत्तपत्राचे नांव	सर्वाधिक खपाच्या वृत्तपत्रात

७)	किती वेळा	एकदा
८)	जाहिरात खर्चाचे देयक कोणत्या अधिका-याकडे पाठवावयाचे त्या कार्यालयाचे नांव व संपूर्ण पत्ता	आयुक्त, बृहनमुंबई महानगरपालिका.

(५) कक्ष अधिकारी, कार्यासन नवि-२९, यांना विनंती करण्यात येते की, सोबतची सूचना विभागाच्या वेबसाईटवर प्रसिध्द करावी.

(६) निवड नस्ती (नवि-११).

१०/११

**Maharashtra Regional & Town Planning
Act, 1966.**

- Notice under section 37 (1AA) of the said Act.
- Proposed modification in Development Control and Promotion Regulations -2034 of Greater Mumbai.

GOVERNMENT OF MAHARASHTRA
Urban Development Department,
Mantralaya, Mumbai 400 032.
Dated :- 8th April, 2025.

NOTICE

No.TPB-4324/CR-75/2024/UD-11

Whereas, the Municipal Corporation of Greater Mumbai 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, Note (d) under Regulation 17(1) of the said Regulations provides for the entitlement of Built up area (BUA)/ Transferable Development Rights (TDR) in lieu of cost of construction of built up amenity;

And Whereas, the provisions in this regard are incorporated in Regulation 11.2.5 of the Unified Development Control and Promotion Regulations (hereinafter referred to as 'UDCPR') applicable to the entire State of Maharashtra (except for certain Planning Authorities); And whereas, in view of the request received by Government regarding difficulties faced by the Planning Authorities in the State in implementation of these provisions, these provisions regarding TDR against construction of amenity have been amended by modification under Section 37 of the said Act and this modification has been sanctioned by the Government in Urban Development Department vide Notification No. TPS-1824/225/C.R.96/2024/UD-13 dated 05/09/2024;

And whereas, Government in Urban Development Department has received a letter from



M/S National Real Estate Development Council (NAREDCO) wherein it is requested to make amendment in the said Regulations i.e.DCPR-2034, on the lines of the amendments made in the provisions relating to TDR against construction of amenity in UDCPR to streamline the development in the State;

And whereas, in view of the above said request and the sanctioned modification in UDCPR, the Government in Urban Development Department is of the opinion that in the public interest, it is expedient to modify the said Regulations, as specifically described in the Schedule attached herewith (hereinafter referred to as "the Proposed Modification");

Now, therefore, after considering the above facts and circumstances and in exercise of the powers conferred by sub-section (1AA) of Section 37 of the said Act; and of all other powers enabling it in this behalf, Government hereby publishes a Notice for inviting objections/ suggestions from any persons with respect to the Proposed Modification, as required by clause (a) of sub-section (1AA) of Section 37 of the said Act, for information of all persons likely to be affected thereby. The Government is further pleased to inform that any objections/ suggestions in respect of the Proposed Modification mentioned in the Schedule attached herewith may be forwarded, before the expiry of one month from the date of publication of this Notice in the Maharashtra Government Gazette, (hereinafter referred to as "the said period") to the Deputy Director of Town Planning, Greater Mumbai, having his office at ENSA Hutments, E-Block, Azad Maidan, Mahapalika Marg, Mumbai 400 001. Any objections / suggestions, which may be received within the said period will be dealt with in accordance with the provisions of sub-section (1AA) of Section 37 of the said Act by the Deputy Director of Town Planning, Greater Mumbai, who is hereby authorised as an "officer" on the behalf of Government to hear objections / suggestions which are received and say of the said Corporation, as the case may be and submit his report to the Government;

This Notice under sub-section (1AA) of Section 37 of the said Act shall also be available on the Govt. of Maharashtra website : www.maharashtra.gov.in (Acts/Rules)

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



(Amar Patil)

Under Secretary to Government.

