

Dondaicha Varwade
A.A. Noti.

NOTIFICATION
Government of Maharashtra
Urban Development Department,
Madam Kama Marg, Hutatma Rajguru Chowk,
Mantralaya, Mumbai 400 032
Date - 3rd April, 2012.

The Maharashtra Regional & Town Planning Act, 1966

No.TPS-1010/2159/CR-271(A)/2010/UD-9 :- Whereas, the Dondaicha Varwade Municipal Council (District Dhule) (hereinafter referred to as the 'said Planning Authority') being the Planning Authority within its jurisdiction under Clause (19) of section 2 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as the said Act,) vide its **Resolution No. 133, dated 15th December, 1994** has declared its intention under section 23(1) read with section 34 of the said Act to prepare draft Development Plan for the extended municipal limits and notice of such declaration was published at page No. 289 in the Maharashtra Government Gazette, **dated 30th March, 1995** ;

And whereas, the Dondaicha Varwade Municipal Council after carrying out survey of the entire land within extended Municipal Limit as required under section 25 of the said Act, prepared a draft Development Plan and published a notice under sub-section (1) of section 26 of the said Act to that effect at page Nos. 7197-7198 in Maharashtra Government Gazette, Nashik Division Supplement part - 1, **dated 2nd November, 2006** for inviting objections and suggestions on the published draft Development Plan; (hereinafter referred to as "the said Development Plan") ;

And whereas, after considering the suggestions & objections received on the published draft Development Plan, Planning Committee has submitted it's report to the said Planning Authority. The said Planning Authority vide **resolution No. 7, dated 18th July, 2008** has made certain modifications in the said draft Development Plan under sub-section (4) of section 28 of the said Act ;

And whereas, in accordance with the provisions of section 30 of the said Act, the said Planning Authority was required to submit the said Development Plan to Government for sanction within a period of twelve months from the date of its publication under section 26 of the said Act, provided that the State Government may on an application by the planning Authority extend from time to time the said period by such further period as may be specified in the order but in no case exceeding twenty four months in aggregate and as such the Planning Authority was required to submit the said Development Plan to Government for sanction in any case on or before 1st November, 2009 ;

And whereas, the State Government was of the opinion that the Planning Authority has neglected to perform its duty imposed upon it under the provisions of the said Act in taking required action under section 28, 29 and 30 of the said Act for submission of the said Development Plan to Government for sanction within a specified time limit. The Government vide order No.TPS-1009/1207/C R-271/09/UD-9, dated 11th August, 2009 appointed the Assistant Director of Town Planning, Nandurbar, as an Officer under section 162 of the said Act to perform the duties of the said planning Authority under section 28, 29 and 30 of the said Act. and the said officer submitted the said Development Plan to the Government vide letter no.879 dated-30/10/2009 for sanction under section 30 of the said Act ;

And whereas, the said Act has been amended vide Maharashtra Act No.X of 2011, with effect from 5th April, 2011 ;

And whereas, the said Development Plan is deemed to be submitted under section 30 of the said Act, to the Government of Maharashtra as on 5th April, 2011; *

And whereas, in accordance with the section 31(1) of the said Act, the State Government has to sanction the draft Development Plan within six months (i.e. upto 4th Oct, 2011) or within the further extended time period not exceeding six months (i.e. up to 4th April, 2012) in the aggregate, from the date of submission under section 30 of the said Act ;

And whereas, in accordance with sub-section (1) of section 31 of the said Act the Government of Maharashtra after making necessary enquiry and after consulting the Director of Town Planning is of the opinion that the Development Control Regulation for Dondaicha Varwade Municipal Council is necessary to be kept in abeyance in view of revised 'Draft Development Control and Promotion Regulations for Municipal Councils and Nagarpanchayats in Maharashtra' published by Govt. under section 37 (1AA) of the said Act on 30th June, 2011 ;

And whereas, in accordance with sub-section (1) of section 31 of the said Act after making necessary enquiry and after consulting the Director of Town Planning, Maharashtra State, Pune; the Government has decided to sanction part of the said Development Plan with Modifications shown in **SCHEDULE – A** excluding the substantial Modifications shown in **SCHEDULE – B** appended to Government Notification No. TPS-1010/2159/CR-271(B)/2010/UD-9, dated 3rd April, 2012 ;

