



महाराष्ट्र शासन राजपत्र

असाधारण भाग एक—कोकण विभागीय पुरवणी

वर्ष १०, अंक ४४(३)]

बुधवार, जुलै २४, २०२४/श्रावण २, शके १९४६

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असाधारण क्रमांक ७९

प्राधिकृत प्रकाशन

नगरविकास विभाग

मंत्रालय, मुंबई ४०० ०३२, दिनांक १९ जुलै २०२४.

अधिसूचना

महाराष्ट्र प्रादेशिक व नगररचना अधिनियम, १९६६.

क्रमांक टीपीबी- ४३२३/प्र.क्र.१३९/२०२३/नवि-११.—ज्याअर्थी, महाराष्ट्र शासनाने नगरविकास व सार्वजनिक आरोग्य विभागाच्या दिनांक ७ मार्च, १९७७ रोजीच्या अधिसूचना क्रमांक बीकेआर-१९७७/२६२/युडी-५ अन्वये वांद्रे-कुर्ला संकुल अधिसूचित क्षेत्रासाठी (ज्याचा उल्लेख यापुढे “वांद्रे-कुर्ला संकुल” असा केला आहे) मुंबई महानगर प्रदेश विकास प्राधिकरण अधिनियम, १९७४ अनुसार स्थापन झालेल्या मुंबई महानगर प्रदेश विकास प्राधिकरणाची विशेष नियोजन प्राधिकरण (ज्याचा उल्लेख यापुढे “प्राधिकरण” असा केला आहे) म्हणून महाराष्ट्र प्रादेशिक व नगररचना अधिनियम, १९६६ (ज्याचा उल्लेख यापुढे “उक्त अधिनियम” असा केला आहे) च्या कलम ४०, पोट-कलम (१)(क) अन्वये नियुक्ती केली आहे ;

आणि ज्याअर्थी, महाराष्ट्र शासनाने नगरविकास व सार्वजनिक आरोग्य विभागाच्या दिनांक ९ एप्रिल, १९७९ रोजीच्या अधिसूचना क्रमांक बीकेआर-१९७७/२६२/युडी-५ अन्वये उक्त अधिनियमाच्या कलम ४०, पोट-कलम (३), खंड (डी) अन्वये प्राप्त अधिकारांचा वापर करून वांद्रे-कुर्ला संकुलासाठी प्राधिकरणाने सादर केलेल्या नियोजन प्रस्तावास तसेच सदर क्षेत्रासाठी लागू करावयाच्या विकास नियंत्रण नियमावली, १९७९ यांस मान्यता दिली आहे (ज्याचा उल्लेख यापुढे “उक्त नियमावली” असा केला आहे);

आणि ज्याअर्थी, महाराष्ट्र शासनाने नगरविकास विभागाच्या दिनांक २ मे, २००८ रोजीच्या अधिसूचना क्र. टीपीबी-४३०७/२५९४/प्र.क्र.-६५/२००८/नवि-११ अन्वये उक्त अधिनियमाच्या कलम ३७, पोट-कलम (२), अन्वये प्राप्त अधिकारांचा वापर करून वांद्रे-कुर्ला संकुलातील ‘जी’ (जी, जीएन व जी-टेक्स्ट) ब्लॉकचा चटईक्षेत्र निर्देशांक वाणिज्य वापरासाठी २.० ते ४.० पर्यंत व रहिवास वापरासाठी १.५० ते ३.० पर्यंत वाढविण्याच्या अनुषंगाने उक्त नियमावलीच्या विनियम क्र. ४(ii) मध्ये सुधारणा करण्यास मान्यता दिली आहे ;

