

पोलीस दलाकरिता शासकीय निवासस्थानांचे
चटई क्षेत्रफळ निश्चित करणे आणि आदर्श
आराखड्यास मान्यता देणे यांबाबत.

**महाराष्ट्र शासन
गृह विभाग**

शासन निर्णय क्रमांक: आरएसए ०११६/ प्र.क्र.२३/ पोल-७

२ रा मजला, मादाम कामा रोड,
हुतात्मा राजगुरु चौक, मंत्रालय, मुंबई - ४०० ०३२.
तारीख: ०१ डिसेंबर २०१६

वाचा:-

- १) शासन निर्णय, सार्वजनिक बांधकाम विभाग, क्र. बीडीजी- २००३/ सीआर १७१/ इमारती १, दिनांक २ जून २००४.
- २) मुख्य अभियंता, महाराष्ट्र राज्य पोलीस गृहनिर्माण व कल्याण महामंडळ मर्या. यांचे पत्र क्र. PHC/TB/ CARPET AREA/ १२६४/ २०१६, दि. २६ एप्रिल, २०१६.
- ३) उपाध्यक्ष व व्यवस्थापकीय संचालक, महाराष्ट्र राज्य पोलीस गृहनिर्माण व कल्याण महामंडळ मर्या. यांचे पत्र क्र. PHC/ Carpet Area/ ३५८२/ २०१६, दि. २९.११.२०१६.

प्रस्तावना -

सार्वजनिक बांधकाम विभागाच्या संदर्भ क्र. १ येथील शासन निर्णयान्वये शासकीय कर्मचाऱ्यांकरीता शासकीय निवासस्थानांचे चटई क्षेत्रफळ विहीत करण्यात आलेले आहे. या शासन निर्णयाच्या आधारे महाराष्ट्र राज्य पोलीस गृहनिर्माण व कल्याण महामंडळाने दि.१५.०२.२००७ रोजीच्या परिपत्रकान्वये पोलीस अधिकारी/ कर्मचाऱ्यांसाठी बांधण्यात येणाऱ्या शासकीय निवासस्थानांसाठी पद, वेतन निहाय अनुज्ञेय चटई क्षेत्रफळ निश्चित केलेले आहे. सार्वजनिक बांधकाम विभागाचा प्रस्तुत शासन निर्णय व महाराष्ट्र राज्य पोलीस गृहनिर्माण मंडळाचे परिपत्रक निर्गमित होऊन बराच कालावधी झाला आहे.

पोलीसासाठी सध्या असलेली शासकीय निवासस्थाने कमी चटई क्षेत्रफळाची असल्याने निवासस्थानांच्या क्षेत्रफळामध्ये वाढ करण्याबाबत पोलीस विभागातील अधिकारी व कर्मचारी यांच्याकडून वेळोवेळी मागणी करण्यात आली आहे. तसेच, सन्माननीय विधानसभा /विधान परिषद सदस्यांनीही यासंदर्भात उपस्थित केलेल्या विधीमंडळ कामकाजामध्ये सदर बाब अधोरेखित करण्यात आली आहे .

या अनुषंगाने पोलीस कर्मचाऱ्यांकरीता शासकीय निवासस्थानांचे चटई क्षेत्रफळ निश्चित करण्याबाबत मुख्य अभियंता, महाराष्ट्र राज्य पोलीस गृहनिर्माण व कल्याण महामंडळ मर्यादित यांनी संदर्भ क्र. २ व महासंचालक व व्यवस्थापकीय संचालक, महाराष्ट्र राज्य पोलीस गृहनिर्माण व कल्याण महामंडळ मर्या. यांनी संदर्भ क्र. ३ येथील पत्रान्वये शासनास प्रस्ताव सादर केलेला आहे. सदर बाबी विचारात घेता पोलीस दलातील अधिकारी व कर्मचारी यांच्याकरिता शासकीय निवासस्थानांचे चटई क्षेत्रफळ निश्चित करण्याची बाब शासनाच्या विचाराधीन होती.