SCHEDULE

(Schedule appended to the Govt. in Urban Development Department's Notice No. TPB-4324/C.R.75/2024, Dated - 08/04/2025)

Sr. No.	Regulation No.	Existing Provision	Proposed Provision
1	Reg. 17 (1) Table No.5 Note 1(c)	BUA of staircase, lift & lift lobby and BUA permissible free of FSI as per the provisions of Regulation No. 31(1) shall not be counted in BUA to be handed over to MCGM and the same shall be without charging premium for the provision of built up amenity under AR.	BUA of staircase, lift & lift lobby and BUA permissible free of FSI as per the provisions of Regulation No. 31(1) shall not be counted in BUA to be handed over to MCGM and the same shall be without charging premium for the provision of built up amenity under AR. However, BUA of staircases, lift, lift lobby and passages permissible free of FSI as per the provisions of Regulation 31(1) shall be considered for the purpose of arriving BUA/TDR in lieu of cost of construction of built up amenity under AR.
2	Reg. 17 (1) Table No.5 Note 1(d)	The developer/owner shall be entitled for the BUA/TDR in lieu of cost of construction of built up amenity under AR as follows: BUA/TDR in lieu of cost of construction of built up amenity handed over under AR = 1.50 (Rate of construction per sq. m as per ASR rate/Rate of developed land per sq. m as per ASR) * BUA of constructed built up amenity handed over under AR.	The developer/owner shall be entitled for the BUA/TDR in lieu of cost of construction of built up amenity under AR as follows: BUA/TDR in lieu of cost of construction of built up amenity handed over under AR = 1.50 (Rate of construction per sq. m as per ASR rate/Rate of developed land per sq. m as per ASR) * BUA of constructed built up amenity handed over under AR. Construction Amenity TDR in sq.m. = A/B * 1.35 Where, A = cost of construction of amenity in rupees for all type of buildings and roads, should be calculated as per the DSR prepared by Public Works Department for the year in which construction of amenity is commenced. While preparing the estimate, the Planning Authority may consider the cost of the project



Sr. No.	Regulation No.	Existing Provision	Proposed Provision
			comprehensively including cost of constructions (for the Civil works, Electrical Works, Water Supply, Drainage, Infrastructure Development works like site leveling, Compound Walls, Parking, Drive ways, Ramps of the Basement, Infrastructure for the compliance of the Environment / MPCB Department etc.) as well as incidental costs for completion of project (all types of Premium & charges payable to the Planning Authorities, Fees / Cess / Taxes payable to Government / Semi Government authorities, Labour Insurance and all Consultants' fees, Cost of the BOCW etc and furthers in case of SRA projects, in addition to above, Expenditure for the eligibility of the Slum Dwellers, other Overheads, Maintained Deposits & Expenditure on AMC etc.) The cost of any movable items should not be considered for the calculation of cost of construction of amenity. B= Land rate per sq.m. as per the Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of amenity is commenced. Conditions : i. It is compulsory to obtain technical sanction from the same authority which is competent for the technical sanction of other civil projects run through the Planning Authority. ii. For the TDR calculation, the Planning Authority has to include all the necessary items from the project proponent as required for the effective compliance of the said project. In the said Technical Sanction, cost of



Sr. No.	Regulation No.	Existing Provision	Proposed Provision
			movable items should not be considered by the project proponent. Also these movable items should not be included in the budget or TDR calculation. Such movable items will not be procured through this project. iii. While execution and implementation of the said project the concerned authorized officer of the said Planning Authority should follow the requisite procedure for maintaining the records like measurement book, quality control and inspection of the record, preparation of bills, preparation of possession receipt, issuance of commencement certificate etc. However, the compensation for the Construction Amenity TDR is payable to the extent of actual expenditure on the said project. At the same time it will also be necessary to ensure at the time of disbursement that the cost of all the items completed by the project proponent is included.
3	Reg. 17 (1) Table No.5 Note 1 (e)	(e) In case of Sr. No.66(PPL), the incentive BUA shall be 50% of the abovecited BUA as calculated above.	(e) In case of Sr. No.66(PPL), the incentive BUA shall be 50% of the abovecited BUA as calculated above. (This provision is deleted)
4	Reg. 17 (1) Table No.5 Note 1 (h)	h) The applicable rate of ASR shall be ASR rate of the year in which IOD/IOA is issued.	h) The applicable rate of ASR shall be ASR rate of the year in which IOD/IOA is issued as on date of commencement of construction of amenity.
5	Reg. 32 Clause (2) (New proviso is proposed to be added by new sub clause(x) under Clause (2) of		2. CASES ELIGIBLE FOR TRANSFERABLE DEVELOPMENT RIGHTS (TDR) :- x) If a land owned by Government of India (GOI) or any entity owned by Government of India is required for public purposes, either by SPA (Special Planning Authority) / MCGM(Municipal Corporation of Greater Mumbai) or Government of Maharashtra, SPA/ MCGM shall grant land TDR on lines with private

