

राज्यातील विशेष नियोजन प्राधिकरणे तसेच क्षेत्र विकास प्राधिकरणे यांच्या नियमावलीत एकात्मिक नगरवसाहत प्रकल्पासाठीचे सुधारित विनियम समाविष्ट करण्यासाठी महाराष्ट्र प्रादेशिक नियोजन व नगर रचना अधिनियम, १९६६ चे कलम ३७ (१ क क) (ग) अन्वये मान्यता.

महाराष्ट्र शासन  
नगर विकास विभाग,  
मंत्रालय, मुंबई-३२.

शासन सूचना क्रमांक : टिपीएस-१८१६/प्र.क्र.३६८(भाग-१)/१५/३७ (१ क क) (ग) /वियो/नवि-१३  
दिनांक : ०८/०३/२०१९

सोबतची शासकीय अधिसूचना महाराष्ट्र शासन असाधारण राजपत्रामध्ये राज्यस्तरावर मध्यवर्ती पुरवणीमध्ये प्रसिध्द करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांचे आदेशानुसार व नांवाने,



*श्री. दि. लांडगे*  
(श्री. दि. लांडगे)  
सह सचिव, महाराष्ट्र शासन

प्रत:-

- १) मा.मुख्यमंत्री महोदयांचे सचिव, मंत्रालय, मुंबई.
- २) मा.राज्यमंत्री (नवि) महोदयांचे खाजगी सचिव, मंत्रालय, मुंबई.
- ३) मा. प्रधान सचिव (नवि-१) नगर विकास विभाग, महाराष्ट्र राज्य, मंत्रालय, मुंबई.
- ४) मा. सह सचिव तथा संचालक, नगर विकास विभाग, मंत्रालय मुंबई

प्रति उचित कार्यवाही करीता:-

- १) संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे.
- २) महानगर आयुक्त, मुंबई महानगर प्रदेश विकास प्राधिकरण, मुंबई/पुणे/नाशिक/नागपूर/औरंगाबाद.
- ३) सह संचालक, नगर रचना, पुणे/कोकण/नाशिक/अमरावती/नागपूर/औरंगाबाद विभाग,
- ४) विभागीय आयुक्त, पुणे/कोकण/नाशिक/अमरावती/नागपूर/औरंगाबाद विभाग
- ५) व्यवस्थापकीय संचालक, सिडको / एमएसआरडीसी, मुंबई.
- ६) व्यवस्थापक, मध्यवर्ती मुद्रणालय, चर्नी रोड, मुंबई.  
(सोबतची शासकीय अधिसूचना महाराष्ट्र शासनाच्या असाधारण राजपत्र मध्यवर्ती विभागामध्ये राज्यस्तरावर प्रसिध्द करुन त्याच्या प्रत्येकी २५ प्रती या विभागास, पाठवाव्यात.)
- ७) कक्ष अधिकारी (नवि-२९) नगर विकास विभाग, मंत्रालय, मुंबई - सदरची सदर अधिसूचना या विभागाच्या संकेतस्थळावर प्रसिध्द करणेत यावी.
- ८) कक्ष अधिकारी, माहिती व तंत्रज्ञान विभाग, मंत्रालय, मुंबई.  
सदर अधिसूचना शासनाच्या वेबसाईटवर प्रसिध्द करावी.
- ९) कार्यासन अधिकारी, नवि-९/११/१२/३०
- १०) निवडनस्ती (नवि-१३).

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## अधिसूचना

महाराष्ट्र शासन  
नगर विकास विभाग  
मंत्रालय, मुंबई-३२  
दिनांक : ०८/०३/२०१९

महाराष्ट्र  
प्रादेशिक  
नियोजन व  
नगर रचना,  
अधिनियम,  
१९६६

क्रमांक:- टिपीएस-१८१६/प्र.क्र.३६८(भाग-१)/१५/३७ (१ क क) /वियो/नवि-१३ - ज्याअर्थी, शासनाच्या नगर विकास विभागाने, स्थानिक नियोजन प्राधिकरणांच्या व नियोजन प्राधिकरणांच्या (विशेष नियोजन प्राधिकरणासहीत) (यापुढे ज्यांचा उल्लेख "उक्त नियोजन प्राधिकरण" असा करण्यात आला आहे) विकास योजनांना त्यांच्या विकास नियंत्रण नियमावलीसह महाराष्ट्र प्रादेशिक नियोजन व नगर रचना अधिनियम, १९६६ च्या (यापुढे ज्यांचा उल्लेख "उक्त अधिनियम" असा करण्यात आला आहे) कलम ३१ अन्वये वेळोवेळीच्या अधिसूचनांद्वारे (यापुढे ज्यांचा उल्लेख "उक्त अधिसूचना" असा करण्यात आला आहे) मंजूरी दिली आहे;