शासन निर्णय -

महाराष्ट्र राज्य पोलीस गृहनिर्माण व कल्याण महामंडळाने उपरोक्त संदर्भ क्र. २ च्या पत्राव्दारे सादर केलेल्या प्रस्तावानुसार पोलीस दलातील अधिकारी व कर्मचारी यांचेसाठी पद व वेतन आधारीत, शासकीय निवासस्थानांचे पुढीलप्रमाणे अनुज्ञेय चटई क्षेत्रफळ निश्चित करण्यास, याव्दारे, मान्यता देण्यात येत आहे:-

अ.क्र.	पदनाम	वेतनमान(५ व्या आयोगाप्रमाणे)	अनुज्ञेय वेतनमान	अनुज्ञेय चटई क्षेत्रफळ (चौ.मी.)	प्रकार
१	चतुर्थ श्रेणी कर्मचारी	रु. ३०५०-४५९० रु. ३८२०	रु. ४४०० पर्यंत	४०	I
२	पोलीस शिपाई पोलीस नाईक	रु. ४०००-६००० सरासरी रु. ५०००	रु. ४४०९ ते ८०००	*५०	II
३	हवालदार	रु. ४०००-६००० सरासरी रु. ५०००	रु. ४४०९ ते ८०००	*५०	II
४	सहायक पोलीस उप- निरीक्षक	रु. ४५००-७००० सरासरी रु. ५७५०	रु. ४४०९ ते ८०००	*५०	II
५	पोलीस उप-निरीक्षक	रु. ५५००-९००० सरासरी रु. ७२५०	रु. ४४०९ ते ८०००	*५०	II
६	सहायक पोलीस निरीक्षक	रु. ६५००-१०५०० सरासरी रु. ८५००	रु. ८००९ ते १०५००	६०	III
७	पोलीस निरीक्षक	रु. ७४५०-११५०० सरासरी रु. ९२५०	रु. ८००९ ते १०५००	६०	III
८	सहायक पोलीस आयुक्त/ विभागीय पोलीस अधिकारी	रु. ८०००-१३५०० सरासरी रु. १०७५०	रु. १०५०९ ते १५८५०	८०	IV
९	कनिष्ठ वेतन (Junior Scale) अपर पोलीस अधीक्षक	रु. ८०००-१३५०० सरासरी रु. १०७५०	रु. १०५०९ ते १५८५०	८०	IV

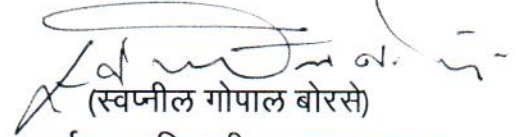
अ.क्र.	पदनाम	वेतनमान(५ व्या आयोगाप्रमाणे)	अनुज्ञेय वेतनमान	अनुज्ञेय चटई क्षेत्रफळ (चौ.मी.)	प्रकार
१०	अर्धश्रेणी वेतन (Time Scale) पोलीस अधीक्षक	रु. १००००-१५२०० सरासरी रु.१२६००	रु. १०५०१ ते १५८५०	८०	IV
११	कनिष्ठ विकास श्रेणी (Junior Advance Grade) पोलीस अधीक्षक	रु. १२०००-१६५०० सरासरी रु.१४२५०	रु. १०५०१ ते १५८५०	८०	IV
१२	समादेशक, पोलीस अधीक्षक, निवड श्रेणी पोलीस अधीक्षक	रु. १४३००-२०००० सरासरी रु.१६३००	रु. १६५०१ ते १८४००	१४०	V
१३	उप पोलीस महानिरीक्षक	रु. १६४००-२०४०० सरासरी रु.१८२००	रु. १६५०१ ते १८४००	१४०	V
१४	विशेष पोलीस महानिरीक्षक	रु. १८४००-२२४०० सरासरी रु.२०४००	रु. १८४०१ व अधिक	१८०	VI
१५	अतिरिक्त पोलीस महासंचालक	रु. २२४००-२३४५० सरासरी रु.२३४५०	रु. १८४०१ व अधिक	१८०	VI
१६	पोलीस महासंचालक	रु. २४०५०-२६००० सरासरी रु.२५०२५	रु. १८४०१ व अधिक	१८०	VI
* मुंबई शहर व मुंबई उपनगर यां जिल्ह्यांकरिता सदनिकेचा प्रकार II (Type II) साठी चटई क्षेत्रफळ ४५ चौ.मि. इतके राहिल.					

तसेच, महाराष्ट्र राज्य पोलीस गृहनिर्माण व कल्याण महामंडळ मर्यादित यांनी संदर्भाधीन पत्रान्वये सादर केलेल्या आदर्श आराखड्यास याद्वारे मान्यता देण्यात येत आहे. उक्त आराखड्यानुसार वरीलप्रमाणे अनुज्ञेय चटई क्षेत्रफळ निश्चित करण्यात येत आहे. त्या नुसार सदनिकांचे बांधकाम क्षेत्रफळ (built up area) ठरवण्यात येईल. इमारतीतील जिऱ्यांची/ पायऱ्यांची व

उदवाहनांची संख्या, जिऩ्याच्या व्हरांडयाचे क्षेत्रफळ व उदवाहनाच्या आतील क्षेत्रफळ इत्यादी बाबी या संदर्भातील नगररचना विकास नियंत्रण नियमावलीवर आधारित असतील.

