GOVERNMENT OF MAHARASHTRA
Urban Development Department
Mantralaya, Mumbai 400032
Dated:- 21st June, 2014

NOTIFICATION

Maharashtra Regional and Town Panning Act, 1966

No. TPS 1213/2642/CR-278/13/UD-12

Whereas, the Government has appointed the Mumbai Metropolitan Region Development Authority (MMRDA) as a Special Planning Authority under the provisions of section 40 of the Maharashtra Regional and Town Planning Act, 1966 (Maharashtra XXXVII of 1966) (hereinafter referred to as 'the said Act") vide Notification No. TPB 1275/1199/UD-5 dated 15th March, 1976 (hereinafter referred to as "the said Special Planning Authority") for the Ambernath Kulgaon-Badlapur and Surrounding Notified Area;

And whereas, the Development Control Regulations for the Ambernath, Kulgaon-Badlapur and Surroundings Notified Area (hereinafter referred to as "the said Development Control Regulations") have been sanctioned by the Government in the Urban Development Department under Section 31(1) of the said Act vide Notification No. TPS-1204/941/CR-163/04/UD-12, dated 25th July, 2005;

And whereas, the Government vide notification no. TPS 1213/2642/ A.K.B.N.A/ CR-278/13/UD-12, dated the 1st January, 2014 has sanctioned the Regulation pertaining to Development of the Special Township Projects for the Ambernath, Kulgaon-Badlapur and Surrounding Notified Area (hereinafter referred to as STP Regulation);

And whereas, considering the need for rationalizing the Scheme for Special Township Projects and the Mega City Scheme, the Government had constituted a Committee vide Government Resolution No. Misc-2009/ 1301/ CR.271/ 09/UD-12, dated 17th May, 2012 to study and make recommendations on certain issues;

And Whereas, after consulting the Director of Town Planning, Maharashtra State, Pune, and making necessary enquiries the Government felt it necessary to suitably modify the said STP Regulation to make the same more effective;

And whereas, the Government, under the provisions contained in Sub-section (1AA) of Section 37 of the said Act, accordingly published a Notice bearing no. TPS 1213/2642/A.K.B.N.A/CR-278/13/UD-12, dated 2/1/2014 which appeared in Maharashtra Government Official Gazette, Part-I Konkan Division, Supplement dated the 30/1/2014 on Pages No. 1 to 4 (hereinafter referred to as 'the said Notice'), and invited suggestions and / or objections in respect of the modifications proposed in the Annexure-X to the said Notice (hereinafter referred to as "the Proposed Modification") from the general public within 30 (Thirty) days from the date of publication of the notice in the Official Gazette and the Joint Director of Town Planning, Konkan Division, Konkan Bhavan, Navi Mumbai, was appointed as the officer (hereinafter referred to as "the said officer") and authorized to hear the suggestions and / or objections which may be received within the aforesaid prescribed period and the say of the said Special Planning Authority and submit his report to the Government;

And whereas, after considering the report submitted by the said officer and after consulting the Director of Town Planning, Maharashtra State, Pune and also after making necessary enquiries, the Government is of the opinion than the proposed modification needs to be sanctioned with certain changes;

Now therefore, in exercise of the powers conferred under Section 37(1AA)(c) of the said Act, the Government hereby,

1) Sanctions the proposed modification to the Development Control Regulation for the Development of Special Township Projects in the Ambernath, Kulgaon-Badlapur and Surrounding Notified area, with certain changes which are more particularly described in the schedule appended hereto.
2) Fixes the date of publication of this Notification in the Government Gazette as the date of coming into force of the aforesaid sanctioned modification.

The aforesaid sanctioned modification shall be available for the inspection of the general public during office hours on all working days at the following officers for the period of one month:-

1) The Metropolitan Commissioner, Mumbai Metropolitan Region Development Authority, Bandra-Kurla Complex, Bandra (E), Mumbai.
2) The Joint Director of Town Planning, Konkan Division, Konkan Bhavan, Navi Mumbai.
3) The Assistant Director of Town Planning, Thane branch, Thane.
4) The Chief Officer, Ambernath Municipal Council, Ambernath Dist. Thane.
5) The Chief Officer, Kulgaon-Badlapur Municipal Council, Badlapur, Dist. Thane.

This notification shall also be published on the Government website at www. maharashtra.gov.in

By order and in the name of Governor of Maharashtra.

(Sanjay V. Pawar)
Section Officer

ANNEXURE- 'A'

(Accompaniment to the Government Notification No. TPS 1213/ 2642/ C.R.278/13/UD-12, dated the 21/06/2014)
Sanctioned Modification for Development of Special Township Projects in Areas under the Development Plan of the Ambernath, Kulgaon-Badlapur and Surrounding Notified Area.

