

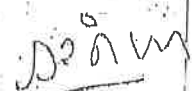
महाराष्ट्र प्रादेशिक नियोजन व नगर रचना अधिनियम, १९६६
कलम २७(२) अन्वये विकास नियंत्रण नियमावलीत
करावयाच्या फेरबदलाबाबत अधिसूचना.

महाराष्ट्र शासन,
नगर विकास विभाग,

शासन निर्णय क्रमांक: सीएमएस/टिपीडी-४३०६/२१८/प्र.क्र.२६७/०६/नवि-११
मंत्रालय, मुंबई : ४०० ०३२, दिनांक : १५ जून, २००८.

शासन निर्णय:- सोबतची अधिसूचना राज्य शासनाच्या साधारण राजपत्रात प्रसिध्द करण्यात
यात्री.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नांवाचे,


(अनिल गिरकर)

अवर सचिव, महाराष्ट्र शासन.

प्रति,

महानगर आयुक्त, मुंबई महानगर प्रदेश विकास प्राधिकरण, बांद्रा-कुर्ली संकुल, बांद्रा (पूर्व), मुंबई.

महापालिका आयुक्त, बृहन्मुंबई महानगरपालिका, मुंबई.

प्रमुख अभियंता (वि.नि.), बृहन्मुंबई महानगरपालिका, मुंबई.

संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे.

उपसंचालक, नगर रचना, बृहन्मुंबई, मुंबई.

व्यवस्थापक शासकीय मध्यवर्ती मुद्रणालय, चर्नीरोड, मुंबई.

(त्यांना विनंती करण्यात येते की, सोबतची अधिसूचना महाराष्ट्र शासनाने साधारण
राजपत्रात भाग-१ मध्ये प्रसिध्द करण्यात येवून त्याच्या प्रत्येकी ३५ प्रती नगर विकास विभाग,
(नवि-११), मंत्रालय, मुंबई-३२ व उप संचालक, नगर रचना, बृहन्मुंबई, इन्साइटमेट, आझाद
मैदान, मुंबई-१ यांना पाठविण्यात याव्यात.)

कक्ष अधिकारी (संगणक कक्ष) (नवि-२१), नगर विकास विभाग, मंत्रालय, मुंबई ४०० ०३२.

(त्यांना विनंती करण्यात येते की, सोबतची अधिसूचना विभागाच्या वेबसाईटवर प्रदर्शित
करण्याबाबत आवश्यक ती कार्यवाही करावी)

निवडनस्ती (नवि-११).



Maharashtra Regional and Town
Planning Act, 1966.

Development Control Regulations
for Bandra-Kurla Complex Notified
Area.
Sanction to modification to
Regulation 4 under section 37(2) of

GOVERNMENT OF MAHARASHTRA
Urban Development Department,
Mantralaya, Mumbai 400 032.
Dated 25th June, 2008.

NOTIFICATION

No. CMS/TPB 4306/218/CR-287/06/UD-11.

Whereas under Government Notification, Urban Development, Public Health and Housing Department No. BKR 1173/E1524/WII dated 18th July, 1973, Government has notified the area of Bandra-Kurla Complex in the schedule attached thereto and subsequently under Government Notification No. BKR 1177/262/UD-5, dated 7th March, 1977, in supersession of Government Notification dated 18th July, 1973 referred to above, Government have appointed the Bombay Metropolitan Region Development Authority to be the Special Planning Authority (hereinafter referred to as "the said Authority") under sub-section (1) of section 40 of Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") for the area mentioned in the schedule of Government Notification dated 7th March, 1977;

And whereas, Government of Maharashtra has under sub-section (1) of section 415 as substituted by section 40(3) of the said Act sanctioned the Planning Proposals (hereinafter referred to as the "said proposals") submitted by the said Authority in respect of Bandra-Kurla Complex under Government Notification, Urban Development and Public Health Department No. BKR 1177/262/UD-5, dated 9th April, 1979 (hereinafter referred to as "the said Notification");

And whereas, as per Regulation No.6 of General Development Control Regulations for Bandra-Kurla Complex (hereinafter referred to as "the said Regulations") the provisions of Development Control Rules for Gr. Mumbai framed by the Municipal Corporation of Gr. Mumbai from time to time are applicable mutatis mutandis to the development of land within the area of Bandra-Kurla Complex, subject to regulation No.5;

