

महाराष्ट्र प्रादेशिक नियोजन व नगर रचना अधिनियम, १९६६  
चे कलम ३७(१ क क)(ग) अन्वये मंजूरी...

राज्यातील नगरपरिषदा व नगरपंचायतीच्या मंजूर प्रमाणित  
विकास नियंत्रण आणि प्रोत्साहन नियमावलीतील विनियम  
क्र.२२.४.२.१(v) मध्ये सुधारणा करणेबाबत...

महाराष्ट्र शासन  
नगर विकास विभाग,  
मंत्रालय, मुंबई-३२  
दिनांक :- २०/०८/२०१८

शासन अधिसूचना क्र. टिपीएस-१८१२/९८१/प्र.क्र.२५०/१३/अबक वर्ग नप/ 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, महाराष्ट्र राज्य, पुणे.
- २) संचालक, नगर रचना तथा सह सचिव, नगर विकास विभाग, मंत्रालय, मुंबई.
- ३) सहसंचालक, नगर रचना, विभागिय कार्यालय अमरावती/नागपूर/औरंगाबाद/पुणे/नाशिक/कोकण  
/- सदर अधिसूचनेची प्रत आपल्या अधिनस्त सर्व शाखा कार्यालय तसेच नगरपरिषदांना पाठवून  
द्यावी.
- ४) सहायक संचालक, नगर रचना / नगर रचनाकार, सर्व शाखा कार्यालये, नगर रचना विभाग
- ५) मुख्याधिकारी, सर्व नगरपरिषदा / सर्व नगरपंचायती.
- ६) व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, चर्नी रोड, मुंबई.

त्यांना विनंती करण्यात येते की, सोबतची शासकीय अधिसूचना महाराष्ट्र शासनाच्या, साधारण  
राजपत्रामध्ये राज्यस्तरावर प्रसिध्द करून त्याच्या प्रत्येकी १० प्रती नगर विकास विभागास / संचालक, नगर  
रचना, महाराष्ट्र राज्य, पुणे यांना पाठवाव्यात.

७) कक्ष अधिकारी, माहिती व तंत्रज्ञान विभाग, मंत्रालय, मुंबई.

/- त्यांना विनंती करण्यात येते की, सदरची अधिसूचना शासनाच्या वेबसाईटवर प्रसिध्द करावी.

८) कक्ष अधिकारी (नवि-२९) नगर विकास विभाग, मंत्रालय, मुंबई.

/- यांना विनंती की सदरची अधिसूचना या विभागाच्या संकेतस्थळावर प्रसिध्द करावी.  
९) निवड नस्ती (नवि-१३).

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10/11/14



## अधिसूचना

महाराष्ट्र शासन  
नगर विकास विभाग  
मंत्रालय, मुंबई ४०००३२  
दिनांक : २०/०८/२०१८.

क्र. टिपीएस-१८१२/९८१/प्र.क्र.२५०/१३/अबक वर्ग नप/ नवि-१३:- ज्याअर्थी, सर्व अ, ब व क वर्ग नगरपरिषदा व नगर पंचायती, ज्यांच्या क्षेत्रांसाठी शासनाने महाराष्ट्र प्रादेशिक नियोजन व नगर रचना अधिनियम, १९६६ (यापुढे ज्याचा उल्लेख "उक्त अधिनियम" असा करण्यात आला आहे) च्या कलम ३१(१) अन्वये वेळोवेळीच्या अधिसूचनांद्वारे (यापुढे ज्याचा उल्लेख "उक्त अधिसूचना" असा करण्यात आला आहे) विकास योजनांना मंजूरी दिली असून, उक्त विकास योजना ह्या उक्त अधिसूचनांमध्ये विहित केलेल्या दिनांकापासून अंमलात आलेल्या आहेत;