Sr. No.	Existing Provisions as per Sanctioned Regulations	Modifications Proposed vide Government Notice No. TPS 1213/ 2642/ C.R.278/13/UD-12, dated the 2/1/2014	Modifications Sanctioned under section 37(1AA)(c) of the Maharashtra Regional and Town Planning Act,1966
1	**1.1 AREA REQUIREMENT:** Any suitable area, free from all encumbrances, having access by means of an existing or a proposed Development Plan road having a minimum width of 18 mt., can be identified for the purpose of development as "Special Township Project". The area under the Special Township Project shall not be less than 40Ha. (100 acres) at one place, contiguous, unbroken and uninterrupted which shall not include the area under No Development Zone around BARC, Eco Sensitive Zone, forests, hill-tops, hill -slopes, water bodies like rivers, creeks,	**AREA REQUIREMENT**: Any suitable area having access by means of an existing or a proposed Regional Plan road, having a minimum width of 18 mt can be identified for the purpose of development as "Special Township Project". The area notified under the Special Township Project, shall be one , contiguous, unbroken and uninterrupted and in any case shall not be less than 40 Ha. (100 acres) at one place. **(Explanation** - If such minimum 40 Ha. (100 Acre) area proposed to be developed under a Special Township Project is divided by one or more water courses (such as nalas, canals, etc.), existing or proposed roads of any width or railways, etc., then such area shall be considered to be continuous, unbroken and uninterrupted, subject to the condition that the Developer shall construct necessary connecting roads or bridges as per site requirements at his own cost with due	**AREA REQUIREMENT:** Any suitable area having access by means of an existing or a proposed Development Plan road, having a minimum width of 18 mt can be identified for the purpose of development as "Special Township Project". The area notified under the Special Township Project, shall be one , contiguous, unbroken and uninterrupted and in any case shall not be less than 40 Ha. (100 acres) at one place. **(Explanation** - If such minimum 40 Ha. (100 Acre) area proposed to be developed under a Special Township Project is divided by one or more water courses (such as nalas, canals, etc.), existing or proposed roads of any width or railways, etc., then such area shall be considered to be continuous, unbroken and uninterrupted, subject to the condition that the Developer shall construct necessary connecting roads or bridges as per

	canals, reservoirs, lands falling within the belt of 100 mt. from the High Flood Line (HFL) of major lakes, dams and its surrounding restricted area, lands in the command area of irrigation projects, lands falling within the belt of 200 mt. from the historical monuments and places of archaeological importance, archaeological monuments, heritage precincts and places, any restricted areas, notified national parks, existing and proposed Industrial Zone, gaothan areas and congested areas, truck terminus specially earmarked on the Development Plan, wildlife corridors and biosphere reserves, Eco-sensitive Zone/area, quarry zone and Recreational and Tourism Development Zone, catchment areas of water bodies, defence areas, cantonment areas, notified area of SEZ and designated Port/Harbour areas.	permission from the concerned authorities.) The area under Special Township Project shall not include the area under notified forest, hill-tops, hill -slopes, water bodies like rivers / creeks / canals / reservoirs, Tribal lands, lands falling within the belt of 100 mt. from the High Flood Line (HFL) of major lakes, dams and their surrounding restricted areas, lands in the command area of irrigation projects, lands falling within a belt of 200 mt. from historical monuments and places of Archaeological importance, Archaeological monuments, Heritage precincts and places, any restricted areas, notified National parks, gaothan areas or congested areas, Defence areas, Cantonment areas, truck terminus specially earmarked on Regional Plan, area under No Development Zone around BARC, Eco-sensitive Zone/area, other environmentally sensitive areas, Quarry Zone, notified areas of SEZ, wildlife corridors and biosphere reserves, catchment areas of water bodies, designated Port/ Harbour areas and designated Airport areas. However, such Special Township Project may also include private lands under commercial zone, industrial zone, public/ semi-public zone and Recreation and Tourism Zone (RTZ), subject to the	site requirements at his own cost with du permission from the concerned authorities.) The area under Special Townshi Project shall not include the area unde notified forest, hill-tops, hill -slopes, wate bodies like rivers / creeks / canals / reservoirs Tribal lands, lands falling within the belt o 100 mt. from the High Flood Line (HFL) o major lakes, dams and their surrounding restricted areas, lands in the command area of irrigation projects, lands falling within a belt of 200 mt. from historical monuments and places of Archaeological importance, Archaeological monuments, Heritage precincts and places, any restricted areas, notified National parks, gaothan areas or congested areas, Defence areas, Cantonment areas, truck terminus specially earmarked on Development Plan, area under No Development Zone around BARC, Eco-sensitive Zone/area, other environmentally sensitive areas, Quarry Zone, notified areas of SEZ, wildlife corridors and biosphere reserves, catchment areas of water bodies, designated Port/ Harbour areas and designated Airport areas. Provided that, such Special Township Project may also include lands under commercial zone, industrial zone,