आणि ज्याअर्थी, उपलब्ध जमिनीचा तिच्या कमाल विकसन क्षमतेनुसार उपयोग करून घेणे, बाजारामध्ये किफायतशीर घरांचा पुरवठा वाढविणे, नगर वसाहत प्रकल्पाच्या माध्यमातून शासनास कोणताही खर्च न करता स्मार्ट सिटी सारख्या समृद्ध वसाहती विकसित होणेकरीता, तसेच प्रकल्पाकरीता विनियमामध्ये व कार्यपध्दतीमध्ये स्पष्टता आणणे याकरीता विशेष नगर वसाहतीचे धोरण यापूर्वी शासनाने सन २००६ मध्ये तयार करून ते उक्त नियोजन प्राधिकरणांच्या विकास नियंत्रण नियमावलीमध्ये समाविष्ट केलेले आहेत (यापुढे ज्यांचा उल्लेख "विशेष नगर वसाहतीचे विनियम" असा केला आहे);

आणि ज्याअर्थी, उक्त विशेष नगर वसाहतीच्या विनियमामध्ये शासनाने वेळोवेळी बदल केलेले आहेत;

आणि ज्याअर्थी, विशेष नगर वसाहत हा शब्दप्रयोग बदलून एकात्मिक नगर वसाहत असा करण्यासाठी महाराष्ट्र अधिनियम ४३ / २०१४ नुसार उक्त अधिनियमामध्ये दि.२२/०४/२०१५ पासून बदल करण्यात आलेला आहे (यापुढे ज्यांचा उल्लेख "उक्त एकात्मिक नगर वसाहत" असा उल्लेख करण्यात आलेला आहे);

आणि ज्याअर्थी, उपलब्ध जमिनीचा तिच्या कमाल विकसन क्षमतेनुसार उपयोग करून घेणे, बाजारामध्ये किफायतशीर घरांचा पुरवठा वाढविणे तसेच प्रकल्पाकरीताच्या सध्याच्या विनियमामध्ये व कार्यपध्दतीमध्ये स्पष्टता आणणे याकरीता विशेष नगर वसाहतीचे धोरणामध्ये सुधारणा करणे आवश्यक असल्याचे शासनाचे मत झाले आहे.

आणि ज्याअर्थी, उपरोक्त बाबी विचारात घेतल्यानंतर शासनाने प्रस्तावित केलेल्या एकात्मिक नगर वसाहतीच्या सुधारित धोरणास दि.१४/०२/२०१८ रोजीच्या मा.राज्य मंत्रिमंडळ बैठकीमध्ये मान्यता दिल्यानुसार उक्त नियोजन प्राधिकरणांच्या विकास नियंत्रण नियमावलीमध्ये असलेले सध्याचे विद्यमान विशेष नगर वसाहतीचे विनियम बदलून त्याऐवजी उक्त एकात्मिक नगर वसाहतीचे सुधारित विनियम नव्याने समाविष्ट करणे आवश्यक झाले असून त्याकरीता उक्त नियोजन प्राधिकरणांच्या विकास नियंत्रण नियमावलीमध्ये समाविष्ट करणे आवश्यक आहे असे शासनाचे मत झाले आहे (यापुढे ज्यांचा उल्लेख "प्रस्तावित फेरबदल" असा करण्यात आला आहे.);

आणि ज्याअर्थी, उक्त प्रस्तावित फेरबदलाचा अंतर्भाव उक्त नियोजन प्राधिकरणांच्या विकास नियंत्रण नियमावलीमध्ये समाविष्ट करण्याकरीता सार्वजनिक जनहित लक्षात घेता, अधिनियमाचे कलम