आणि ज्याअर्थी, महाराष्ट्र शासनाने नगरविकास विभागाच्या दिनांक ३१ ऑगस्ट, २००८ रोजीच्या अधिसूचना क्र. टीपीबी-४३०८/२६१७/प्र.क्र. २९/२००९/नवि-११ अन्वये उक्त अधिनियमाच्या कलम ३७, पोट-कलम (२) अन्वये प्राप्त अधिकारांचा वापर करून वांद्रे-कुर्ला संकुलातील ‘ई’ ब्लॉकचा चटईक्षेत्र निर्देशांक (सीआरझेड क्षेत्र वगळून) वाणिज्य वापरासाठी २.० ते ४.० पर्यंत व रहिवास वापरासाठी १.५० ते ३.० पर्यंत वाढविण्याच्या अनुषंगाने उक्त नियमावलीच्या विनियम क्र. ४(ii) मध्ये सुधारणा करण्यास मान्यता दिली आहे ;

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आणि ज्याअर्थी, महाराष्ट्र शासनाने नगरविकास विभागाच्या दिनांक २३ ऑगस्ट, २०१५ रोजीच्या अधिसूचना क्र. टीपीबी-४३१३/२४४/प्र.क्र.-१५८/१३/नवि-११ अन्वये उक्त अधिनियमाच्या कलम ३७, पोट-कलम (२), अन्वये प्राप्त अधिकारांचा वापर करून वांद्रे-कुर्ला संकुलातील 'जी' ब्लॉकमधील रहिवास वापरासाठी चटईक्षेत्र निर्देशांक ३.० ते ४.० पर्यंत वाढविण्याच्या अनुषंगाने उक्त नियमावलीच्या विनियम क्र. ४(ii) मध्ये सुधारणा करण्यास मान्यता दिली आहे ;

आणि ज्याअर्थी, उक्त नियमावलीच्या विनियम क्र. ४(ii) अन्वये वांद्रे-कुर्ला संकुलातील चटईक्षेत्र निर्देशांक (Aggregate FSI) हा संबंधित जमीन वापराच्या एकूण विकासयोग्य क्षेत्रासाठी लागू असून निव्वळ भूखंडावरील कमाल चटईक्षेत्र निर्देशांक हा प्राधिकरणाच्या वास्तुशास्त्रीय नियंत्रणानुसार लागू राहील असे नमूद केले आहे ;

आणि ज्याअर्थी, महाराष्ट्र शासनाने नगरविकास विभागाच्या दिनांक २९ ऑगस्ट, २०२२ रोजीच्या शासन निर्णय क्रमांक एमआरडी-३३२२/प्र.क्र.८३/नवि-७ अन्वये वांद्रे-कुर्ला संकुलातील प्राधिकरणाच्या भूखंडावर अतिरिक्त चटईक्षेत्र निर्देशांक अधिमूल्याचे उचित सूसुत्रीकरण करण्याकरिता अभ्यास करण्यासाठी अतिरिक्त मुख्य सचिव, नगरविकास विभाग यांच्या अध्यक्षतेखाली एक उच्चस्तरीय समिती गठीत केली आहे ;

आणि ज्याअर्थी, सदर उच्चस्तरीय समितीने दिनांक २३ नोव्हेंबर, २०२२, दिनांक १२ जानेवारी, २०२३ व दिनांक १२ मे, २०२३ रोजीच्या बैठकीमध्ये वांद्रे-कुर्ला संकुलातील प्राधिकरणाच्या भूखंडावरील अतिरिक्त चटईक्षेत्र निर्देशांक वाटपाबाबतच्या विविध मुद्द्यांवर चर्चा करून समितीचा अहवाल महाराष्ट्र शासनास दिनांक १० जुलै, २०२३ रोजी सादर केला आहे. ज्यामध्ये समितीने वांद्रे-कुर्ला संकुलातील उक्त ब्लॉकमधील बहुतांश भूखंडाचे वाटप झाले असल्याने उर्वरित भूखंडावर शिल्लक बांधकाम क्षेत्र वापरण्यासाठी व अस्तित्वातील इमारतींवर तसेच इमारतींच्या पुनर्विकासासाठी /पुनर्बांधणीसाठी अतिरिक्त बांधकाम क्षेत्र उपलब्ध करून उक्त ब्लॉकमधील प्रस्तावित आंतरराष्ट्रीय वित्त व व्यापार केंद्र (International Finance and Business Centre)/वित्तीय व्यापार क्षेत्र (Financial Business Area) चा जलदगतीने विकास करण्याच्या अनुषंगाने उक्त ब्लॉकचे एकत्रीकरण करून संपूर्ण क्षेत्रावर (Gross Plot Area) '४.०' ग्लोबल चटई क्षेत्र निर्देशांक मंजूर करून याद्वारे उपलब्ध होणाऱ्या अतिरिक्त बांधकाम क्षेत्राच्या वाटपासाठी प्रोत्साहनात्मक दर लागू करण्याची शिफारस केली आहे ;