Sr. No.	Regulation No.	Existing Provision	Proposed Provision
	Regulation 32.		lands under reservation: If GOI or entity owned by GOI requests, this TDR may be auctioned with the help of SPA/ MCGM. If realisation value through auction is less than value as per Annual Statement of Rates (ASR) of the land prepared by Inspector General of Registration without considering guidelines therein, then the shortfall amount shall be compensated by SPA/ MCGM/ Government of Maharashtra as the case may be. However, if realisation value is more than value as per ASR, then the entire realised value shall be kept by GOI or the entity. Realisation value shall be worked out considering the ASR at the time of possession of land. This realisation value and all auction values shall be taken to NPV on the date of last auction with mutually decided rate of interest and shortfall shall be calculated, if any. However, SPA/ MCGM/ Government of Maharashtra can pay realisation value considering ASR upfront or mutually agreeable installments with interest and get whole of TDR assigned to itself and realise its value itself through transparent bidding.
6	Reg. 32 Clause(4.2)	4.2 Transfer of Development Rights (TDR) against construction of Amenity: When an owner or lessee with prior approval of Municipal Commissioner, develops or constructs the amenity on the plot to be surrendered, at his own cost subject to such stipulations as may be prescribed and to the satisfaction of the Municipal Commissioner and hands over the said developed/constructed amenity along with amenity plot free of cost to the Municipal Commissioner then in addition to land TDR he may be granted a Transferable	4.2 Transfer of Development Rights (TDR) against construction of Amenity: When an owner or lessee with prior approval of Municipal Commissioner, develops or constructs the amenity on the plot to be surrendered, at his own cost subject to such stipulations as may be prescribed and to the satisfaction of the Municipal Commissioner and hands over the said developed/constructed amenity along with amenity plot free of cost to the Municipal Commissioner then in addition to land TDR he may be granted a Transferable

Sr. No.	Regulation No.	Existing Provision	Proposed Provision
		Development Rights (TDR) against construction of such amenity as per the following formula: Construction Amenity TDR in sq.m. = $A/B * 1.5 * BUA$ Where, A = cost of construction of amenity in rupees as per the rates of construction mentioned in Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of amenity is commenced. B = land rate per sq. m as per the Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of amenity is commenced. BUA = Built up area of constructed/developed amenity. Provided that in case Slum Redevelopment Scheme under clause 3.11 of Regulation 33(10) the Construction Amenity TDR shall be increased by 1.35 times the TDR generated as per above formula.	Development Rights (TDR) against construction of such amenity as per the following formula: Construction Amenity TDR in sq.m. = $A/B * 1.5 * BUA$ Where, A = cost of construction of amenity in rupees as per the rates of construction mentioned in Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of amenity is commenced. B = land rate per sq. m as per the Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of amenity is commenced. BUA = Built up area of constructed/developed amenity. Construction Amenity TDR in sq.m. = $A/B * 1.35$ Where, A = cost of construction of amenity in rupees for all type of buildings and roads, should be calculated as per the DSR prepared by Public Works Department for the year in which construction of amenity is commenced. While preparing the estimate, the Planning Authority may consider the cost of the project comprehensively including cost of constructions (for the Civil works, Electrical Works, Water Supply, Drainage, Infrastructure Development works like site leveling, Compound Walls, Parking, Drive ways, Ramps of the Basement, Infrastructure for the compliance of the Environment / MPCB Department etc.) as well as incidental costs for completion of project (all types of Premium & charges payable to the Planning Authorities, Fees / Cess / Taxes payable to Government / Semi Government authorities, Labour Insurance and all Consultants' fees, Cost of the BOCW etc and further in case of SRA projects, in addition to above, Expenditure for the eligibility of the Slum Dwellers, other Overheads,



Sr. No.	Regulation No.	Existing Provision	Proposed Provision
			Maintained Deposits & Expenditure on AMC etc.) The cost of any movable items should not be considered for the calculation of cost of construction of amenity. B= Land rate per sq.m. as per the Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of amenity is commenced. Conditions : i. It is compulsory to obtain technical sanction from the same authority which is competent for the technical sanction of other civil projects run through the Planning Authority. ii. For the TDR calculation, the Planning Authority has to include all the necessary items from the project proponent as required for the effective compliance of the said project. In the said Technical Sanction, cost of movable items should not be considered by the project proponent. Also these movable items should not be included in the budget or TDR calculation. Such movable items will not be procured through this project. iii. While execution and implementation of the said project the concerned authorized officer of the said Planning Authority should follow the requisite procedure for maintaining the records like measurement book, quality control and inspection of the record, preparation of bills, preparation of possession receipt, issuance of commencement certificate etc. However, the compensation for the



