

राज्यातील महानगरपालिका / नगरपरिषदांसाठी मंजूर केलेले विकास हक्क हस्तांतरण (TDR) नियमावली संदर्भात महाराष्ट्र प्रादेशिक नियोजन व नगर रचना अधिनियम, १९६६ चे कलम-१५४ अन्वये निदेश.

महाराष्ट्र शासन  
अधिसूचना  
नगर विकास विभाग,  
मंत्रालय, मुंबई-३२  
दिनांक : १४/०३/२०१७

क्र.टिपीएस-१८१६/प्र.क्र.५७३/१६/नवि-१३

सोबतची अधिसूचना महाराष्ट्र शासनाच्या साधारण राजपत्रामध्ये राज्यस्तरावर प्रसिध्द करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांचे आदेशानुसार व नांवाने,



(रा.म.पवार)

अवर सचिव, महाराष्ट्र शासन

प्रत,

- १) मा.मुख्यमंत्री यांचे सचिव, मंत्रालय, मुंबई.
- २) मा.राज्यमंत्री, (नगर विकास) यांचे खाजगी सचिव, मंत्रालय, मुंबई.
- ३) प्रधान सचिव (नवि-१), नगर विकास विभाग, मंत्रालय, मुंबई.

प्रति,

- १) संचालक, नगर रचना तथा सह सचिव, नगर विकास विभाग, मंत्रालय, मुंबई.
- २) संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे.
- ३) सह संचालक, नगर रचना तथा सह सचिव, नगर विकास विभाग, मंत्रालय, मुंबई.
- ४) आयुक्त, महानगरपालिका (सर्व महानगरपालिका) (शाखा कार्यालयामार्फत).
- ५) सह संचालक, नगर रचना, अंमलबजावणी कक्ष / मुल्यांकन / पुणे / कोकण / नाशिक / नागपूर / औरंगाबाद / अमरावती विभाग.
- ६) सहायक संचालक, नगर रचना / नगर रचनाकार, सर्व शाखा कार्यालये, नगर रचना विभाग.
- ७) अवर सचिव, नवि-११/नवि-३० / कक्ष अधिकारी, नवि-९/नवि-१२, नगर विकास विभाग, मंत्रालय, मुंबई.
- ८) व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, चर्नी रोड, मुंबई.- त्यांना विनंती करण्यात येते की, सोबतची शासकीय अधिसूचना महाराष्ट्र शासनाच्या, साधारण राजपत्रामध्ये राज्यस्तरावर प्रसिध्द करून त्याच्या प्रत्येकी ५० प्रती नगर विकास विभागास पाठवाव्यात.
- ९) कक्ष अधिकारी (नवि-२९) नगर विकास विभाग, मंत्रालय, मुंबई - त्यांना विनंती करण्यात येते की, सोबतची अधिसूचना या विभागाच्या संकेतस्थळावर प्रसिध्द करावी.
- १०) निवड नस्ती (कार्यासन-१३).

## DIRECTIVES

Government of Maharashtra  
Urban Development Department  
Mantralaya, Mumbai-32  
Date: 14/03/2017.

### **Maharashtra Regional & Town Planning Act, 1966**

**No. TPS -1816/CR-573/16/UD-13:** Whereas, in exercise of the powers conferred by Clause (c) of sub-Section (1AA) of Section 37 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as the "said Act") and all other powers enabling in that behalf, the Government of Maharashtra finally sanctioned the "**Transferable Development Rights**" regulations as mentioned in **Annexure-B** (hereinafter referred to as 'the said final TDR regulations) in respect of **Municipal Corporations as mentioned in Annexure-A** of the notification No. **TPS -1813/ 3067/ CR-122/ MCORP/ 12/ UD-13** Dt.28/01/2016, and notification No. **TPS -1813/3067/ CR-122/ M CORP/ Konkan Div/ 12/ UD-13** dt.29/01/2016, and as mentioned in Schedule in respect of Municipal Corporation of Greater Mumbai vide notification No. **TPS -1813/ 3067/ CR-122/ MCORP/ 12/ UD-13** dt.16/11/2016 and as mentioned in Annexure-A in respect of all Municipal Councils vide notification No. **TPS -1813/ 3067/ CR-122/ MCOUNCIL/ 12/UD-13** dt.06/02/2016 (hereinafter referred to as 'the said notifications);

And whereas, under the provision of Regulation No 4.1 of the said TDR regulations the quantum of generation of TDR for reservation in CRZ/BDP/HTHS areas or in areas which have some natural or legal constraint / impediments on development shall be as decided by the Government separately (hereinafter referred to as 'the said Regulation) ;

And whereas after considering the legal impediments on construction in such areas, the Government of Maharashtra is of the opinion that the quantum of generation of TDR for reservation which have some legal constraint on development shall be 50 % of generation of TDR as mentioned in Regulation No 4:1.1 and for that purpose the Government found it expedient in the public interest to take recourse of Section 154 of the said Act, to issue **directives in this regard;**

Now therefore, **in exercise of the powers conferred by Section 154(1) of the Maharashtra Regional and Town Planning Act, 1966** (Mah. XXXVII of 1966 ) and all other powers enabling in that behalf, the Govt. of Maharashtra hereby accordingly issues the **following directives** for allowing generation of TDR from such areas to all the planning authorities (including MCGM) in Maharashtra pending sanction to the said proposed modification published under section 37(1 AA) (c) of the said Act, vide Government notice No. TPS -1816/CR-573/16/UD-13, dt.14/03/2017;

### Directives

Sanctioned proviso of the TDR said Regulation No.4.1.1	Directives Under Section 154 of the said Act
Provided that the quantum of generation of TDR as prescribed above, shall not be applicable for TDR generated from construction of amenity or construction of reservation/roads, Slum TDR, and Heritage TDR. Also the quantum of Transferable Development Rights (TDR) generated for reservation in CRZ / BDP / HTHS / Low Density Zone / Hazardus	Provided that the quantum of generation of TDR as prescribed above, shall not be applicable for TDR generated from construction of amenity or construction of reservation/roads, Slum TDR, and Heritage TDR. The quantum of Transferable Development Rights (TDR) generated from reservations in areas having full legal impediment / constraint on Construction or development shall be <b>50 % of</b>

Zone/No development Zone areas or in areas which have some natural or legal constraint on development shall be as decided by the Government separately.

normal TDR generated as prescribed above in Regulation No 4.1.1. Where there is no such impediment / constraint to development or construction the normal regulation No.4.1.1 shall apply.

02. The above directives will not apply to **Bio Diversity Park Reservation** as well as HTHS proposed in Pune Development Plan and any other Development Plan. Those will be notified separately.

03. The provisions of these directives shall have effect from the date of publication in the Maharashtra Government Gazette.

These directives shall be kept open for inspection to the general public in the following offices for the above period on all working days.

- (i) Office of the Director of Town Planning, M. S. Central Building, Pune;
- (ii) Office of the Joint Director of Town Planning, Pune, Nashik, Nagpur, Kokan, Aurangabad, Amravati Division;
- (iii) Commissioner Municipal Corporation (All)
- (iv) Chief Officer, Municipal Council (All)

This Notice shall also be made available on the Government website [www.maharashtra.gov.in](http://www.maharashtra.gov.in) (कायदे / नियम).

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



(R.M. Pawar)

Under Secretary to Government