आणि ज्याअर्थी, सदर उच्चस्तरीय समितीच्या शिफारशी लक्षात घेता, वांद्रे-कुर्ला संकुलातील उक्त ब्लॉकमधील प्रस्तावित आंतरराष्ट्रीय वित्त व व्यापार केंद्राचा जलदगतीने विकास होऊन जास्तीतजास्त कार्यालये, निवासी सदनिका व इतर सोयी-सुविधा यांच्या मार्फत रोजगाराच्या संधी उपलब्ध होण्यासाठी तसेच वांद्रे-कुर्ला संकुल व बृहन्मुंबई महापालिकेतील इतर क्षेत्रांमधील विकासांमध्ये समानता राहण्याच्या दृष्टीकोनातून उक्त नियमावलीत फेरबदल करणे आवश्यक आहे, अशी शासन नगरविकास विभागाची खात्री झाली आहे ; आणि ज्याअर्थी, उक्त अधिनियमाच्या कलम ३७ च्या पोट-कलम (१कक) अन्वये प्राप्त अधिकाराचा वापर करून शासनाने दिनांक २९ जानेवारी २०२४ रोजीची सूचना (यापुढे ज्याचा उल्लेख "उक्त सूचना" असा करण्यात आलेला आहे) त्यासोबतचे परिशिष्टामध्ये नमूद प्रस्तावित फेरबदलावर (यापुढे ज्याचा उल्लेख "प्रस्तावित फेरबदल" असा करण्यात आलेला आहे) जनतेकडून हरकती / सूचना मागविण्यासाठी प्रसिद्ध करण्यात आली होती आणि ज्याद्वारे प्रस्तावित फेरबदलाबाबत प्राप्त होणाऱ्या हरकती / सूचनांवर संबंधितांना सुनावणी देण्याकरीता तसेच उक्त अधिनियमाच्या कलम ३७(१कक) अन्वये विहित केलेली कार्यवाही पूर्ण करून प्रस्ताव शासनास सादर करणेसाठी उप संचालक, नगररचना, बृहन्मुंबई यांची अधिकारी (यापुढे ज्यांचा उल्लेख "उक्त अधिकारी" असा करण्यात आला आहे.) म्हणून नियुक्ती करण्यात आली आहे ;

आणि ज्याअर्थी, प्रस्तावित फेरबदलाची उक्त सूचना दिनांक २९ जानेवारी २०२४ ही महाराष्ट्र शासनाचे असाधारण राजपत्रात ३१ जानेवारी, २०२४ रोजी प्रसिद्ध करण्यात आली होती आणि उक्त अधिकारी यांनी अधिनियमाचे कलम ३७(१कक) अन्वये वैधानिक कार्यवाही पूर्ण करून दिनांक १२ जून २०२४ रोजीच्या पत्रान्वये त्यांचा अहवाल नगररचना संचालनालयामार्फत शासनाचे अंतिम मंजूरीसाठी सादर केला आहे ;

आणि ज्याअर्थी, उक्त अधिकारी यांनी सादर केलेला अहवाल विचारात घेता व संचालक, नगररचना, महाराष्ट्र राज्य, पुणे यांचेशी सल्लामसलत केल्यानंतर उक्त प्रस्तावित फेरबदल काही सुधारणांसह मंजूर करणे आवश्यक आहे, असे शासनाचे मत झाले आहे.

आता त्याअर्थी, उक्त अधिनियमाच्या कलम ३७(१कक)(ग) अन्वये प्राप्त अधिकारात आणि त्या संदर्भातील सर्व शक्तींचा वापर करून शासन याद्वारे :

(अ) उक्त प्रस्तावित फेरबदलाचे प्रस्तावास सोबत जोडलेल्या परिशिष्टामध्ये नमूद केलेप्रमाणे मंजूरी देत आहे.