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			Construction Amenity TDR is payable to the extent of actual expenditure on the said project. At the same time it will also be necessary to ensure at the time of disbursement that the cost of all the items completed by the project proponent is included. Provided that in case Slum Redevelopment Scheme under clause 3.11 of Regulation 33(10) the Construction Amenity TDR shall be increased by 1.35 times the TDR generated as per above formula:
7	Reg. 15 Clause (2) (c) (iv)	iv) The developer/owner shall be entitled for the BUA in lieu of cost of construction of tenements as stated below: BUA in lieu of cost of construction of IH = 1.50 [Rate of construction per sq. m as per ASR rate/Rate of developed land per sq. m as per ASR (for FSI 1)] * BUA of IH BUA in lieu of cost of construction of IH = A/B * 1.35 Where, A = cost of construction of built up area of IH in rupees, should be calculated as per the DSR prepared by Public Works Department for the year in which construction of IH is commenced. While preparing the estimate, the Planning Authority may consider the cost of the project comprehensively including cost of constructions (for the Civil works, Electrical Works, Water Supply, Drainage, Infrastructure Development works like site leveling, Compound Walls, Parking, Drive ways, Ramps of the Basement, Infrastructure for the compliance of the Environment / MPCB Department etc.) as well as incidental costs for completion of project (all types of Premium & charges	iv) The developer/owner shall be entitled for the BUA in lieu of cost of construction of tenements as stated below: BUA in lieu of cost of construction of IH = 1.50 [Rate of construction per sq. m as per ASR rate/Rate of developed land per sq. m as per ASR (for FSI 1)] * BUA of IH BUA in lieu of cost of construction of IH = A/B * 1.35 Where, A = cost of construction of built up area of IH in rupees, should be calculated as per the DSR prepared by Public Works Department for the year in which construction of IH is commenced. While preparing the estimate, the Planning Authority may consider the cost of the project comprehensively including cost of constructions (for the Civil works, Electrical Works, Water Supply, Drainage, Infrastructure Development works like site leveling, Compound Walls, Parking, Drive ways, Ramps of the Basement, Infrastructure for the compliance of the Environment / MPCB Department etc.) as well as incidental costs for completion of project (all types of Premium & charges



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			payable to the Planning Authorities, Fees / Cess / Taxes payable to Government / Semi Government authorities, Labour Insurance and all Consultants' fees, Cost of the BOCW etc and furthers in case of SRA projects, in addition to above, Expenditure for the eligibility of the Slum Dwellers, other Overheads, Maintained Deposits & Expenditure on AMC etc.) The cost of any movable items should not be considered for the calculation of cost of construction of amenity. B= Land rate per sq.m. as per the Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of IH is commenced. Conditions : i. It is compulsory to obtain technical sanction from the same authority which is competent for the technical sanction of other civil projects run through the Planning Authority. ii. For the TDR calculation, the Planning Authority has to include all the necessary items from the project proponent as required for the effective compliance of the said project. In the said Technical Sanction, cost of movable items should not be considered by the project proponent. Also these movable items should not be included in the budget or TDR calculation. Such movable items will not be procured through this project. iii. While execution and implementation of the said project the concerned authorized officer of the said Planning Authority should follow the requisite procedure for maintaining the records like

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			measurement book, quality control and inspection of the record, preparation of bills, preparation of possession receipt, issuance of commencement certificate etc. However, the compensation for the Construction Amenity TDR is payable to the extent of actual expenditure on the said project. At the same time it will also be necessary to ensure at the time of disbursement that the cost of all the items completed by the project proponent is included.



(Signature)

(Amar Patil)

Under Secretary to Government

महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६

- उक्त अधिनियमाचे कलम ३७(१कक) खालील सूचना.
- बृहन्मुंबई विकास नियंत्रण व प्रोत्साहन नियमावली -२०३४ मधील प्रस्तावित फेरबदलाबाबत.