सदर शासन निर्णय महाराष्ट्र शासनाच्या www.maharashtra.gov.in या संकेतस्थळावर उपलब्ध करण्यात आला असून त्याचा संकेताक ————— असा आहे. हा आदेश डिजीटल स्वाक्षरीने साक्षांकित करुन काढण्यात येत आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,


(स्वप्नील गोपाल बोरसे)
कार्यासन अधिकारी, महाराष्ट्र शासन.

प्रति,

१. मा. राज्यपाल यांचे सचिव, राजभवन, मलबार हिल, मुंबई.
२. मा. मुख्यमंत्री यांचे प्रधान सचिव, मंत्रालय, मुंबई.
३. मा. राज्यमंत्री, गृह (ग्रामीण), यांचे खाजगी सचिव, मंत्रालय, मुंबई.
४. मा. राज्यमंत्री, गृह (ग्रामीण), यांचे खाजगी सचिव, मंत्रालय, मुंबई.
५. अपर मुख्य सचिव (गृह) यांचे वरिष्ठ स्वीय सहायक, गृह विभाग, मंत्रालय, मुंबई.
६. प्रधान सचिव (नगर विकास-१), नगर विकास विभाग, मंत्रालय, मुंबई.
७. प्रधान सचिव, सार्वजनिक बांधकाम विभाग, मंत्रालय, मुंबई.
८. प्रधान सचिव, गृहनिर्माण विभाग, मंत्रालय, मुंबई.
९. सचिव (नगर विकास-२), नगर विकास विभाग, मंत्रालय, मुंबई
१०. पोलीस महासंचालक, महाराष्ट्र राज्य, मुंबई.
११. उपाध्यक्ष व व्यवस्थापकीय संचालक, महाराष्ट्र राज्य पोलीस गृहनिर्माण व कल्याण महामंडळ मर्यादित, वरळी, मुंबई.
१२. सर्व अपर पोलीस महासंचालक.
१३. अपर पोलीस महासंचालक व पोलीस महानिरीक्षक (कारागृह), महाराष्ट्र राज्य, पुणे.
१४. सर्व पोलीस आयुक्त.
१५. सर्व विशेष पोलीस महानिरीक्षक
१६. सर्व जिल्हा पोलीस अधीक्षक

प्रत:- निवड फाईल (पोल-७).

Maharashtra Regional & Town Planning Act,
1966.

Sanctioned Modification to Regulation 33(7) &
33(3)(A) of DCR of Gr. Mumbai, 1991, under
section 37(1AA)(c) of the Act.

GOVERNMENT OF MAHARASHTRA
Urban Development Department,
Mantralaya, Mumbai 400 032.
Dated : 2nd September 2015

NOTIFICATION



No. TPB 4313/145 /CR-119(2)/2013/UD-11:

Whereas the Development Control Regulations for Greater Mumbai, 1991 (hereinafter referred to as "the said Regulations") have been sanctioned by the Government in the Urban Development Department, under section 31(1) of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") vide Notification No. DCR 1090/RDP/UD-11 dated 20th February, 1991 so as to come into force with effect from the 25th March, 1991;

And whereas, Regulation 33(3)(A) of the said Regulations deals with the additional F.S.I., for building of the Government and the Corporation being used as staff quarters and Regulation 33(7) of the said Regulations deals with reconstruction or redevelopment of cessed buildings in the Island City and Old building of the Corporation or old buildings belonging to the Police Department;

And whereas, the Govt. in Home Department vide G.R. No. RSA-609/CR-432/ Pol-7/ dated 17th November, 2009 has framed policy for creating staff quarters for Police personnel including Police Officers, with additional F.S.I.;

And whereas, the Govt. in the Urban Development Department, in view of the above policy, is of the opinion that in the public interest, it is desirable to grant additional F.S.I. for creating staff quarters for not only Police personnel but also other employees of the Govt. and its statutory bodies and the Municipal Corporation of Greater Mumbai and accordingly, it is necessary to urgently carry out suitable modification to the existing Regulation 33(3)(A) and 33(7);