३७ (१ क क) अन्वये शासनस्तरावरुन हरकती मागविण्यासाठी सूचना प्रसिध्द करणे आवश्यक आहे, असे शासनाचे मत झाले आहे;

आणि ज्याअर्थी, उक्त अधिनियमाच्या कलम ३७ (१ क क) अन्वये प्रदत्त असलेल्या अधिकारानुसार शासनाने" प्रस्तावित फेरबदल "प्रस्तावासंदर्भात आम जनतेकडून सूचना / हरकती मागविण्यासाठी नोटीस क्र. टिपीएस-१८१६/ प्र.क्र.३६८ (भाग-१) /१५ / ३७ (१कक) / वि.यो./ नवि-१३, दि.२२/०३/२०१८ रोजी प्रसिध्द केले असून याबाबतची सूचना दि.२६ मार्च २०१८ रोजीच्या महाराष्ट्र शासन राजपत्र असाधारण भाग-१-मध्य उप विभाग पृ. क्र. १ ते ३३ वर प्रसिध्द झाली आहे आणि उक्त फेरबदलाबाबत नोटीस प्रसिध्दीनंतर प्राप्त होणाऱ्या सूचना /हरकतीवर संबंधितांना सुनावणी देण्याकरीता व शासनास अहवाल सादर करण्यासाठी संबंधित विभागाच्या विभागीय सह संचालक, नगर रचना यांना उक्त अधिनियमाचे कलम १६२ अन्वये प्राधिकृत करण्यात आले होते. (यापुढे ज्याचा उल्लेख" उक्त नियुक्त अधिकारी "असा करण्यात आला आहे);

आणि ज्याअर्थी, उक्त नियुक्त अधिकारी यांनी वैधानिक कार्यवाही पूर्ण करुन उक्त फेरबदल प्रस्तावाबाबत त्यांचा अहवाल पत्र क्र .७६३, दि.११/०७/२०१८, ५५७० दि.०६/०७/२०१८, १४६०, दि.२७/०८/२०१८, ११०५ दि.१०/०९/२०१८, १५८६ दि.०९/१०/२०१८, २१३३ दि.२८/१२/२०१८ अन्वये सादर केले असून त्यावर संचालक, नगर रचना ,महाराष्ट्र राज्य ,पुणे यांनी पत्र क्र.१०७२ , दि.२७/०२/२०१९ अन्वये अभिप्राय सादर केले आहेत;

आणि ज्याअर्थी, उक्त नियुक्त अधिकारी यांचे अभिप्राय विचारात घेतल्यानंतर आणि संचालक, नगर रचना महाराष्ट्र राज्य, पुणे यांचा सल्ला घेतल्यानंतर उक्त फेरबदल मंजूर करणे आवश्यक असल्याचे शासनाचे मत झाले आहे;

त्याअर्थी, उक्त अधिनियमाच्या कलम ३७(१ क क) (ग) अन्वये प्रदत्त असलेल्या अधिकाराचा वापर करुन शासन याद्वारे उक्त फेरबदल प्रस्ताव नगरपरिषदा/महानगरपालिका यांचेकरीता स्थगित ठेवून उर्वरित विशेष नियोजन प्राधिकरणे / क्षेत्र विकास प्राधिकरणे यांचेकरीता सोबतच्या अनुसूची-अ मध्ये सविस्तर वर्णन केल्याप्रमाणे एकत्मिकृत नगर वसाहतीचे सुधारीत नियमास काही सुधारणासह अंतिम मंजूरी देत आहे.

प्रस्तुत फेरबदलाची अधिसूचना त्यासोबतच्या अनुसूची-अ सह नागरिकांच्या अवलोकनार्थ कामकाजाच्या दिवशी कार्यालयीन वेळेत खालील कार्यालयात उपलब्ध राहिल:-

- १) संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे,
- २) सह संचालक, नगर रचना, पुणे/कोकण/नाशिक/अमरावती/नागपूर/औरंगाबाद विभाग,
- ३) महानगर आयुक्त, मुंबई महानगर प्रदेश क्षेत्र विकास प्राधिकरण, मुंबई/ महानगर आयुक्त, महानगर प्रदेश विकास प्राधिकरण, पुणे/नाशिक/नागपूर/औरंगाबाद.