And whereas, government vide Notification No. BKR 1177/262/UD-11 dated 10th May, 1994 has amended Regulation No.4 of General Development Control Regulations for Bandra-Kurla Complex Notified area and thereby permitted the FSI to be exceeded only upto 2.00 in respect of buildings in independent plots of educational, medical and institutional buildings, subject to certain conditions;

And whereas, Government has received representation that as per the provision of Development Control Regulation of Gr. Mumbai additional FSI is permissible for educational and medical institutions and therefore such additional FSI can also be made permissible to all institutions in City of Mumbai;

And whereas, considering all these facts and the powers vested under section 37(1) of the said Act, Government, vide order of even number dated 5/5/2007, had issued directions (hereinafter referred to as "the said directions") to the said Authority to initiate modification to the said Regulations, as more specifically described in the Schedule thereunder (hereinafter referred to as "the said modification");

And whereas, the said authority has forwarded the modification proposal to Govt. on 29/1/2008 by following the procedure u/s 37 of the said Act;

And whereas, after consulting the Director of Town Planning, Maharashtra State, Pune, Government is of the opinion that, the said modifications should be sanctioned with some changes;

Now, therefore, in exercise of the powers conferred under section 37(2) of the said Act, the Government hereby -

- A) sanction the said modification as specifically described in the Schedule appended hereto;
- B) fixes the date of publication of this Notification in the Government Gazette as the date of coming into force of this modification;
- C) directs the said Corporation that, in the Schedule of Modification sanctioning the said Regulations, after the last entry, the schedule referred to as (A) above shall be added.

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

Encl: Schedule of Modifications

Accompaniment of Government in Urban Development Department
Notification No. CMS/EPB-4306/218/CR-267/06/UD-11 dated 25th June, 2008.

SCHEDULE

Modification No. 1:

In regulation NO. 4, the clauses added as per Government's Notification No. BKR-1177/262/UD-11 dated 10th May, 1994 shall be deleted and following sub-regulation No. (ii) & (iv) shall be added as under:

4(ii) Additional Floor space index for Educational Institutions.
With the previous approval of Govt., FSI specified above may be permitted to be exceeded upto 1.00 in respect of buildings in independent plots of educational institutions subject to terms and conditions as enumerated below:

- a) Such additional FSI will be permissible subject to the payment of premium as may be decided by the Government.
- b) The additional built-up area over and above the permissible FSI shall be utilized for bonafide educational purpose only.
- c) As and when required, some rooms of Educational buildings shall be made available to the Government by the concerned institutions.
- d) 10% seats, out of the total capacity, shall be reserved for Government nominees as may be recommended by the Department of School Education, Department of Higher and Technical Education, Government of Maharashtra.
- e) The Director of School Education, Government of Maharashtra and Director of Higher and Technical Education, Government of Maharashtra shall be the competent authority to monitor as to whether the Educational Institution is observing the terms and conditions referred to at (c) and (d) above and in case of any breach thereof or in case the Education being rendered by the Educational Institution are not to the satisfaction of the said Department, the Director of School Education and the Director of Higher and Technical Education shall have the right to suitably penalize the Educational Institution.
- f) The Educational Institution shall maintain records regarding free/concessional education rendered to the Government and make available to the Director of School Education, Higher and Technical Education on demand.
- g) The trustees of the Educational Institution shall furnish the requisite periodical statements to the Director of School Education, Higher and Technical Education in regard to (d), (e) and (f) above.
- h) A building for a Educational Institution containing mixed users (area under non-education users not exceeding 20% of the normal permissible FSI 1.50) shall also be eligible for further additional FSI to be considered on the total net plot area:
 - (a) Commercial use to be allowed should be ancillary to the principal use of educational/medical institutions.
 - (b) It shall be applicable only to the plots fronting on roads having minimum width of 18.30 mt.
- i) The Educational Institution shall file an undertaking that it shall abide by the above enumerated terms and conditions.
- j) Development in CRZ area shall be as per the provisions of CRZ notification amended from time to time.