And whereas, after considering the above facts, the State Government, in exercise of the powers conferred under sub-Section (1AA) of Section 37 of the said Act, had issued Notice No. TPB 4313/145 /CR-119/2013/UD-11 dated 3rd January 2015 for inviting suggestions/objections from the general public with regard to the modification in respect of Regulation 33(3)(A) and 33(7). (hereinafter referred to as "the proposed

modification") proposed in the annexure appended to the said Notice and appointed the Deputy Director of Town Planning, Greater Mumbai as the Officer (hereinafter referred to as "the said Officer") to submit a Report on the suggestions/objections received in respect of the proposed modification to the Govt. after giving hearing to the concerned persons and the Municipal Corporation of Greater Mumbai;

And whereas, the said Notice dated 3rd January 2015 was published in the Maharashtra Government Gazette (Extra-Ordinary Gazette) dated 6th January 2015 (hereinafter referred to as "the Official Gazette") and the said Officer has submitted his Report vide letter dt. 17.6.2015 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 some changes

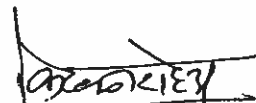
Now, therefore, in exercise of the powers conferred upon it under Section 37(1AA)(c) of the said Act, the Government hereby:-

- A) Sanctions the proposed modification as described more specifically in the Schedule appended hereto.
- 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 Municipal Corporation of Greater Mumbai that in the Schedule of Modifications sanctioning the said Regulations, after the last entry, the Schedule appended hereunder shall be added.

This Notification shall also be available on the Govt. of Maharashtra website : www.maharashtra.gov.in

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




(Kishor D. Girolla)

Under Secretary to Government.



SCHEDULE

(Accompaniment to Notice No. TPB-4313/145/CR-119(2)/2013/UD-11, dated 2nd September 2015.)

Existing Regulation	Sanctioned Regulation
<p>33(7) Reconstruction or redevelopment of cessed buildings in the Island City by Co-operative Housing Societies or of old buildings belonging to the Corporation or of old buildings belonging to the Police Department.</p> <p>For reconstruction/ redevelopment to be under taken by Cooperative Housing Societies of existing tenants or by Co-op. Housing Societies of landlords and/or occupiers of cessed buildings existing prior to 30/9/1969 in Island City which attract the provisions of MHADA Act, 1976 and for reconstruction/ redevelopment of the buildings of Corporation, the Floor Space Index shall be 3.00 on the gross plot area or the FSI required for rehabilitation of existing tenants plus incentive FSI as specified in Appendix-III whichever is more</p> <p>For reconstruction / redevelopment of buildings belonging to Police Department, Police Housing Corporation, Jail and Home Guard of Government of Maharashtra, constructed prior to 1940, the Floor Space Index shall be 2.5 on the gross plot area or the FSI required for rehabilitation of existing tenants plus incentive FSI as specified in Appendix-III whichever is more.</p> <p>Note:- The development of land for Department of Police, Police Housing Corporation, Jail and Home Guard of Government of Maharashtra shall be permitted by the Commissioner after due approval of the committee mentioned in Note-3 below regulation 33(3)(A)</p>	<p>33(7) Reconstruction or redevelopment of cessed buildings in the Island City by Co-operative Housing Societies or of old buildings belonging to the Corporation .</p> <p>For reconstruction/ redevelopment to be under taken by Cooperative Housing Societies of existing tenants or by Co-op. Housing Societies of landlords and/or occupiers of cessed buildings existing prior to 30/9/1969 in Island City which attract the provisions of MHADA Act, 1976 and for reconstruction/ redevelopment of the buildings of Corporation, the Floor Space Index shall be 3.00 on the gross plot area or the FSI required for rehabilitation of existing tenants plus incentive FSI as specified in Appendix-III whichever is more</p>



33(3)(A) Buildings of Government and the Corporation being used for staff quarters:

The Commissioner may permit the Floor Space Indices specified in Table 14 above to be exceeded by 50 per cent in case of buildings of Government and Municipal Corporation of Greater Mumbai for use as their staff quarters in the suburbs and extended suburbs only.

However in cases of buildings of Department of Police, Police Housing Corporation, Jail and Home Guard of Government of Maharashtra for use as their Staff Quarters in the Island City, Suburbs and extended Suburbs, the Commissioner may permit the Floor Space indices specified in Table No. 14 above to be exceeded upto 2.5 FSI.



Notes:-

1) It shall be permissible to submit a composite scheme for the development or redevelopment of land of Department of Police, Police Housing Corporation, Jail and Home Guard for the utilisation of permissible commercial user under D.C. Regulation; so that commercial potential of

33(3)(A) Development /Redevelopment for the construction of staff quarters of Govt. or its statutory bodies or Municipal Corporation of Greater Mumbai, on lands belonging to such Public Authorities.