सदरहू सूचना शासनाच्या [www.maharashtra.gov.in](http://www.maharashtra.gov.in) (कायदे / नियम) या संकेतस्थळावर प्रसिध्द करण्यात आली आहे.

महाराष्ट्राचे राज्यपाल यांच्या आदेशानुसार व नावाने,



(रा.म.पवार)

अवर सचिव, महाराष्ट्र शासन

## NOTIFICATION

**Government of Maharashtra  
Urban Development Department  
Mantralaya, Mumbai-400 032.  
Dated : 08/03/2019**

**Maharashtra  
Regional and  
Town  
Planning  
Act, 1966**

**No. TPS-1816/CR-368/16/Part-I/DP-ITP/UD-13:-** Whereas, the Government has sanctioned various Development Plans (hereinafter referred to as 'the said Development Plans') along with their Building Bye-laws and Development Control Regulations (hereinafter referred to as 'the said Development Control Regulations') for **All Local Authorities and Planning Authorities including Special Planning Authorities** (hereinafter referred to as 'the said Planning Authorities') under the provisions of the **Maharashtra Regional & Town Planning Act, 1966** (hereinafter referred to as 'the said Act')

And whereas public housing has been one of the major concern of Policy Planning. It has been realised that there is a need to incentivise investment by private sector in development of housing. Considering this, the Government of Maharashtra earlier finalized the Special Township Policy (herein after referred to as the "said STP Policy") in the year 2006 and subsequently the provision for implementation of the said STP policy (herein after referred to as the "said STP Regulations") has been included in the respective Development Control Regulations of the said Planning Authorities;

And whereas, Government has made subsequent amendments in the said STP Regulations from time to time;

And whereas, the words Special Township Project are replaced by an Integrated Township Project by the amendment made in the said Act vide Maharashtra Act 43 of 2014 with effect from 22/04/2015 and henceforth referred to as an Integrated Township Project (herein after referred to as the "said ITP");

And whereas, it is under consideration of the Government that the present said STP Regulations will be modified substantially in order to utilise the maximum development potential of land, to increase the supply of affordable houses in the market and to bring clarity / simplification in the process of approval;

And whereas, in view of the above and after decision of the State Cabinet dated 14/02/2018, the Government is of the opinion that the said existing STP Regulations of the said Planning Authority should be replaced by the new set of **Revised ITP Regulations** appended herewith in **Annexure-B** (herein after referred to as the said "**Proposed Modification**");

And whereas, the Government, found it expedient in the public interest to take recourse of the provision contained in Section 37(1AA)(a) of the said Act to incorporate the said **proposed modification** in DCR of the said planning authorities;

And whereas in exercise of the power conferred by subsection (1AA) of section 37 of the said Act and all powers enabling it in that behalf, the Government of Maharashtra in Urban Development Department has Published a Notice No. TPS-1816/C.R.368/16/Part-I/DP-ITP/UD-13, dt-22.03.2018. (hereinafter referred to as "the said Notice") regarding the proposed modification which has appeared in Maharashtra Government Gazette Extra Ordinary Part-I Central Sub Division dt. 26<sup>th</sup> March , 2018 on page No.1 to 33 for inviting suggestion /



objection from the general public and appointed concerned Divisional Joint Director of Town Planning who is hereby authorised as an Officer under section 162 of the said act on behalf on Government. (Hereinafter referred to as the "said Officer.")

And whereas, after completing all the legal procedure as mentioned in the said Act, the said Officer has submitted his report to the Government regarding the said proposed modification vide letter No.763 dated the 11/07/2018, 5570 dated 06/07/2018, 1460, dated 27/08/2018, 1105 dated 10/09/2018, 1586 dated 09/10/2018, 2133, dated 28/12/2018 and the Director of Town Planning M.S.Pune has submitted his report on the said proposed modification vide their letter No. 1072, Dated 27/02/2019;

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 certain changes ;

Now therefore, in exercise of the power conferred by subsection (1 AA) (C) of section 37 of the said Act, Government hereby accords sanction to the proposed modification with certain changes and replaces all the said existing Regulations for Development of integrated Township Project for Special Planning Authorities / Area Development Authorities excluding Municipal Councils and Municipal Corporations (Kept in abeyance) by the new set of Special Regulation for Development of Integrated Township Project appended here with in 'Annexure-A'