4(iv) Additional floor area for Medical Institutions
With previous approval of the Govt. FSI specified above may be permitted to be exceeded upto 4.00 in respect of buildings in independent lots of medical institutions subject to terms and conditions as enumerated below:

a) Such additional FSI will be permissible subject to the payment of premium as may be decided by the Government.

b) The additional built-up area over and above the permissible FSI shall be utilized for bonafide medical purposes only.

c) Free medical treatment to the extent of atleast 20% of the total number of beds shall be given to persons from economically weaker sections of society upto persons below the poverty line. In addition 10% of the total number of patients in OPD shall be provided treatment at concessional rates that are being charged in Government Hospitals.

d) The Director of Health Services, Government of Maharashtra shall be the component authority to monitor as to whether the Medical Institution is observing the terms and conditions referred to at (c) (d) above and in case of any breach thereof or in case the medical service being rendered by the Medical Institution are not to the satisfaction of the Director of Health Services, the Director of Health Services shall have the right to suitable penalize the medical institution.

e) The Medical Institution shall maintain records regarding free/concessional medical treatment rendered to the needy persons which shall be made available to the Director of Services on demand.

f) The trustees of Medical Institution shall furnish the requisite periodical statements to the Director of Health Services in regard to (c) & (d) above.

g) Building for Medical Institution containing mixed users (area under sanctioned plan) not exceeding 10% of the normal permissible FSI (4.00) shall also be eligible for further additional FSI to be considered on the total net plot area.

(ii) Commercial use shall be allowed should be ancillary to the principal use of education/ medical institutions.
and it shall apply only to the plots fronting on roads having

h) Development in CR2 area shall be as per the provisions of CRZ notification amended from time to time.

By order and in the name of the Governor of Maharashtra,
(Abdur Gikar)

Under Secretary to Government

Maharashtra Regional and Town
Planning Act, 1966.

Development Control Regulations for
Bandra Kurla Complex Notifies Area.

Sanction to modification to

Regulation 4 under section 37(2) of

GOVERNMENT OF MAHARASHTRA

Urban Development Department,

Mantralaya, Mumbai 400 032.

Dated: 25th June, 2008

NOTIFICATION

No. CMS/TPB 4306/218/CR-257/06/UD-11.

Whereas under Government Notification, Urban Development, Public Health and Housing Department No. BKR/1173/51924/WII date 18th July, 1973, Government has notified the area of Bandra Kurla Complex in the schedule attached thereto and subsequently under Government Notification No. BKR/1177/26/UD-5, dated, 7th March, 1977, in supersession of Government Notification dated 18th July, 1973, referred to above, Government have appointed the Bombay Metropolitan Region Development Authority to be the Special Planning Authority (herein after referred to as "the said Authority") under sub-section (1) of section 40 of Maharashtra Regional and Town Planning Act, 1966 (herein after referred to as "the said Act") for the area mentioned in the schedule of Government Notification dated 7th March, 1977;

And whereas, Government of Maharashtra has under sub-section (1) of section 115 as substituted by section 40(3) of the said Act sanctioned the Planning Proposals (herein after referred to as "the said proposals") submitted by the said Authority in respect of Bandra-Kurla Complex Government Notification, Urban Development and Public Health Department No. BKR/1177/262/UD-5, dated 9th April, 1979 (herein after referred to as "the said Notification");

And whereas, as per Regulation No.6 of General Development Control Regulations for Bandra Kurla Complex (herein after referred to as "the said Regulations") the provisions of Development Control Rules for Gr. Mumbai framed by the Municipal Corporation of Gr. Mumbai from time to time are applicable mutatis mutandis to the development of land within the area of Bandra Kurla Complex, subject to regulation No. 5.

And whereas, government vide Notification No. BKR/1177/262/UD-11 dated 10th May, 1994, has ended Regulation No. 4 of General Development Control Regulations for Bandra-Kurla Complex Notified area and thereby permitted the FSI to be exceeded only upto 2.00 in respect of buildings in independents plots of educational, medical and institutional buildings, subject to certain conditions;

And whereas, Government has received representation that as per the provision of Development Control Regulation of Gr. Mumbai, additional FSI is permissible for educational and medical institutions and therefore such additional FSI can also made permissible to all institutions in City of Mumbai;

And whereas, considering all these facts and the powers vested under section 37(1) of the said Act, Government, vide order of even number dated 5/5/2007, had issued directions (herein after referred to "as the said directions") to the said Authority to initiate modification to the said Regulations, as more specifically described in the Schedule thereunder (herein after referred to as "the said modification");

And whereas, the said authority has forwarded the modification proposal to Govt. on 29/1/2008 by following procedure u/s 37 of the said Act;

And whereas, after consulting the Director of Town Planning, Maharashtra State, Pune, Government is of the opinion that the said modifications should be sanctioned with some changes;

Now, therefore, in exercise of the powers conferred under section 37(2) of the said Act, the Government hereby –

- A) sanction the said Notification as, specifically described in the Schedule appended here to;
- B) fixes the date of publication of this Notification in the Government Gazette as the date of coming into force of this modification;
- C) directs the said Corporation that, in the Schedule of Modification sanctioning the said Regulation, after the last entry, the schedule referred to as (A) above shall be added.