आणि ज्याअर्थी, राज्यातील विविध नगरपरिषदांच्या व नगर पंचायतींच्या विकास योजनांच्या बाबतीत शासनाने दि.२१/११/२०१३ रोजी मंजूर केलेली "महाराष्ट्र राज्यातील नगरपरिषदा / नगर पंचायती क्षेत्राकरिताची प्रमाणित विकास नियंत्रण व प्रोत्साहन नियमावली" (यापुढे जिचा उल्लेख "उक्त नियमावली" असा करण्यात आला आहे) वेळोवेळी लागू केली आहे;

आणि ज्याअर्थी उक्त नियमावलीतील विनियम क्र.२२.४.२.१ (v) नुसार औद्योगिक वापर विभागामध्ये रहिवास वापर अनुज्ञेय करण्यासंदर्भात तरतुदी समाविष्ट आहेत (यापुढे जिचा उल्लेख "उक्त नियम" असा करण्यात आला आहे).

आणि ज्याअर्थी, उक्त नियमान्वये औद्योगिक वापर विभागामध्ये रहिवास वापर अनुज्ञेय करताना अधिमूल्य आकारून रहिवास वापर अनुज्ञेय करणे, सुविधा क्षेत्राचे नियमांमध्ये बदल करणे ई. अनुसूची-अ मध्ये प्रस्तावित केल्याप्रमाणे नवीन विनियम अंतर्भूत करण्यासाठी फेरबदल करणे आवश्यक आहे व त्याकरिता उक्त अधिनियमाच्या कलम ३७ (१) (कक) मधील तरतुदीनुसार उक्त नियम सुधारित करणे आवश्यक आहे, असे शासनाचे मत झाले आहे (यापुढे ज्याचा उल्लेख "प्रस्तावित फेरबदल" असा करण्यात आलेला आहे);

आणि ज्याअर्थी, औद्योगिक वापर क्षेत्रामध्ये निवासी वापर अनुज्ञेय करणेची तरतूद उक्त विनियमात समाविष्ट करणे आवश्यक असल्याचे शासनाचे मत झाल्याने त्यानुसार कार्यवाही करण्यासाठी क्र. १८१२/९८१/प्र.क्र.२५०/१३/अबक वर्ग नप/ नवि-१३, दि.२२/०६/२०१६ अन्वये उक्त अधिनियमाच्या कलम-३७ (१ क क) अन्वये फेरबदलाची नोटीस प्रसिध्द करण्यात आलेली असून यानुषंगाने प्राप्त होणाऱ्या सूचना/हरकतींवर संबंधितांना सुनावणी देण्याकरीता व शासनास अहवाल सादर करण्याकरीता संबंधित विभागीय सहसंचालक, नगर रचना यांची अधिकारी म्हणून नियुक्ती करण्यात आलेली आहे (यापुढे ज्याचा उल्लेख "उक्त अधिकारी" असा करण्यात आला आहे);

आणि ज्याअर्थी, उक्त अधिकारी यांच्या प्राप्त अहवालावर संचालक नगर रचना, महाराष्ट्र राज्य पुणे, यांचा सल्ला घेतल्यानंतर उक्त फेरबदल त्यामध्ये काही बदलासह मंजूर करणे आवश्यक असल्याचे शासनाचे मत झाले आहे;

10/11/18





त्याअर्थी, उक्त अधिनियमाचे कलम ३७(१)(कक)(ग) अन्वये प्राप्त अधिकारात प्रस्तावित फेरबदलास सोबतच्या प्रपत्र "अ" मध्ये नमूद केल्याप्रमाणे शासन अंतिम मंजूरी देत आहे.

सदरहू अधिसूचना नागरिकांच्या अवलोकनार्थ कामकाजाच्या दिवशी कार्यालयीन वेळेत खालील कार्यालयांत उपलब्ध राहिल.

- (i) संचालक, नगर रचना, महाराष्ट्र राज्य, मध्यवर्ती इमारत, पुणे-४११ ००१.
- (ii) विभागीय सह संचालक, नगर रचना, पुणे/कोकण/नाशिक/नागपूर/औरंगाबाद/अमरावती.