(ब) सदरची अधिसूचना **शासकीय राजपत्रामध्ये** प्रसिद्ध झालेचा दिनांक हा उक्त फेरबदल अंमलात आलेचा दिनांक असेल.

(क) मुंबई महानगर प्रदेश विकास प्राधिकरणास उक्त नियमावली मंजूरीच्या फेरबदलाच्या परिशिष्टामध्ये शेवटच्या नोंदीनंतर वर (अ) मधील परिशिष्ट समाविष्ट करणेचे निर्देश देत आहे.

सदर अधिसूचना महाराष्ट्र शासनाच्या www.maharashtra.gov.in (कायदा /नियम) या वेबसाईटवरदेखील उपलब्ध करण्यात आली आहे.

परिशिष्ट

(शासन नगरविकास विभाग, अधिसूचना क्रमांक टीपीबी-४३२३/प्र.क्र.१३९/२०२३/नवि-११, दिनांक १९ जुलै २०२४ सोबतचे परिशिष्ट)

Regulation No.	Existing provision	Sanctioned Provision																									
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Add New Clause (A) in Reg. 4(ii)	-----	(A) (ii) The allotment of Additional Built-Up Area: The allotment of Additional Built-Up Area by the Authority over and above allotted Built-Up Area in E&G Block of BKC shall be permissible provided the Gross Built-Up area shall be within the limit of Global FSI of 4.0, the details of the permissible Additional Built-Up Area and the promotional rate of premium for said allotment by Authority shall be as mentioned in table below: <table><tr><th rowspan="2">Category No.</th><th rowspan="2">Category</th><th rowspan="2">Area of Add. BUA in % of existing BUA (Basic+ Add. BUA allotted prior to this notice)</th><th colspan="3">Rate of Premium (% of ASR rate of open land with 1.0 FSI for corresponding year)</th></tr><tr><th>Commercial</th><th>Residential</th><th>Social Facilities</th></tr><tr><td rowspan="2">A</td><td rowspan="2">Extension to Existing Building (Occupation Certificate is granted)</td><td>Upto 50%</td><td>50%</td><td>50%</td><td>20%</td></tr><tr><td>Above 50%</td><td>100%</td><td>100%</td><td>40%</td></tr></table>	Category No.	Category	Area of Add. BUA in % of existing BUA (Basic+ Add. BUA allotted prior to this notice)	Rate of Premium (% of ASR rate of open land with 1.0 FSI for corresponding year)			Commercial	Residential	Social Facilities	A	Extension to Existing Building (Occupation Certificate is granted)	Upto 50%	50%	50%	20%	Above 50%	100%	100%	40%
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Regulation No.	Existing provision	Sanctioned Provision					
		B	Redevelopment Proposal (Occupation Certificate is granted)	Upto 75%	50%	50%	20%
				Above 75%	100%	100%	40%
		C	New /Ongoing Development (Occupation Certificate is not granted)	upto 50%	50%	50%	20%
				above 50%	100%	100%	40%
		Note: i) The ASR rate for open land mentioned in above table shall be the applicable ASR rate at the time of allotment of such Additional Built-Up Area (Rs/sqm) ii) As per Govt. of Maharashtra Notification dated 10th May,1994 the permissible basic FSI for medical/educational purposes on social facility plots is exceeded upto 2.0 and further exceeded upto 4.0 by Notification dated 25th June,2008 with certain conditions and payment of premium as decided by Govt. In case, Additional FSI over and above on a given social facility plot is permissible as per the Fire Act and the proposed development of medical/educational purposes is within prescribed Building Height as per Chief Fire Officer, the same shall be allotted by the Authority as per the premium rates mentioned in table above, provided that the total FSI allotted on Social facility plots in E&G Block shall be within the limit of Global 4.0. iii) The entire Premium received from allotment of additional Built-Up Area shall be retained by the Authority The promotional rate of premium for allotment of Additional Built-Up Area mentioned in above table shall be applicable for one year from date of coming into force of this modification and thereafter, the balance Additional Built-Up Area shall be allotted through e-auction as per the terms and conditions as decided by Authority of MMRDA.					