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

--- Sd ---

(Abhiraj Girkar)

Under Secretary to Government

Encl: Schedule of Modifications.

Accompaniment of Government in Urban Development Department
Notification No. CMS/SPB 4306/218/CR-267/06/UD-11 dated 25th June 2008.

SCHEDULE

Modification No.1:

In regulation No. 4, the clauses added as per Governments Notification No. BKR 1177/262/UD-11 dated 10th May, 1994 shall be deleted and following sub-regulation No. (iii) & (iv) shall be added as under:

4(iii) Additional Floor Space Index for Educational Institutions.

With the previous approval of Govt., FSI specified above may be permitted to be exceeded upto 4.00 in respects of building in independent plots of educational institutional subject to terms and conditions as enumerated below:

- a) Such additional FSI will be permissible subject to the payment of premium as may be decided by the Government.
- b) The additional built up area over and above the permissible FSI shall be utilised for bonafide educational purpose only.
- c) As and when required, same rooms of Educational buildings shall be made available to the Government by the concerned institutions.
- d) 10% seats, out of the total capacity, shall be reserved for Government nominees as may be recommended by the Department of School Education Department of Higher and Technical Education, Government of Maharashtra.
- e) The Director of School Education, Government of Maharashtra and Director of Higher and Technical Education, Government of Maharashtra shall be the competent authority to monitor as to whether the Educational Institutions is observing the terms and conditions referred to as (c) and (d) above and in case of any breach thereof or in case the Education being rendered by the Educational Institution are not to the satisfaction of the said Department, the Director of School Education and the Director of Higher and Technical Education shall have the right to suitably penalize the Education Institution.
- f) The Educational Institution shall maintain records, regarding free/concessional education rendered to the needy persons, which shall be made available to the Director of School Education, Higher and Technical Education on demand.

- g) The trustees of the Educational Institution shall furnish the requisite periodical statements to the Directors of School Education, Higher and Technical Education in regard to (d), (e) and (f) above.
- h) A building for an Educational Institution containing mixed users (area under non-education users not exceeding 20% of the normal permissible FSI 1.50) shall also be eligible for further additional FSI to be considered on the total net plot area.
 - a) Commercial use to be allowed should be ancillary to the principal use of educational/ medical institutions.
 - b) It shall be applicable only to the plots fronting on road having minimum width of 18.30mt.
- i) The Educational Institution shall file an undertaking that it shall abide by the above enumerated terms and conditions.
- j) Development in CRZ area shall be as per the provisions of CRZ notification amended from time to time.

4(iv) Additional Floor Space Index for Medical Institutions.

With previous approval of the Govt. FSI specified above may be permitted to be exceeded up to 4.00 in respect of buildings in independent plots of medical institutions subject to terms and conditions as enumerated below:

- a) Such additional FSI will be permissible subject to the payment of premium as may be decided by the Government.
- b) The additional built-up area over and above the permissible FSI shall be utilized for bonafide medical purpose only.
- c) Free medical treatment to the extent of at least 20% of the total number of beds shall be given to persons from economically weaker sections of society or to persons below the poverty line. In addition, 10% of the total number of patients in OPD shall be provided treatment at concessional rates that are being charged in Government Hospitals.
- d) The Director of Health Services, Government of Maharashtra shall be the component authority to monitor as to whether the Medical Institutions observing the terms and conditions referred to at (c) & (d) above and in case of any breach thereof or in case the medical service being rendered by the Medical Institution are not to the satisfaction of the Director of Health Services; the Director of Health Services shall have the right to suitably penalize the medical institution.

- e) The Medical Institution shall maintain records regarding free/ concessional Medical Treatment rendered to the needy persons which shall be made available the Director of Services on demand.
- f) The trustees of Medical Institution shall furnish the requisite periodical statements to the Direction of Health Service in regard to (c) & (d) above.
- g) A building for Medical Institution containing mixed users (area under non-medical user not exceeding 10% of the normal permissible FSI 1.50) shall also be eligible for further additional FSI to be considered on the total net plot area.
 - a) Commercial use to be allowed should be ancillary to the principal use of education/ medical Institutions.
 - b) It shall applicable only to the plots fronting on roads having minimum width of 18.30mt.
- h) Development in CRZ area shall be as per the provisions of CRZ notification amended from time to time.

By ordinary and in the name of the Governor of Maharashtra.

--- Sd ---

(Abhiraj Girkar)

Under Secretary to Government