महाराष्ट्र शासन

नगर विकास विभाग

मंत्रालय, मुंबई : ४०० ०२१,

दिनांक :- ०८ एप्रिल, २०२५

सूचना

क्र. टिपीबी-४३२४/प्र.क्र.७५/२०२४/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 तरतुदींच्या अर्थबोधाची स्पष्टता करून सुसंगती आणणे या करिता शासनाने दि.१२/११/२०१८ रोजी शुध्दीपत्रक निर्गमित केले आहे;

आणि ज्याअर्थी, उक्त नियमावलीचे विनियम १७(१) खालील टीप (ड) मध्ये बांधिव सुविधा इमारतीच्या बांधकामाच्या खर्चाच्या बदल्यात बिल्ट अप एरिया (BUA)/ हस्तांतरणीय विकास हक्क (TDR) मिळण्याबाबत तरतूद आहे;

आणि ज्याअर्थी, यासंदर्भातील तरतूद संपुर्ण महाराष्ट्र राज्याकरिता (काही नियोजन प्राधिकरणे वगळता) लागू असलेल्या एकत्रिकृत विकास नियंत्रण व प्रोत्साहन नियमावलीमध्ये (यापुढे याचा उल्लेख 'UDCPR' असा करणेत आलेला आहे) विनियम ११.२.५ मध्ये अंतर्भूत करण्यात आली आहे; आणि ज्याअर्थी



सदर तरतुदीचे अनुषंगाने अंमलबजावणी करताना राज्यातील नियोजन प्राधिकरणांना येणा-या अडी-अडचणीं शासनास प्राप्त विनंती विचारात घेऊन, उक्त अधिनियमाचे कलम ३७ अंतर्गत फेरबदलानुसार TDR against construction of amenity संदर्भातील सदर तरतुदींमध्ये सुधारणा करण्यात आल्या असून, सदर फेरबदलास शासन नगर विकास विभागाकडील अधिसूचना क्र.टिपीएस-१८२४/२२५/प्र.क्र.९६/२०२४/नवि-१३ दि.०५/०९/२०२४ अन्वये मंजूरी देण्यात आली आहे;

आणि ज्याअर्थी, मे. नॅशनल रियल इस्टेट डेव्हलपमेंट काउंसिल (NAREDCO) यांचे दि.११/०६/२०२४ रोजीचे पत्र नगर विकास विभागास प्राप्त झाले असून, त्यामध्ये राज्यातील विकासामध्ये सुसुत्रता आणण्याकरिता UDCPR मधील TDR against construction of amenity संदर्भातील तरतुदींमध्ये करण्यात आलेल्या सुधारणांच्या धर्तीवर बृहन्मुंबई करिता लागू असलेल्या उक्त नियमावली i.e.DCPR२०३४ मध्ये सुधारणा करणेबाबत विनंती केली आहे;

आणि ज्याअर्थी, उक्त विनंती व UDCPR मधील मंजूर फेरबदल विचारात घेता, उक्त नियमावलीमध्ये सोबत जोडलेल्या परिशिष्टामध्ये दर्शविल्यानुसार फेरबदल करणे सार्वजनिक हिताचे दृष्टीने आवश्यक आहे, असे शासन नगर विकास विभागाचे मत झाले आहे. (यापुढे याचा उल्लेख “प्रस्तावित फेरबदल” असा करणेत आलेला आहे);

आणि त्याअर्थी, उपरोक्त परिस्थिती आणि वस्तुस्थिती विचारात घेता आणि उक्त अधिनियमाच्या कलम ३७ च्या पोट कलम (१कक) अन्वये प्राप्त अधिकार आणि त्या संदर्भातील सर्व शक्तींचा वापर करून, शासन याद्वारे प्रस्तावित फेरबदलाविषयी उक्त अधिनियमाच्या कलम ३७, पोट कलम (१कक) चे खंड(क) नुसार कोणत्याही व्यक्तीकडून हरकती / सूचना मागविण्यासाठी तसेच संभाव्य बाधित होणाऱ्या व्यक्तींच्या माहितीसाठी सदर सूचना प्रसिध्द करित आहे. शासनाकडून असेही कळविणेत येत आहे की, खालील परिशिष्टात नमूद प्रस्तावित फेरबदलाविषयी कोणत्याही हरकती/ सूचना महाराष्ट्र शासन राजपत्रात सदर सूचना प्रसिध्द झाल्याच्या दिनांकापासून एक महिन्याच्या आत उपसंचालक, नगर रचना, बृहन्मुंबई यांचेकडे इन्सा हटमेंटस, ई-ब्लॉक, आझाद मैदान, महापालिका मार्ग, मुंबई ४००००१ या कार्यालयाचे पत्त्यावर पाठविण्यात याव्यात. सदर प्राप्त हरकती / सूचनांवर सुनावणी देवून तसेच लागू असेल त्याप्रमाणे उक्त महानगरपालिकेचे म्हणणे घेवून त्यावरील अहवाल शासनास सादर करण्यासाठी उपसंचालक, नगर रचना, बृहन्मुंबई यांना शासनाचे वतीने “अधिकारी” म्हणून प्राधिकृत करण्यात येत असून त्यांच्याकडे सदरच्या कालावधीत प्राप्त होणा-या हरकती/सूचना यावर उक्त अधिनियमाच्या कलम ३७ च्या पोट कलम (१कक) अन्वये कार्यवाही करण्यात येईल;