सदरहू अधिसूचना शासनाच्या [www.maharashtra.gov.in](http://www.maharashtra.gov.in) (कायदे व नियम) या संकेतस्थळावर देखील प्रसिद्ध करण्यात आली आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,



(रा.म.पवार)

अवर सचिव, महाराष्ट्र शासन

## Schedule A / प्रपत्र-अ

Accompaniment to the Government in Urban Development Department Notification bearing No.TPS-1812/981/C.R.250/13/ABC MPL CNCL/ UD-13, Dt.20/08/2018

**Regulation No.22.4.2.1(v)-Allowing Residential / Commercial user in Industrial Zone (conversion of Industrial Zone to Residential Zone).**

**1) Following new sub regulation No.b(v) shall be added at the end of existing sub regulation b(iv):-**

**Sub Regulation b (v):-** Such Residential / Commercial development as mentioned above in regulation no 22.4.2.1 (v) (a) and (b) shall be permitted only on payment of premium at the rate 20 % of the rate of **said land** as prescribed in the Annual Statement of Rates of the year granting such Residential / Commercial permission. **(Without considering the guidelines therein)**

Provided that if the land for industrial unit is acquired under the provisions of part VII of the land acquisition Act 1894, then prior permission of the Government is necessary before permitting residential use in such lands and additional terms and conditions mentioned in Land and Revenue Department, G.R.No.संकिर्ण-01/2017/प्र.क्र.11/अ-2, दि.11/01/2018 shall be applicable.

**2) Following new sub regulation No.b(vi) shall be added at the end of sub regulation b (v):-**

**Sub Regulation b (vi):-** With the special written permission of the authority, land having area up to 0.20 Hecter in size which are allocated for Industrial use may be permitted to be used for Residential purpose or any other permissible user in Residential Zone. In such case the owner / Developer shall require to provide either 10% amenity space in the form of open land or 5% built up space in the proposed construction at appropriate location preferably on ground floor.

**3) Note No (ii) of the existing regulation shall be replaced with Following new Note No (ii)-  
New Note No (ii) :-**

A. If Development Plan reservations (excluding DP Roads / Road Widening) are in the land under I to R conversion, then such reservation may be adjusted in amenity space as mentioned in following manner.

i. If the area under Development Plan reservation is less than the required area of public amenity space as per the said Regulation, then only the difference between the area shall be provided for public amenity spaces.

ii. If the area under Development Plan reservation is more than the required area of public amenity spaces as per the said regulation, then the area for public amenity spaces shall be provided equal to Development Plan reservation area.

B. Provided further that, irrespective of land use zone, where the provisions of Development Control Regulations provide for amenity Space in Residential area which is more than what is stipulated in this regulations, then Amenity Space which is more only shall be provided.

**4) Following proviso shall be added at the end of existing sub regulation (d):-**

However minimum 20% FSI of permissible total FSI shall be allowed to be utilised towards Commercial / Office users.



5) Following proviso shall be added at the end of existing sub regulation b (iv):-

The remaining 50 % area of amenity space may be permitted for development as per the provisions of Accommodation Reservation Policy.

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



  
(R.M.Pawar)

Under Secretary to Government



## NOTIFICATION

Government of Maharashtra,  
Urban Development Department,  
Mantralaya, Mumbai 400 032.  
Date :20/08/2018

Maharashtra  
Regional &  
Town  
Planning Act,  
1966

No. TPS-1812/981/CR-250/2013/ ABC MPL CNCL/UD-13- Whereas, the Government of Maharashtra has sanctioned the Final Development Plans of all A, B and C class Municipal Councils and Nagar Panchayats under Section 31(1) of the Maharashtra Regional and Town Planning Act, 1966 (**hereinafter referred to as the "said Act"**) vide various Notifications (**hereinafter referred to as the "said Notifications"**) from time to time which have come into force, with effect from the dates as stipulated under the said Notification and are in force;

