

Maharashtra Regional and Town Planning Act, 1966.

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Modification to Development Control Regulations for Municipal Corporation's of Thane & Mira-Bhayander under section 37(1) of the Act.

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GOVERNMENT OF MAHARASHTRA  
Urban Development Department  
Mantralaya, Mumbai 400032.  
Dated the 31<sup>st</sup> August 2009.

ORDER

No. CMS/TPS -1209/16/CR-144/09/UD-12:

Whereas the Development Plan and Development Control Regulations (hereinafter referred to as "the said Regulations") for Municipal Corporation's of Thane & Mira-Bhayander (hereinafter referred to as "the said Corporation") within Mumbai Metropolitan Region have been sanctioned by Government in Urban Development Department, under section 31(1) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") from time to time and they have come into force.

And whereas Govt. of Maharashtra has formulated the Housing Policy for the State of Maharashtra and the main objective of this policy is to provide the affordable houses for poor on rental basis.

And whereas Mumbai Metropolitan Region Development Authority (MMRDA) has formulated a proposal to built Rental houses under different models within Mumbai Metropolitan Region(MMR)

And whereas in order to increase the housing stock by constructing or procuring maximum rental housing units in Mumbai Metropolitan Region, and to make available housing units of 160 sq ft carpet area at a reasonable rent Govt. in Urban Development Department vide order No. TPS-1208/MMR/CR-393/08/UD-12 dated 4<sup>th</sup> November, 2008 under section 37(1) of the said Act, has given directives to Municipal Corporations of Thane, Kalyan-Dombivali, Mira-Bhayander, Bhiwandi-Nizampur, and Special planning Authority areas at Vasai-Virar subregion, and Ambarnath, Kulgaon, Badlapur and surrounding notified area, and Municipal Council of Panvel (hereinafter referred to as "the said authority") for incorporating the new regulation regarding Rental Housing in the sanctioned Development Control Regulations of the said authorities and given the immediate effect u/s 154 of the said Act.

And whereas, Govt. has permitted conversion of Industrial user to Residential user more than 2 ha. area subject to condition that 20-25% land, is required to be provided for public utilities and amenities.

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And whereas, Govt. finds it necessary to relax the provisions for amenity space to be kept while implementing Rental Housing Scheme on the plot where land is converted from industrial users to residential users.

Now therefore, in exercise of powers contained in section 37 (1) of the said Act, Government is pleased to issue the following directions to Municipal Corporation of Thane & Mira – Bhayandar.

### DIRECTIONS

- A) The said Corporation shall initiate modification to add following provision in sanctioned Development Control Regulations at suitable place.

Provided that in case the plot after conversion from Industrial to Residential use is to be used for implementing Rental Housing Scheme as per Govt. Resolution No. TPS/1208/MMR/CR-393/08/UD-12 dated 4/11/2008. Commissioner with the previous approval of Govt. may in specific cases of hardship vis. the height of building to be proposed, structural safety, fire safety etc. and after verifying availability of amenities in nearby areas, either proposed or existing, reduce the percentage of amenity space mentioned above. However in any case such total amenity space shall not be less than 15% of the total area.

- B) The said Corporations shall publish the requisite notice inviting suggestions/objections over the said modification within a period of 90 days from the date of issue of this order.
- C) After completing the legal procedure as laid down under section 37(1) of the said Act, the said modification proposal shall be submitted to the Govt. for final sanction.

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

  
(Ashok Patil)  
Section Officer.

To,

1. The Metropolitan Commissioner, Mumbai Metropolitan Region Development Authority, 6<sup>th</sup> floor, Bandra Kurla Complex, Kalanagar, Bandra (East) Mumbai –51
2. The Municipal Commissioner, Thane Municipal Corporation, Thane.
3. The Municipal commissioner, Mira-Bhayander Municipal Corporation

Copy to =

- 1) The Director of Town Planning, Maharashtra State, Pune.
- 2) The Dy. Director of Town Planning, Konkan Division, Konkan Bhavan, Navi Mumbai.
- 3) The Collector, Thane.
- 4) The Asstt. Director of Town Planning, Thane
- 5) Select file (UD-12)