उक्त अधिनियमाचे कलम ३७(१कक) अन्वये सदर फेरबदलाची सूचना महाराष्ट्र शासनाच्या www.maharashtra.gov.in (कायदा /नियम) या वेबसाईटवर देखील प्रसिध्द करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने.



(Handwritten signature)

(अमर पाटील)

अवर सचिव, महाराष्ट्र शासन

परिशिष्ट

(शासन नगर विकास विभागाकडील सूचना क्र. टिपीबी ४३२४/प्र.क्र.७५/२०२४/नवि-११, दिनांक - ०८ एप्रिल, २०२५ सोबतचे परिशिष्ट)

Sr. No.	Regulation No.	Existing Provision	Proposed Provision
1	Reg. 17 (1) Table No.5 Note 1 (c)	BUA of staircase, lift & lift lobby and BUA permissible free of FSI as per the provisions of Regulation No. 31(1) shall not be counted in BUA to be handed over to MCGM and the same shall be without charging premium for the provision of built up amenity under AR.	BUA of staircase, lift & lift lobby and BUA permissible free of FSI as per the provisions of Regulation No. 31(1) shall not be counted in BUA to be handed over to MCGM and the same shall be without charging premium for the provision of built up amenity under AR. However, BUA of staircases, lift, lift lobby and passages permissible free of FSI as per the provisions of Regulation 31(1) shall be considered for the purpose of arriving BUA/TDR in lieu of cost of construction of built up amenity under AR.
2	Reg. 17 (1) Table No.5 Note 1 (d)	The developer/owner shall be entitled for the BUA/TDR in lieu of cost of construction of built up amenity under AR as follows: BUA/TDR in lieu of cost of construction of built up amenity handed over under AR = 1.50 (Rate of construction per sq. m as per ASR rate/Rate of developed land per sq. m as per ASR) * BUA of constructed built up amenity handed over under AR.	The developer/owner shall be entitled for the BUA/TDR in lieu of cost of construction of built up amenity under AR as follows: BUA/TDR in lieu of cost of construction of built up amenity handed over under AR = 1.50 (Rate of construction per sq. m as per ASR rate/Rate of developed land per sq. m as per ASR) * BUA of constructed built up amenity handed over under AR. Construction Amenity TDR in sq.m. = A/B * 1.35 Where, A = cost of construction of amenity in rupees for all type of buildings and roads, should be calculated as per the DSR prepared by Public Works Department for the year in which construction of amenity is commenced. While preparing the estimate, the Planning Authority may consider the cost of the project comprehensively including cost of constructions (for the



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			Civil works, Electrical Works, Water Supply, Drainage, Infrastructure Development works like site leveling, Compound Walls, Parking, Drive ways, Ramps of the Basement, Infrastructure for the compliance of the Environment / MPCB Department etc.) as well as incidental costs for completion of project (all types of Premium & charges payable to the Planning Authorities, Fees / Cess / Taxes payable to Government / Semi Government authorities, Labour Insurance and all Consultants' fees, Cost of the BOCW etc and furtherers in case of SRA projects, in addition to above, Expenditure for the eligibility of the Slum Dwellers, other Overheads, Maintained Deposits & Expenditure on AMC etc.) The cost of any movable items should not be considered for the calculation of cost of construction of amenity. B= Land rate per sq.m. as per the Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of amenity is commenced. Conditions : i. It is compulsory to obtain technical sanction from the same authority which is competent for the technical sanction of other civil projects run through the Planning Authority. ii. For the TDR calculation, the Planning Authority has to include all the necessary items from the project proponent as required for the effective compliance of the said project. In the said Technical Sanction, cost of movable items should not be considered by the project