		condition that 60 percent built-up area from the land under such Zone shall be for the purpose of respective main user of such zone, with remaining 40 percent, for the Residential and Allied users.	public/ semi-public zone and Recreation ar Tourism Zone (RTZ), subject to th condition that – i) In case of lands falling unde industrial zone, public/ semi-public zon and Recreation and Tourism Zon (RTZ), minimum 60 percent built-u area from the land under such Zon shall be for the purpose of respective main user of such zone, with remaining maximum 40 percent, for the Residential and Allied users; and ii) In case of lands falling under commercial zone, minimum 50 percent built-up area from the land under commercial Zone shall be for the purpose of commercial user and the remaining maximum 50 percent, for the Residential and Allied users. **Explanation:-** The minimum built-up area prescribed under the aforesaid proviso towards the main user of such zones shall be in addition to the built-up area required [under Sub-Regulation 4(j)] towards Economic Activity over the remaining area of the Special Township Project.

2	**5.1 Special Township in Residential Zone and Urbanisable Zone.** i) The FSI distribution in the Residential and Urbanisable Zone within the Development Plan area shall be as given below.....	**5.1 Special Township in Residential Zone, Urbanisable Zone, Commercial /Industrial / Public Semi-public /Recreation and Tourism Zone.** i) The admissible FSI in respect of a Special Township Project in the Residential Zone, Urbanisable Zone, Commercial, Industrial, Public Semi-public Zone, Recreation and Tourism Zone within the Development Plan area of the Ambernath, Kulgaon-Badlapur and Surrounding Notified Area shall be as given below.....	Sanctioned as Proposed.
3	**7. Procedure for approval:-** **(C) Final Approval** - (i) The Developer shall submit the layout plan of the entire area under the proposed Special Township Project, along with sector-wise detailed building plans and details of phasing, for final sanction to the Special Planning Authority. The Developer shall also submit an Undertaking and execute an Agreement about development and maintenance of basic	**7. Procedure for approval:-** **(C) Final Approval** - (i) The Developer shall submit the layout plan of the entire area under the proposed Special Township Project, along with sector-wise detailed building plans and details of phasing, for final sanction to the Special Planning Authority. The Developer shall also submit an Undertaking and execute an Agreement about development and maintenance of basic infrastructural amenities in future, along with a Bank Guarantee of	Sanctioned as Proposed.

	infrastructural amenities in future, along with a Bank Guarantee of 15% of the development cost of the Special Township Project. The Special Planning Authority shall conduct proper enquiry and veify correctness of title and ownership etc. Only after such verification, shall the Special Planning Authority grant approval to the layout plan and sector-wise detailed building plan, in consultation with the Joint Director of Town Planning , Konkan Division, Konkan Bhavan, Navi Mumbai, within the stipulated period, on terms and conditions as may be determined by the Special Planning Authority. The period required for technical consultation with the Joint Director of Town Planning, Konkan Division, Konkan Bhavan, Navi Mumbai shall not be taken into account while computing the period prescribed	15% of the development cost of the Special Township Project. The Special Planning Authority shall conduct proper enquiry and verify correctness of title and ownership etc. Only after such verification and after ensuring the availability of existing access road of width not less than 18 mt. shall the Special Planning Authority grant approval to the layout plan and sector-wise detailed building plan, in consultation with the Divisional Joint Director of Town Planning , Konkan Division, Konkan Bhavan, Navi Mumbai, within the stipulated period, on terms and conditions as may be determined by the Special Planning Authority and the Divisional Joint Director of Town Planning, Konkan Division, Navi Mumbai. The period required for technical consultation with the Divisional Joint Director of Town Planning, Konkan Division, Konkan Bhavan, Navi Mumbai shall not be taken into account while computing the	

	for such permission. Any one aggrieved by an order passed by the Special Planning Authority in this regard may within forty days of the date of communication of the order, prefer, an appeal to the State Government . **xiv)** All other documents as determined and directed by the Special Planning Authority. **Explanation** : The above prescribed periods shall be computed after compliance of all the requirements listed above and submission of any other additional information called for from the Developer by the Government / Special Planning Authority /Collector.	period prescribed for such permission. Any one aggrieved by an order passed by the Special Planning Authority in this regard may, within forty days of the date of communication of the order, prefer an appeal to the State Government . **xiv)** All other documents as determined and directed by the Special Planning Authority. **Explanation** : The above prescribed periods shall be computed after compliance of all the requirements listed above and submission of any other additional information called for from the Owner /Developer by the Government / Special Planning Authority /Collector.	

(Sanjay V. Pawar)
Section Officer