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,

निर्मलकुमार पं. चौधरी,
शासनाचे उप सचिव.

URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Mumbai 400 032, dated 19th July, 2024.

NOTIFICATION

MAHARASHTRA REGIONAL & TOWN PLANNING ACT, 1966.

No. TPB-4323/C.R.139/2023/UD-11.—Whereas, the Government in the Urban Development, Public Health and Housing Department *vide* Notification No. BKR-1177/262/UD-5, dated 7th March, 1977 has appointed the Mumbai Metropolitan Region Development Authority established under the Mumbai Metropolitan Region Development Authority Act, 1974(Mah.IV of 1975) to be the Special Planning Authority (hereafter referred to as “the Authority”) for the Bandra-Kurla Complex Notified Area (hereafter referred to by its acronym as “BKC”) under clause (C) of sub-section (1) of section 40 of Maharashtra Regional and Town Planning Act, 1966 (hereafter referred to as “the said Act”)

And whereas, in exercise of its powers under sub-section (1) of section 115 as substituted by sub-section (3) of section 40 of the said Act, the Government in the Urban Development, Public Health and Housing Department *vide* Notification No. BKR-1177/262/UD-5, dated 9th April, 1979 approved the Planning Proposals submitted by the Authority for the development of lands in the Bandra-Kurla Complex Notified Area together with the Bandra-Kurla Complex Notified Area Development Control Regulations, 1979 (hereafter referred to as “ the said Regulation”);

And whereas, in exercise of its powers under sub-section (2) of section 37 of the said Act, the Government of Maharashtra *vide* Notification No.TPB-4307/2594/2617/CR-65/2008/UD-11, dated 2nd May, 2008 sanctioned the modification in Regulation 4(ii) of the said Regulation regarding increase in Floor Space Index(FSI) from 2.00 to 4.00 for Commercial purposes and from 1.50 to 3.00 for Residential purposes in ‘G’ Block of BKC ;

And whereas, in exercise of its powers under sub-section (2) of section 37 of the said Act, the Government of Maharashtra *vide* Notification No.TPB-4308/3531/2617/CR-29/2009/UD-11, dated 31st August, 2009 sanctioned the modification in Regulation 4(ii) of the said Regulation regarding increase in FSI from 2.00 to 4.00 for Commercial purposes and from 1.50 to 3.00 for Residential purposes in ‘E’ Block of BKC except areas under CRZ for which the sanctioned DCR as on 19/02/1991 are applicable ;

And whereas, in exercise of its powers under sub-section (2) of section 37 of the said Act, the Government of Maharashtra *vide* Notification No.TPB-4313/244/CR-158/13/UD-11, dated 23rd August, 2015 further sanctioned the modification in Regulation 4(ii) of the said Regulation regarding increase in FSI from 3.0 to 4.00 for Residential purposes in ‘G’ Block of BKC ;

And whereas, as per the said Regulation the values of Floor Space Index (FSI) in Bandra-Kurla Complex Notified Area are the values of the aggregate FSI in respect of the total buildable area in a block of plots in the respective zone and the maximum permissible floor space in any plot shall be in accordance with the Architectural Control Drawings for that plot prepared by the Authority ;

And whereas, the Government of Maharashtra through Urban Development Department *vide* G.R. No.MRD-3322/CR-83/UD-7, dated 29th August, 2022 has constituted a High-Level Committee under the Chairmanship of Additional Chief Secretary, Urban Development Department (hereafter referred to as “ the said H. L. Committee”) to study and submit report on rationalization of premium rates for allotment of Additional FSI on Authority’s lands in BKC ;

