

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

**Sanction to Modification u/s 37(2) of
Modification to General Development
Control Regulations (GDCR) for Navi
Mumbai.**

**Government of Maharashtra
Urban Development Department,
Mantralaya, Mumbai 400 032.
Dated 27th October, 2005.**

NOTIFICATION

**Maharashtra
Regional &
Town Planning
Act 1966**

No. TPB- 432000/64/CR -265/05/UD-11:-

Whereas the Government of Maharashtra in exercise of the powers conferred by sub-section (3A) of the section 113 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") declared by Notification, Urban Development, Public Health and Housing Department, No. RPB 1171/18124/113/II-W, dated the 20th March, 1971, and by Notification Urban Development, Public Health and Housing Department No. RPB 1173-II RPC, dated the 16th August, 1973, City and Industrial Development Corporation of Maharashtra Limited (being a company owned and controlled by the Government of Maharashtra) (hereinafter referred to as "the said Corporation") as the New Town Development Authority for the said area comprised in the site of Navi Mumbai as specified therein;

And whereas, in exercise the powers conferred by the provisions of the said Act and all the powers enabling it in this behalf the said Corporation made the General Development Control Regulation (GDCR) for Navi Mumbai, (hereinafter referred to as "the said Regulations");

And whereas, the Government of Maharashtra in the Urban Development and Public Health Department approved the Development Plan of Navi Mumbai together with the said Regulations in exercise of the powers conferred by the section 31 of the said Act, by Notification No. RPB 1175/635/B-UD-5 dated the 18th August, 1979, published in the Maharashtra Government Gazette, dated 27th September, 1979;

And whereas the said Corporation has on and from 16th December, 1994 ceased to be the Planning Authority in the area of Navi Mumbai more particularly specified in the schedule to the Government order No. NMC 1692/1187/CR-138/94/UD-24 dated 16th December, 1994, as specified therein for which the Navi Mumbai Municipal Corporation is the Planning Authority in substitution to the said Corporation;

And whereas, Government in Urban Development Department vide its order No. TPS 1098/627/CR-252/98/UD-9 dated 22/6/99, had issued directions under section 37(1) of the said Act, (hereinafter referred to as "the said directives") to all the Planning Authorities to include the provision construction of creches in the layout open spaces in their respective Development Control Regulations.

And whereas, as per the said directives the said Corporation decided to make further amendments/modifications (hereinafter referred to as "the said Modification") in the said Regulation for application to Navi Mumbai exclusive of the area encompassed within the territorial jurisdiction of the Navi Mumbai Municipal Corporation;

And whereas, the said Corporation, after following legal formalities laid down under section 37 of the said Act, has submitted the said modification proposal to Government for sanction vide letter No.GIDCO/ADM/1613(40)/99/7 dated 5/1/2000:


And whereas, the said Corporation has informed that no suggestion/objection from the Public with regard to the aforesaid modification;

And whereas, after consulting the Director of Town Planning, Maharashtra State, Pune, the Government is of the opinion that the said modification should be approved with modified version;

Now, therefore, in exercise of the powers conferred by sub-section (2) of the said Act, Government hereby:-

- a) Sanctions the said modification proposal as described in the Schedule, attached herewith;
- b) fixes the date of publication of this Notification in the official gazette as the date of coming into force of these modification;
- c) directs the said Corporation that in the schedule of modifications appended to the aforesaid modification sanctioning the said Regulations after the last entry, the above (a) shall be added.

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


(S.R. Kini)

Under Secretary to Government.

Note:- This notification also published on Govt. in web site at www.urban.maharashtra.gov.in

Accompaniment in Government in Urban Development Departments
 Notification No. TPB 432000/64/CR-265/05/UD-11 dated 27th October, 2005.

SCHEDULE

Regulation No.	CIDCO's proposal	Modification sanctioned
<p>New clause 25.4.1 is added.</p>	<p>25.4.1. The lessee of residential or residential-cum-commercial land will be allowed to construct structures/buildings in the recreational open spaces for the following purposes:</p> <p>Electric sub-station, crèche, gymnasium, kindergarten or library, community hall, place of worship, milk/telephone booth or any other use as may be allowed by the Corporation at the time of allotment. Structures upto a height of Stilt + 1/G+1 stories shall be permissible for these activities provided that, the gross builtup area under these uses, shall not exceed 15% of the area of the open space provided as per Regulation 25.4 and on payment of necessary lease premium as may be determined by the Corporation. The builtup area consumed in constructing the structures mentioned above shall not be counted towards the FSI permissible on the plot.</p>	<p>25.4.1. The lessee of residential or residential-cum-commercial land will be allowed to construct structures/buildings in the recreational open spaces for the following purposes:</p> <p>Electric sub-station, crèche, gymnasium, kindergarten or library, milk/telephone booth may be allowed by the Corporation. Structures upto a height of Stilt + 1/G+1 stories shall be permissible for these activities provided that, the gross builtup area under these uses, shall not exceed 15% of the area of the open space and area of the plinth of the such structure shall be restricted to 10% of the area of the open space provided as per Regulation 25.4 and on payment of necessary lease premium as may be determined by the Corporation. The builtup area consumed in constructing the structures mentioned above shall not be counted towards the FSI permissible on the plot.</p>


 (S.R. Kini)

Under Secretary to Government.