Sr. No.	Regulation No.	Existing Provision	Proposed Provision
			proponent. Also these movable items should not be included in the budget or TDR calculation. Such movable items will not be procured through this project. iii. While execution and implementation of the said project the concerned authorized officer of the said Planning Authority should follow the requisite procedure for maintaining the records like measurement book, quality control and inspection of the record, preparation of bills, preparation of possession receipt, issuance of commencement certificate etc. However, the compensation for the Construction Amenity TDR is payable to the extent of actual expenditure on the said project. At the same time it will also be necessary to ensure at the time of disbursement that the cost of all the items completed by the project proponent is included.
3	Reg. 17 (1) Table No.5 Note 1 (e)	(c) In case of Sr. No.66(PPL), the incentive BUA shall be 50% of the abovecited BUA as calculated above.	(c) In case of Sr. No.66(PPL), the incentive BUA shall be 50% of the abovecited BUA as calculated above. (This provision is deleted)
4	Reg. 17 (1) Table No.5 Note 1 (h)	h) The applicable rate of ASR shall be ASR rate of the year in which IOD/IOA is issued.	h) The applicable rate of ASR shall be ASR rate of the year in which IOD/IOA is issued as on date of commencement of construction of amenity.
5	Reg. 32 Clause (2) (New proviso is proposed to be added by new sub clause(x) under Clause (2) of Regulation		2. CASES ELIGIBLE FOR TRANSFERABLE DEVELOPMENT RIGHTS (TDR) :- x) If a land owned by Government of India (GOI) or any entity owned by Government of India is required for public purposes, either by SPA (Special Planning Authority) / MCGM(Municipal Corporation of Greater Mumbai) or Government of Maharashtra, SPA/ MCGM shall grant land TDR on lines with private lands under reservation:

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	32.		If GOI or entity owned by GOI requests, this TDR may be auctioned with the help of SPA/ MCGM. If realisation value through auction is less than value as per Annual Statement of Rates (ASR) of the land prepared by Inspector General of Registration without considering guidelines therein, then the shortfall amount shall be compensated by SPA/ MCGM/ Government of Maharashtra as the case may be. However, if realisation value is more than value as per ASR, then the entire realised value shall be kept by GOI or the entity. Realisation value shall be worked out considering the ASR at the time of possession of land. This realisation value and all auction values shall be taken to NPV on the date of last auction with mutually decided rate of interest and shortfall shall be calculated, if any. However, SPA/ MCGM/ Government of Maharashtra can pay realisation value considering ASR upfront or mutually agreeable installments with interest and get whole of TDR assigned to itself and realise its value itself through transparent bidding.
6	Reg. 32 Clause(4.2)	4.2 Transfer of Development Rights (TDR) against construction of Amenity: When an owner or lessee with prior approval of Municipal Commissioner, develops or constructs the amenity on the plot to be surrendered, at his own cost subject to such stipulations as may be prescribed and to the satisfaction of the Municipal Commissioner and hands over the said developed/constructed amenity along with amenity plot free of cost to the Municipal Commissioner then in addition to land TDR he may be granted a Transferable Development Rights (TDR) against construction of such	4.2 Transfer of Development Rights (TDR) against construction of Amenity: When an owner or lessee with prior approval of Municipal Commissioner, develops or constructs the amenity on the plot to be surrendered, at his own cost subject to such stipulations as may be prescribed and to the satisfaction of the Municipal Commissioner and hands over the said developed/constructed amenity along with amenity plot free of cost to the Municipal Commissioner then in addition to land TDR he may be granted a Transferable Development Rights (TDR) against construction of such

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		amenity as per the following formula: Construction Amenity TDR in sq.m. = $A/B * 1.5 * BUA$ Where, A= cost of construction of amenity in rupees as per the rates of construction mentioned in Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of amenity is commenced. B = land rate per sq. m as per the Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of amenity is commenced. BUA = Built up area of constructed/developed amenity. Provided that in case Slum Redevelopment Scheme under clause 3.11 of Regulation 33(10) the Construction Amenity TDR shall be increased by 1.35 times the TDR generated as per above formula.	amenity as per the following formula: Construction Amenity TDR in sq.m. = $A/B * 1.5 * BUA$ Where, A= cost of construction of amenity in rupees as per the rates of construction mentioned in Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of amenity is commenced. B = land rate per sq. m as per the Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of amenity is commenced. BUA = Built up area of constructed/developed amenity. Construction Amenity TDR in sq.m. = $A/B * 1.35$ Where, A= cost of construction of amenity in rupees for all type of buildings and roads, should be calculated as per the DSR prepared by Public Works Department for the year in which construction of amenity is commenced. While preparing the estimate, the Planning Authority may consider the cost of the project comprehensively including cost of constructions (for the Civil works, Electrical Works, Water Supply, Drainage, Infrastructure Development works like site leveling, Compound Walls, Parking, Drive ways, Ramps of the Basement, Infrastructure for the compliance of the Environment / MPCB Department etc.) as well as incidental costs for completion of project (all types of Premium & charges payable to the Planning Authorities, Fees / Cess / Taxes payable to Government / Semi Government authorities, Labour Insurance and all Consultants' fees, Cost of the BOCW etc and furthers in case of SRA projects, in addition to above, Expenditure for the eligibility of the Slum Dwellers, other Overheads, Maintained Deposits & Expenditure on AMC etc.)