(1) The Commissioner may permit the Floor Space Indices specified in Table 14 above to be exceeded up to 3.00 FSI on the gross plot area in the Island City, the Suburbs and the Extended suburbs, solely for the project of construction of staff quarters (hereinafter referred to as "staff quarters project") for the employees of the Government, or its statutory bodies or the Municipal Corporation of Greater Mumbai (hereinafter collectively referred to as " User Authority"), on land belonging to such User Authority, by the Public Works Department of the Govt. of Maharashtra or MHADA or Maharashtra Police Housing Corporation or Municipal Corporation of Gt. Mumbai or any other Public Agency nominated by the Govt. for this purpose, which would also include any Special Purpose Vehicle, wherein the Govt. or a fully owned Company of the Govt. holds at least 51% equity share (hereinafter collectively referred to as "Implementing Public Authority").

Provided that the Floor Space Indices specified in Table 14 above may be permitted to be exceeded up to 4.00 FSI on the gross plot area in case of plots of such User Authority, having area of 4000 sq.mtr. or above, which front on roads having width of 18.00m or more.



one plot can be shifted to other plot provided the aggregate FSI on any plot shall not exceed 2.5.

2) The above FSI for any composite scheme, may be used by the Department of Police, Police Housing Corporation, Jail and Home Guard of Government of Maharashtra for its own purpose and also for free sale component for cross subsidizing the development of Staff Quarters. However, the ratio between the two components shall be such that the FSI for departmental use shall be minimum 50% of the total permissible FSI for the aforesaid project, provided the FSI of individual plot shall not exceed the limit of 2.5.

The above development shall be permitted by the Commissioner only after the due approval of the following committee: -

- i) Chief Secretary Chairman.
 - ii) Additional Chief Secretary (Home) ... Member.
 - iii) Principal Secretary (UD) ... Member.
 - iv) Director General of Police ... Member.
 - v) Police Commissioner ... Member.
 - vi) Secretary (PWD) (Works) ... Member.
 - vii) Managing Director ... Member Secretary.
- (Police Housing Corporation)

(2) For the purpose of calculating the FSI, the entire area of the layout including Development Plan roads and internal roads but excluding the land under the reservation of public amenities shall be considered.

Provided that there shall be no restriction on the utilization of the FSI permissible under this Regulation except for the restrictions under any law, rule or regulation.

(3) The total permissible FSI under this Regulation shall be utilized for construction of staff quarters for the User Authority, subject to the following :-

- (i) The area of staff quarters for various categories of employees shall be as per the norms prescribed by the concerned User Authority and in no case shall the area of Staff Quarters exceed the maximum limit of carpet area as prescribed therein.
- (ii) (a) Commissioner may also permit upto $1/3^{\text{rd}}$ of the total permissible FSI under this Regulation for construction of free sale area (hereinafter referred to as "free sale component") to be disposed of by the Implementing Public Authority as provided herein.

The free sale component shall preferably be constructed in a separate block. Sub-division of plots shall be permissible on the basis of equitable distribution of FSI, in case construction of free sale component is permitted by Commissioner.

(b) If the User Authority requires



of staff quarters in the extent of full permissible FSI of 3.0/4.0, then the User Authority shall pay full cost of construction to the Implementing Public Authority, in lieu of the free sale component.

Not
applicable
to
PHC

(c) The flats constructed under the free sale component shall be first offered to the Central Govt., its statutory bodies, Central / State PSUs for purchase as staff quarters and if the Central Govt. or its statutory Bodies or Central / State PSUs do not indicate willingness to purchase the same within the prescribed time limit, such flats shall be sold in open market.

(d) In case of staff quarters of Police personnel, The free sale component may be utilized for commercial use as per potential of plot as decided by following committee :-

- 1) Municipal Commissioner-- Chairman
- 2) Police Commissioner -- Member
- 3) Collector of concerned District -- Member
- 4) Superintendent Engineer -- Member P.W.D.

Provided that the construction under free sale component shall be sold in open market. The condition mentioned at (c) above is not applicable in case of staff quarters of police personnel.



(4) For providing the requisite off-site infrastructure for the increased population, an infrastructure charge at the rate of 7% of the Land Rates as per the Annual Statement of Rates (ASR) of the year of approval of the staff quarter project shall be chargeable for the extra FSI (excluding the fungible FSI) granted to such project, over and above the basic zonal permissible FSI, by the Municipal Corporation of Greater Mumbai for developing necessary off site infrastructure.

(5) (i) No premium shall be charged for the fungible FSI admissible as per DCR 35(4) for the construction of staff quarters.

(ii) No premium shall be payable for stair case and lift lobby.

