

Notification u/s 37(2) of
Maharashtra Regional and
Town Planning Act, 1966.

Regarding site reserved for
Stadium and Open Space

GOVERNMENT OF MAHARASHTRA
Urban Development Department
Mantralaya, Mumbai 400 032
Dated 15th January, 2008.

NOTIFICATION

No. TPB.4304/1625/CR219/04/UD-11

Whereas the Government of Maharashtra has appointed the Mumbai Metropolitan Region Development Authority (hereinafter referred to as "the said Authority") established under section 3 of the Mumbai Metropolitan Region Development Act, 1974 (Mah. IV of 1975) to be the Special Planning Authority for Bandra-Kurla Complex Notified Area (hereinafter referred to as "the said Complex") by the Government Notification, Urban Development Department No. BKR.1177/262/UD-5 dated 7th March 1977 promulgated in exercise of its powers conferred by section 40(1)(c) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act");

And whereas, in exercise of its powers under clause (d) of sub-section (3) of Section 40 of the said Act, the Government of Maharashtra approved by its Notification, Urban Development and Public Health Department No. BKR.1177/262/UD-5 dated 9th April 1979, the proposals submitted by the Authority for the development of lands in the said Bandra-Kurla Complex together with General Development Control Regulations to be applied in such Notified Area (hereinafter referred to as "the said proposals");

And whereas, the land bearing Survey No. 341 (Pt) CTS No. 629 (Pt) measuring 4.4506 ha is reserved for "Stadium and Open Space" in the "F" Block of the said Complex which is located adjoining the plots allotted for institutional users (hereinafter referred to as "the said reservation");

And whereas, Kasegaon Education Society, Kasegaon has requested to make available a parcel of land measuring about 1 ha. of the said reservation for its educational and social activities;

And whereas, considering the request of the aforesaid applicant and the location of the said reservation, it is felt that a suitable piece of land, more specifically marked "ABCD" on accompanying plan (hereinafter referred to as "the said land") can be carved out and reserved for institutional purpose;

And whereas, Government in Urban Development Department found it necessary to initiate the proposal of modification and had accordingly directed the said Corporation, under section 37(1) of the said Act, vide its order of even number dated 24/8/04 to initiate modification to change the designation of the said land from "Stadium and Open Space" to that of "Institutional purpose" and to submit the modification proposal to Govt. for final sanction;

And whereas, Revenue & Forest Department vide letter dated 24/8/04 and subsequent letter of 27/11/06 has allotted the land to Kasegaon Education Society subject to certain conditions. Accordingly, the Govt. in Urban Development Department vide corrigendum dated 16/4/2005 and 22/3/2007 has corrected the area under modification as 1 ha.;

And whereas, in accordance with the said directions, the said Corporation, after following legal procedure laid down under section 37 of the said Act has submitted the modification proposal to the Government vide letter No. TCP(P.2)/BKC-11/II(28)III/988/07 dated 19/10/07 for final sanction;

And whereas, the said Authority has further informed the Government that no suggestions/objections were received from the public on the aforesaid modification,

Now therefore, in exercise of the powers conferred by sub-section 2 of section 37 of the said Act and after consulting the Director of Town Planning, Maharashtra State, Pune, Government of Maharashtra hereby-

A) Sanction the said modification, to change the designation of part of the said reservation, more specifically marked ABCD on accompanying plan from "Stadium and Open Space" to that of "Institutional Purpose" as per conditions mentioned below;

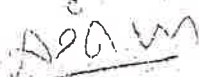
(i) As the area under said reservation is adjacent to Vakola Nalla and falls in Coastal Regulation Zone area, the plot shall be developed as per the provisions of Ministry of Environment & Forest Departments Notification dated 19/2/1991 and subsequent changes therein and also according to sanctioned Coastal Zone Management Plan.

(ii) Development shall be permitted as per the recommendation of Mithi River Development and Protection Authority.

B) Fixes the date of coming into force as and when this notification will publish in the official gazette.

C) Direct the said Corporation that, in the schedule of modifications appended to the notification sanctioning the said Development Plan after the last entry, the above entry(b) shall be added.

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


(Abhiraj Girkar)

Under Secretary to Government.