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			The cost of any movable items should not be considered for the calculation of cost of construction of amenity. B= Land rate per sq.m. as per the Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of amenity is commenced. Conditions : i. It is compulsory to obtain technical sanction from the same authority which is competent for the technical sanction of other civil projects run through the Planning Authority. ii. For the TDR calculation, the Planning Authority has to include all the necessary items from the project proponent as required for the effective compliance of the said project. In the said Technical Sanction, cost of movable items should not be considered by the project proponent. Also these movable items should not be included in the budget or TDR calculation. Such movable items will not be procured through this project. iii. While execution and implementation of the said project the concerned authorized officer of the said Planning Authority should follow the requisite procedure for maintaining the records like measurement book, quality control and inspection of the record, preparation of bills, preparation of possession receipt, issuance of commencement certificate etc. However, the compensation for the Construction Amenity TDR is payable to the extent of



Sr. No.	Regulation No.	Existing Provision	Proposed Provision
			actual expenditure on the said project. At the same time it will also be necessary to ensure at the time of disbursement that the cost of all the items completed by the project proponent is included. Provided that in case Slum Redevelopment Scheme under clause 3.11 of Regulation 33(10) the Construction Amenity TDR shall be increased by 1.35 times the TDR generated as per above formula.
7	Reg. 15 Clause (2) (c) (iv)	iv) The developer/owner shall be entitled for the BUA in lieu of cost of construction of tenements as stated below: BUA in lieu of cost of construction of IH = 1.50 [Rate of construction per sq. m as per ASR rate/Rate of developed land per sq. m as per ASR (for FSI 1)] * BUA of IH	iv) The developer/owner shall be entitled for the BUA in lieu of cost of construction of tenements as stated below: BUA in lieu of cost of construction of IH = 1.50 [Rate of construction per sq. m as per ASR rate/Rate of developed land per sq. m as per ASR (for FSI 1)] * BUA of IH BUA in lieu of cost of construction of IH = A/B * 1.35 Where, A = cost of construction of built up area of IH in rupees, should be calculated as per the DSR prepared by Public Works Department for the year in which construction of IH is commenced. While preparing the estimate, the Planning Authority may consider the cost of the project comprehensively including cost of constructions (for the Civil works, Electrical Works, Water Supply, Drainage, Infrastructure Development works like site leveling, Compound Walls, Parking, Drive ways, Ramps of the Basement, Infrastructure for the compliance of the Environment / MPCB Department etc.) as well as incidental costs for completion of project (all types of Premium & charges payable to the Planning Authorities, Fees / Cess / Taxes



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			payable to Government / Semi Government authorities, Labour Insurance and all Consultants' fees, Cost of the BOCW etc and furthers in case of SRA projects, in addition to above, Expenditure for the eligibility of the Slum Dwellers, other Overheads, Maintained Deposits & Expenditure on AMC etc.) The cost of any movable items should not be considered for the calculation of cost of construction of amenity. B= Land rate per sq.m. as per the Annual Statement of Rates (ASR) prepared by the Inspector General of Registration for the year in which construction of IH is commenced. Conditions : i. It is compulsory to obtain technical sanction from the same authority which is competent for the technical sanction of other civil projects run through the Planning Authority. ii. For the TDR calculation, the Planning Authority has to include all the necessary items from the project proponent as required for the effective compliance of the said project. In the said Technical Sanction, cost of movable items should not be considered by the project proponent. Also these movable items should not be included in the budget or TDR calculation. Such movable items will not be procured through this project. iii. While execution and implementation of the said project the concerned authorized officer of the said Planning Authority should follow the requisite procedure for maintaining the records like measurement book, quality control and inspection of



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			the record, preparation of bills, preparation of possession receipt, issuance of commencement certificate etc. However, the compensation for the Construction Amenity TDR is payable to the extent of actual expenditure on the said project. At the same time it will also be necessary to ensure at the time of disbursement that the cost of all the items completed by the project proponent is included.



(Signature)

(अमर पाटील)

अवर सचिव महाराष्ट्र शासन