(iii) Open space deficiency shall be charged at the rate of 2.5% of the land rate of ASR.

(iv) The provisions of Inclusive Housing shall not be applicable for development under this Regulation.

(6) For any staff quarters project under this Regulation, a Development Agreement shall be executed between the User Authority and the Implementing Public Authority, which, inter alia, shall authorize the Implementing Authority to dispose of the flats constructed under the free sale component of the project, wherever applicable.

(7) The Regulation 33(3)(A) shall also be applicable to the project construction of staff quarters for the personnel of the Central India Security Force (CIFS)

33(3)(B) Development /Redevelopment for construction of staff quarters of Govt. or its statutory bodies or Municipal Corporation of



Greater Mumbai on private land

(1) The commissioner may permit construction of staff quarters for the employees of the Government or its statutory bodies or the Municipal Corporation of Greater Mumbai (hereinafter referred to as "User Authority") on private plots of lands, having minimum area of 2000 sq.mtr. and abutting a road having minimum width of 12 mt. and grant incentive FSI as provided herein below, in lieu of the built up area of staff quarters created and handed over free of cost to the User Authority, subject to the following provisions.

- (i) The area of staff quarters for various categories of employees shall be as per the norms prescribed by the concerned User Authority and in no case shall the area of Staff Quarters exceed the maximum limit of carpet area as prescribed therein.
- (ii) Incentive FSI shall be admissible against the FSI required for construction of Staff Quarters as per following table :-

Table A

Location of Project	Incentive (As % of required b. u. area of staff Quarters)
Island City	40%
Suburbs & extended Suburbs	80%



- (iii) The incentive FSI given on this account shall be over and above the FSI permissible on such plot under any other provision of the DCR, depending on the type of development envisaged on such plot. This incentive FSI shall be allowed to be used on the same plot in accordance with the provisions of DCR/DP, wherein the overall limit of maximum permissible FSI as given in the tables below:-

Plot Area	Minimum Road Width	Maximum Permissible FSI
2000 sq.mtr. or more but less than 4000 sq.mtr.	12.00 mtr.	3.00
4000 sq.mtr. or more	18.00 mtr.	4.00

- (iv) It shall be permissible to use the FSI admissible under table 14 of Regulation 32(hereinafter referred to as Basic F.S.I.) for the proposals in consonance with DCR/DP, provided the land is situated in Residential/Commercial Zone.
- (v) For the purpose of calculating the FSI under this Regulation, the entire area of the layout, including Development Plan roads and internal roads but excluding the land under the reservation of public amenities, shall be considered. Sub-division of plots shall be permissible on the basis of



equitable distribution of FSI for construction of free sale component by utilizing the Basic F.S.I. and the incentive F.S.I. as provided herein.

Provided that there shall be no restriction on the utilization of the FSI permissible under this Regulation except for the restrictions under any law, rule or regulation.

- (vi) (a) No premium shall be charged for the fungible FSI admissible as per DCR 35(4) for the construction of staff quarters.
- (b) No premium shall be payable for stair case and lift lobby.
- (c) Open space deficiency shall be charged at the rate of 2.5% of the land rate of ASR.
- (d) The provisions of Inclusive Housing shall not be applicable for development under this Regulation.
- (vii) For providing the requisite off site infrastructure for the increased population, an infrastructure charge at the rate of 7% of the Land Rate as per the ASR of the year of approval of the development project shall be chargeable for the extra FSI (excluding the fungible FSI) granted for such project, over and above the basic zonal permissible FSI by the Municipal Corporation of Greater Mumbai for developing necessary off site



infrastructure.

(viii) No development / redevelopment of any vacant plot belonging to a private landholder for constructing staff quarters for a User Authority shall be permitted by the Municipal Commissioner without prior approval of the location and requirement of such Staff Quarters by the Committee mentioned below :-

- | | |
|--|----------|
| i) Municipal Commissioner
(MCGM) | Chairman |
| ii) Police Commissioner,
Mumbai..... | Member |
| iii) Chief Executive Officer
(MHADA)..... | Member |
| iv) Chief Engineer, PWD,
Mumbai Circle | Member |
| v) Representative of the concerned
User Authority not below the
rank of Regional
Head of Dept. | Member |

(ix) In case of flats proposed for conservancy staff quarters under this regulation, certain percentage of flats as decided by State Government shall be available on ownership basis under Shram Saphalya Scheme.

(2) The Regulation 33(3)(B) shall also be applicable to the projects of construction of staff quarters for the personnel of the Central India Security Force (CIFS)



(Kishor D. Girolia)

Under Secretary to Government.