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

- (i) Director of Town Planning, Central Building, Pune;
- (ii) Joint Director of Town Planning, Pune, Nashik, Nagpur, Konkan Aurangabad, Amravati Division;
- (iii) Metropolitan Commissioner , Metropolitan Authority, Pune/Nagpur/Nashik/Aurangabad

This Notice shall also be published 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

## Annexure- A

**Accompaniment to the Government in Urban Development Department Notification bearing No.TPS-1816/CR-368/16/UD-13, dated 08/03/2019.**

### **REGULATION FOR DEVELOPMENT OF 'INTEGRATED TOWNSHIP PROJECT (ITP)**

#### **1. Applicability :-**

These regulations shall be applicable to the areas under Development Plans in jurisdiction of SPAs and ADAs within Regional Plan / Development Plan sanctioned under the provisions of Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act").

These Regulations shall come into force with effect from the date on which the final notification has published in the official Gazette.

Provided that, if the Development Control Regulations regarding development of Integrated Township Project for an area over which a Planning Authority/Special Planning Authority/Area Development Authority has been appointed or constituted or deemed to have been appointed are yet to be sanctioned, then in considering the application for permission, these regulations, shall be applicable, mutatis mutandis, till such Authority adopts the Regulations in this regard.

If the ITP falls within the jurisdiction of more than one authority then in such cases Government can issue directives at the time of Locational Clearance or at any time regarding which authority will give permission and supervise the project subject to terms and conditions as may be specified.

#### **2. Requirements of Site:-**

The area proposed for Integrated Township shall fulfill the following requirements:-

- i) Any suitable area having area of 40 hect. (100 Acres) or more at one place.
- ii) The area shall be one, contiguous, unbroken and uninterrupted. Provided that, such area if divided by one or more water courses (such as nalas, canals, etc.), existing or proposed roads of any width or by railways, pipeline etc., shall be treated as one, contiguous, unbroken and uninterrupted, subject to condition that the Project Proponent/s shall construct necessary connecting roads or bridges as per site requirements at his own cost with due permission from concerned authorities. Integrated Township area may also include;
  - a) Lands in afforestation zone provided that such land is not a forest land and subject to no construction being allowed on land having slope more than 1:5.
  - b) Lands within the buffer zone of National Park subject to restriction on development permissible in such buffer zone and subject to NOC of Forest Department.
  - c) Tribal land subject to permission granted under MLR code, Government lands allotted to project proponent subject to clause 13.2.
  - d) Private forest land that have been restored back after completion of section 22(a) Enquiry of Maharashtra Private Forest Act, 1975 shall be allowed to be part of the ITP with the condition that development permission shall be granted on such land only after necessary permission under the provision of Forest Conservation Act, 1980.
  - e) Buffer zone of Eco-sensitive Zone notified subject to all restriction on development and FSI permissible in such buffer zone.



- f) Areas under flood line / flood zone subject to clearance from Water Resource Department.
- g) Areas under Hill Top / Hill Slope Zone, and b, e, f mentioned above as shown on Regional Plan/Development Plan subject to condition as mentioned in Clause 7.1.3. However total of these areas shall be restricted to maximum 40% of total area under ITP.
- iii) If the Integrated Township area is more than 200 Ha., it can be segregated as long as each parcel is more than 40 Ha. and is located within a radius of 5 kms. Provided that the land use mix is maintained in each parcel.
- iv) The area shall have an access by means of an existing, or proposed road having minimum width of 18 mt. In case of proposed road, such area shall have an access by existing road having width 12 mt. for the purpose of declaration locational clearance and LoI of such project but it is necessary for the project proponent to have an existing access of 18 mt. before sanction of Commencement Certificate to the FSI beyond 25% of project. Provided that Government land or land belonging to tribles can be considered for the purpose of road if there is a registered Agreement. However development permission shall be granted only after due permission of appropriate authority is given.
- v) The ITP Area shall not include the area under:-
- a) Notified forest, (excluding the private forest land subject to NOCs of forest Department.)
  - b) Water bodies like river, creek, canal, reservoir, etc. Mangroves, Tidal Zone, Mud Flats
  - c) The area under Notified National Parks.
  - d) Defense Estates
  - e) Cantonment Boards
  - f) Any restricted area.
  - g) Quarry Zone, Notified SEZ, designated port/harbour areas, wildlife corridor and biosphere reserves, Gaathan/Congested Area.
  - h) The historical and archeological places notified under the relevant act.
  - i) Any other area that may be declared by the Govt. of Maharashtra from time to time.