And whereas, the said High-Level Committee held its meetings on 23rd November, 2022, 12th January, 2023 and 12th May, 2023 to deliberate various issues pertaining to the Additional FSI in BKC and submitted the final report to the Government of Maharashtra on 10th July, 2023 wherein the High Level Committee recommended amalgamation of Block ‘E’ & ‘G’ and Global FSI 4.0 for the said block to further promote development of International Finance and Business Centre(IFBC) as most of the plots in the said block are allotted and Additional FSI is required for facilitating competitive bidding for development of balance plots and encouraging redevelopment/reconstruction of existing plots through promotional rates of premium ;

And whereas, considering the recommendations of the High Level Committee, the Government in Urban Development Department is of the opinion that in order to promote the development of International Finance and Business Centre in BKC and to bring parity between the developments in BKC and Bruhan Mumbai Municipal Corporation Area , it is expedient to modify the said Regulations of BKC; And whereas, in exercise of the powers conferred under Sub-Section (1AA) of Section 37 of the said Act, Government had issued Notice of even number dated 29/01/2024 (hereafter referred to as “ the said Notice”) for inviting suggestions/objections from the general public with regard to the proposed modification as specifically described in the schedule attached with the said Notice (hereinafter referred to as “the proposed modification”) and appointed the Deputy Director of Town Planning, Gr. Mumbai as the Officer (hereinafter referred to as “the said Officer”) to complete the procedure as stipulated under Section 37(1AA) of the said Act and to submit a Report on the objections/ suggestions received in respect of the proposed modification to the Government after giving hearing to the concerned persons ;

And whereas, the said Notice dated 29/01/2024 was published in the *Maharashtra Government Gazette* (Extra-Ordinary Gazette) dated 31st January, 2024 and the said Officer has submitted his report *vide* letter dt. 12/06/2024 through the Director of Town Planning, Maharashtra State, after completing the legal procedure stipulated under Section 37(1AA) of the said Act ;

And whereas, after considering the Report of the said Officer and after consulting the Director of Town Planning, Maharashtra State, the Government is of the opinion that the proposed modification is required to be sanctioned with certain changes.

Now, therefore, in exercise of the powers conferred upon it under section 37(1AA)(c) of the said Act, the Government hereby :—

(A) Sanctions the proposed modification as described more specifically 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 this modification.

(C) Directs the Mumbai Metropolitan Development Authority that in the Schedule of Modifications sanctioning the said Regulation, after the last entry, the Schedule referred to at (A) above shall be added.

This Notification shall also be available on the Govt. of Maharashtra website : www.maharashtra.gov.in (Acts/Rules).

Schedule

Accompaniment to the Government in Urban Development Department Notification No. TPB-4323/C.R.139/2023/UD-11, dated 19th July, 2024.

Regulation No.	Existing provision		Sanctioned Provision	
	Floor Space Index for the purpose of development shall be as follows, that is to say: -		Floor Space Index for the purpose of development shall be as follows, that is to say: -	
4(ii)	USER	FSI	USER	FSI
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				upto 50%	50%	50%	20%
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Note:

- The ASR rate for open land mentioned in above table shall be the applicable ASR rate at the time of allotment of such Additional Built-Up Area (Rs/sqm)
- As per Govt. of Maharashtra Notification dated 10th May,1994 the permissible basic FSI for medical/educational purposes on social facility plots is exceeded upto 2.0 and further exceeded upto 4.0 by Notification dated 25th June,2008 with certain conditions and payment of premium as decided by Govt. In case, Additional FSI over and above on a given social facility plot is permissible as per the Fire Act and the proposed development of medical/educational purposes is within prescribed Building Height as per Chief Fire Officer, the same shall be allotted by the Authority as per the premium rates mentioned in table above, provided that the total FSI allotted on Social facility plots in E&G Block shall be within the limit of Global 4.0.
- The entire Premium received from allotment of additional Built-Up Area shall be retained by the Authority

The promotional rate of premium for allotment of Additional Built-Up Area mentioned in above table shall be applicable for one year from date of coming into force of this modification and thereafter, the balance Additional Built-Up Area shall be allotted through e-auction as per the terms and conditions as decided by Authority of MMRDA.

By order and in the name of the Governor of Maharashtra

NIRMALKUMAR P. CHAUDHARI,
Deputy Secretary to Government.