महाराष्ट्र शासन राजपत्र

भाग एक-कोकण विभागीय पुरवणी

वर्ष १, अंक ४४]

गुरुवार ते बुधवार, डिसेंबर ३-९, २०१५/अप्रहायणा १२-१८, शके १९३७

[पृष्ठे १६, किंमत : रुपये १४.००

प्राधिकृत प्रकाशन

शासकीय अधिसूचना, नेमणुका इत्यादी
अधिसूचना

URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Mumbai 400 082, dated the 19th November 2015

NOTIFICATION

MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966.

No TPB. 4313/145/OR-119/2013/UD-11.—Whereas, the State Government has sanctioned the Development Plans (hereinafter referred to as "the said Development Plan") and the Development Control Regulations (hereinafter referred to as "the said Regulations") for the Municipal Corporations in the state of Maharashtra under the provisions of the Maharashtra Regional and Town Planning Act, 1966 (Mah.XXXVII of 1966) (hereinafter referred to as "the said Act") which are in force in the limits of the respective Municipal Corporations ;

And whereas, the Government in Home Department *vide* G.R. No.RSA-609/CR-432/Pol-7, dated 17th November 2009 has framed policy for creating staff quarters for Police personnel including Police Officers, with additional F.S.I. ;

And whereas, the Government in the Urban Development Department in view of the above policy, is of the opinion that in the public interest, it is desirable to grant additional F.S.I. for creating staff quarters for not only Police personnel but also other employees of the Government and its statutory bodies ;

And whereas, the Government in the Urban Development Department has taken a decision to incorporate new Regulation in respect of staff quarters for employees of the Government and its statutory bodies in the Development Control Regulation of Greater Mumbai, 1991 and whereas after completing formalities as per provisions of the said Act, Government in Urban Development Department *vide* Notification dated 2nd September 2015 issued under Section 37(1AA) (c) of the said Act, has incorporated necessary provisions to that effect in the Development Control Regulation for Greater Mumbai.

And whereas, the Government in the Urban Development Department has also taken a decision to incorporate new Regulation in respect of staff quarters for employees of the Government and its statutory bodies in the Development Control Regulations of the other Municipal Corporations in the State and it is necessary to urgently carry out suitable modification to the existing Development Control Regulations of Municipal Corporations and therefore, in exercise of the powers conferred by sub-section (1AA) of Section 37 of the said Act ; and of all other powers enabling it in this behalf, Government has issued Notice of even number dated 1st April 2015 (hereinafter referred to as " the said Notice ") for inviting suggestions/objections from the general public with regard to the proposed modification proposed in the Scheduled appended to the said Notice and appointed the Joint Director of Town Planning, of the concerned Divisions as the Officer wherein the Municipal Corporations are located, (hereinafter referred to as " the said Officer ") to submit a Report on the suggestions/objections received in respect of the proposed modification to the Government after giving hearing to the concerned persons and the concerned Municipal Corporation ;

And whereas, the said Notice dated 1st April 2015 was published in the *Maharashtra Government Gazette* (Extra-Ordinary Gazette) dated 6th April 2015 (hereinafter referred to as " the *Official Gazette* ") and the said Officers of concerned Division have submitted their Reports 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 Reports of the said Officers of concerned Divisions, the suggestions/Objections received from the general public and say of said Corporations and after consulting the Director of Town Planning, Maharashtra State, the Government is of the opinion that the proposed modification in respect of construction of staff quarters on private Land is to be kept in abeyance and decision for the same will be taken at later stage. Whereas, Government is of the opinion that, Regulation for Staff Quarters of the State Government or its statutory bodies or Municipal Corporation on lands belonging to such public Authorities is required to be sanctioned with some changes ;

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

(A) Sanctions the proposed modification with some changes as described more specifically in the Schedule appended hereto.

(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 Municipal Corporation (Excluding the Municipal Corporation of Greater Mumbai) that in the Schedule of Modification sanctioning the said Regulations, after the last entry, the Schedule referred to at (A) above shall be added.

This Notification shall also be available on the Government of Maharashtra website : www.maharashtra.gov.in.

Schedule

(Accompaniment to Notification No. TPB-4315/145/CR-119/2013/UD-11 Dated 19th November 2015.)

The following provisions regarding Development/Redevelopment for construction of staff quarters of the State Government or its statutory bodies or Municipal Corporations in the State are incorporated in the Development Control Regulations of Municipal Corporations (excluding Municipal Corporation of Greater Mumbai) :—

Regulation for staff quarters of the State Government or its statutory bodies or Municipal Corporations on lands belonging to such Public Authorities situated in developable zones such as Residential/Public-Semi Public/Commercial Zone etc. except restricted zone such as Green Belt, Agricultural Zone, No Development Zone, CRZ etc.