And whereas, the "Standardised Development Control and Promotion Regulations for Municipal Councils and Nagar Panchayats in Maharashtra" (**hereinafter referred to as the "said DCPR"**) which are sanctioned by notification dated 21.11.2013, are made applicable by the State Government, from time to time, in respect of the Development Plan for various Municipal Councils and Nagar Panchayats in the State;

And whereas, as per the Regulation No.22.4.2.1(v) of the said DCPR , Residential or Commercial development shall be permitted in Industrial Zone subject to certain conditions (**hereinafter referred to as the "said Regulation"**);

And whereas, the Government of Maharashtra is of opinion that, such Residential / Commercial development in Industrial Zone is to be permitted on payment of **premium** and other conditions as mentioned in **Schedule-A** and to accordingly it is necessary to modify the said Regulation under the provisions of Section 37 (1 AA) of the said Act (**hereinafter referred to as "the proposed modification"**);

And whereas, the Government in the Urban Development Department is of opinion that the provision regarding permitting residential use in industrial zone (I to R) should be incorporated in the said Regulations and accordingly published a notice under subsection (1 AA) of section 37 of the said Act vide notice No.TPS-1812/981/C.R-250/2013/UD-13, dt.03/06/2016 and appointed Joint Director Town Planning, Concerned Division as an officer to here suggestions and / objections and submit his report to Government;

And whereas, after considering the report of the said Officer and after making necessary inquiries and also consulting the Director of Town Planning, Maharashtra State, the Government is of opinion that the said modification should be sanctioned with some modifications;

Now therefore, in exercise of the power conferred by clause (c) of subsection (1AA) of section 37 of the said Act, Government hereby sanctions the modification proposal as mentioned in **Schedule-A** attached herewith.



This Notification shall be kept open for inspection to the general public in the following offices on all working days:-

- (i) Office of the Director of Town Planning, Central Building, Pune.
- (ii) Office of the Joint Director of Town Planning, Pune/Konkan/Nashik/Nagpur/Aurangabad/Amravati Division.

This notification is also made available on Govt. web site [www.maharashtra.Gov.in](http://www.maharashtra.Gov.in) (कायदे व नियम).

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



(R.M.Pawar)

Under Secretary to Government



## Schedule A / प्रपत्र-अ

Accompaniment to the Government in Urban Development Department Notification bearing No.TPS-1812/981/C.R.250/13/ABC MPL CNCL/ UD-13, Dt.20/08/2018

**Regulation No.22.4.2.1(v)-Allowing Residential / Commercial user in Industrial Zone (conversion of Industrial Zone to Residential Zone).**

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Provided that if the land for industrial unit is acquired under the provisions of part VII of the land acquisition Act 1894, then prior permission of the Government is necessary before permitting residential use in such lands and additional terms and conditions mentioned in Land and Revenue Department, G.R.No.संकिर्ण-01/2017/प्र.क्र.11/अ-2, दि.11/01/2018 shall be applicable.

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**3) Note No (ii) of the existing regulation shall be replaced with Following new Note No (ii)-  
New Note No (ii) :-**

A. If Development Plan reservations (excluding DP Roads / Road Widening) are in the land under I to R conversion, then such reservation may be adjusted in amenity space as mentioned in following manner.

i. If the area under Development Plan reservation is less than the required area of public amenity space as per the said Regulation, then only the difference between the area shall be provided for public amenity spaces.

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However minimum 20% FSI of permissible total FSI shall be allowed to be utilised towards Commercial / Office users.



5) Following proviso shall be added at the end of existing sub regulation b (iv):-

The remaining 50 % area of amenity space may be permitted for development as per the provisions of Accommodation Reservation Policy.

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



*Chopra*  
(R.M.Pawar)  
Under Secretary to Government