Now, therefore in exercise of the powers conferred by sub-section (1) of section 31 of the said Act and of all other powers enabling it on that behalf, the Government of Maharashtra hereby :-

- a) Sanctions the said draft Development Plan for Dondaicha Varwade Municipal Council (additional area) along with the modifications shown in **SCHEDULE – A** , excluding the substantial modifications shown on the said Development plan specified in Schedule 'B' of the above notification and keeps in abeyance to accord sanction to the Development Control Regulations for Municipal Council as submitted under section 30 of the said Act by Municipal Council Dondaicha Varwade till the sanction of draft 'Development Control and Promotion Regulations for Municipal Councils and Nagarpanchayats in Maharashtra'. Revised 'Draft Development Control and Promotion Regulations for Municipal Councils and Nagarpanchayats in Maharashtra' published by Govt. under section 37 (1AA) of the said Act on 30th June, 2011 will be made applicable as soon as they are sanctioned by Govt. under section 37(2) of the said Act.
- b) Fixes the 15th May, 2012 to be the date on which final part Development Plan for area of Dondaicha Varwade Municipal Council shall come into force.
- c) Extends the period under section 31(1) of said Act for sanctioning the said draft Development Plan from 5th October, 2011 upto and inclusive to 3rd April, 2012.

Note :-

- 1) The aforesaid part Final Development Plan sanctioned by the State Government shall be kept open for inspection by the public during working hours on all working days for a period of **one month** coming into force of this notification in the office of Dondaicha-Varwade Municipal Council.
- 2) Areas of reserved sites mentioned in the report of the Development Plan are approximate and subject to actual measurement on site as per boundaries shown on the Final Development Plan.

- 3) Draftsman's errors which are required to be corrected as per actual situation on site/or as per survey records, sanctioned layout etc. shall be corrected by the Chief Officer, Dondaicha Varwade Municipal Council, Dondaicha-Varwade after due verification and with prior approval of the Director of Town Planning Maharashtra State, Pune.
- 4) The private or rental premises designated in Public-Semi public zone will continue to be in the zone as long as public-semi public user exists, otherwise those lands shall be considered to be included in the adjoining major use zone.
- 5) This Notification is also available on Govt. web site www.urban.maharashtra.gov.in

By order and in the name of Governor of Maharashtra.



(Pradeep Gohil)

Section Officer to Government

SCHEDULE - A

**MODIFICATIONS SANCTIONED BY GOVERNMENT U/S 31(1)
OF THE MAHARASHTRA REGIONAL & TOWN PLANNING ACT, 1966**

**ACCOMPANIMENT TO THE GOVERNMENT NOTIFICATION NO. TPS-1010/2159/CR-271(A)/2010/UD-9,
dated 3rd April, 2012.**

Sr.No	Modific a-tion No	Proposals of Draft Development Plan published under section 26	Proposals of Draft Development Plan submitted under section 30	Modifications made by the Government while sanctioning the Draft Development Plan under Section 31 of the M.R.& T. P. Act 1966.
1	2	3	4	5
1	M - 1	Site No. 28, Cremation Ground, Site No. 29, Garden	Site No. 28 'Cremation Ground' and Site No. 29 'Garden' is amalgamated and shown for housing for dishoused.	Site No. 28 Cremation Ground & Site No. 29, Garden are retained as per plan published u/s 26.
2	M - 2	Site No, 19 Sports Complex	Site No: 19 redesignated as Play Ground.	Site No, 19 is redesignated as Play Ground.
3	M - 3	Site No. 1, S.T.P.	Site No. 1, S.T.P. is included in agricultural zone of lands, Dondaicha Survey Nos. 219 to 221, 226, 227, 228, 230,231, 232, 240, 241, 245, 246, 254, 255, 259, 260, 261 to 266, 271 to 275, 277(pt), 278, 279.	Site No. 1 S.T.P. is retained as per plan published u/s 26 and boundary of agricultural zone of land Survey Nos. 219 to 221, 226, 227, 228, 230,231, 232, 240, 241, 245, 246, 254, 255, 259, 260, 261 to 266, 271 to 275, 277, 278, 279 is modified as shown on plan.

By order and in the name of Governor of Maharashtra.


(Pradeep Gohil)

Section Officer to Government