(1) The basic Floor Space Indices specified in sanctioned DCR, may be allowed to be exceeded as per following table on the gross plot area solely for the project of construction of staff quarters (hereinafter referred to as "staff quarters project") for the employees of the Government, or its statutory bodies or the Municipal Corporations (hereinafter collectively referred to as "User Authority"), on land belonging to such User Authority, by the Public Works Department of the Government of Maharashtra or MHADA or Maharashtra Police Housing Corporation or Municipal Corporations or any other Public Agency nominated by the Government for this purpose, which would also include any Special Purpose Vehicle, wherein the Government or a fully owned Company of the Government holds at least 51% equity share (hereinafter collectively referred to as "Implementing Public Authority").

Class of Municipal Corporation	Road Width and Plot area	Maximum permissible F.S.I. (Including basic F.S.I.)
(1)	(2)	(3)
"A" Class Municipal Corporation	(1) 18.00 mt. or above Minimum Plot area 4000 sq.mtr. or above.	4.00
	(2) 12.00 mt. or above but below 18.00 mt.	3.00
"B" and "C" Class Municipal Corporation.	(1) 15.00 mt. or above Minimum Plot area 4000 Sq.mtr. or above.	3.00
	(2) 12.00 mt. or above but below 15.00mt.	2.50
"D" Class Municipal Corporations.	12.00 mt. or above	2.50

(2) For the purpose of calculating the FSI, the entire area of the plot excluding area under Development Plan road and Development Plan reservations, if any, shall be considered :

Provided that, the Development Plan reservations like Government Staff Quarters, Police Staff Quarters, Police Housing, Municipal Housing, Municipal Staff Quarters etc. on lands belonging to the Government/Public Authorities/Local Authorities, shall not be excluded :

Provided further that, amalgamation of such Development Plan reservation/s with adjoining lands for the execution of project under this regulation, shall be permissible.

(3) The total permissible FSI under this Regulation shall be utilized for construction of staff quarters for the User Authority, subject to the following :—

(i) The area of staff quarters for various categories of employees shall be as per the norms prescribed by the concerned User Authority and in no case shall the area of Staff Quarters exceed the maximum limit of carpet area as prescribed therein.

(ii) (a) Commissioner may also permit upto 1/3rd of the total permissible FSI under this Regulation for construction of free sale area (hereinafter referred to as "free sale component") to be disposed of by the Implementing Public Authority as provided herein.

The free sale component shall preferably be constructed in a separate block. Sub-division of plots shall be permissible on the basis of equitable distribution of FSI, in case construction of free sale component is permitted by the Commissioner.

The free sale component may be utilized for commercial use as per potential of plot as decided by following Committee :—

- (1) Municipal Commissioner---Chairman
- (2) Police Commissioner---Member
- (3) Collector of concerned District---Member
- (4) Superintendent Engineer (PWD)---Member

The extent of commercial use, if required shall be decided by the said Committee strictly within the limits as specified in the sanctioned prevailing Development Control Regulations.

(b) If the User Authority requires construction of staff quarters to the extent of full permissible FSI, then the User Authority shall pay full cost of construction +5% of construction cost as establishment charges to the Implementing Public Authority.

(c) The flats constructed under the free sale component shall be first offered to the Central Government, its statutory bodies, Central/State PSUs for purchase as staff quarters and if the Central Government or its statutory Bodies or Central/State PSUs do not indicate willingness to purchase the same within the prescribed time limit, such flats shall be sold in open market.

(4) (i) Notwithstanding anything contained in any regulation under sanctioned DCR of Municipal Corporations, no amount shall be charged towards Premium, Scrutiny Fee etc., for the project proposed under this regulation.

(ii) The provisions of Inclusive Housing, which is applicable for Municipal Corporations, shall not be applicable for development under this Regulation.

(5) For any staff quarters project under this Regulation, a Development Agreement shall be executed between the User Authority and the Implementing Public Authority, which, *inter alia*, shall authorize the Implementing Authority to dispose of the flats constructed under the free sale component of the project, wherever applicable. Such development agreement shall contain the details regarding the modalities and conditions of transferring such quarters (whether free of cost or on payment/receipt of certain amount by the user authority) to the user authority and also conditions modalities of disposing of the flats under the free sale components by the implementing public authority.

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

KISHOR D. GIROLA,
Under Secretary to Government.