### **3. Ownership of Lands:-**

The project proponent/s shall have the ownership of all the land parcels under project. (Explanation - for this clause, ownership includes rights accrued vide one or more registered Development Agreement/s or Power of Attorney (PoA) for such development and disposal, on behalf of land owner/owners).

### **4. Permission and Declaration of Project by State Government:-**

4.1 The Project Proponent/s shall apply to the State Government for obtaining permission and declaration of such project to be a "Integrated Township Project". Such application shall be accompanied by the following attested documents in two sets:-

- a) Details of ownership of land viz. extracts of V.F.No. 7/12 or Property Register Cards, in original having date not more than six months prior to the date of submission. In case of rights accrued through registered Development Agreement or PoA, attested copies of such documents.



- b) Self-attested list of S.No./G.No./CTS showing name of owner as per record of rights, total area of such land parcel, area owned by the applicant in such land parcel, the name of person/company owning the Development Rights, area proposed to be included in project from such land parcel.
- c) Part plan of sanctioned Regional Plan, showing all the lands falling in the project.
- d) No Objection Certificate from the officer at Divisional level, Water Resources Department in respect of lands falling in "Command Area" of any Irrigation Project unless these powers are exercisable by the higher authority.
- e) Village maps showing the lands falling in the project.
- f) Certificate from concerned Forest Officer not below the rank of Dy. Conservator of Forests at Divisional level (unless these powers are exercisable by higher authority), showing that the lands under project do not form part of and not included in reserved forest or protected forest or non-classified forest or not acquired under the provisions of the Maharashtra Private Forest (Acquisition) Act, 1975 and also, confirming that such lands do not form part of the Notified National Parks, prohibited area of Notified Wildlife Sanctuaries and Notified Bird Sanctuaries.
- g) Certificate from the concerned revenue officer not below the rank of Tahasildar, showing the lands under project do not include lands belonging to tribal or that tribal land included in ITP have necessary permission under MLR code.
- h) Certificate from the Director of Archaeological Department, Maharashtra State, showing that the lands under project do not include monuments notified by the Archaeological Department, Heritage buildings and Precincts. Such certificate should also mention the distance to be kept around such places, if any.
- i) Receipt of processing fee (non-refundable) paid, at the concerned branch office of the Town Planning Department, at the rate of Rs.5000/- per ha. for the current year with the yearly rise of Rs.500/- per ha. starting from the month of January every year.

**4.2** On receipt of an application under Clause 4.1 above, the Government may, after consulting the Director of Town Planning, Maharashtra State, by notification in the Official Gazette, grant the Locational Clearance and declare such project to be a "Integrated Township Project", subject to such general and/or special conditions or, reject the application, under the provisions of Section 18(3) or 44(2) of the said Act, as the case may be within a period of 90 days from the date of receipt of application or reply from the Project Proponent/s in respect of any requisition made by the Government, whichever is later. If the project proponent fails to comply with the conditions specified while granting location clearance within the specified time limit, then in such cases location clearance given earlier stands automatically cancelled and no refund or adjustment of premium / fees / expenses etc. shall be eligible.

**(Explanation -** In circumstances described in Clause 4.2, such grant of permission and declaration of project shall be made under the provisions of Section 18(3) read with section 44(2) of the Maharashtra Regional and Town Planning Act, 1966 )

**4.3** Every such permission and declaration shall remain in force for a period of two years, if not applied for Letter of Intent under Clause 5, from the date of issue of Locational Clearance Notification and thereafter it shall lapse.

Provided that, the Director of Town Planning, Maharashtra State, Pune may, on application made by Project Proponent/s before expiry of the above period extend such period by two years in aggregate. Provided also that, it is not mandatory on Project Proponent/s to submit all the papers afresh as prescribed under Clause 4.1, however the affidavit regarding the ownership of land about any dispute shall be mandatory.





4.4 Such lapse shall not bar any subsequent application for fresh proposal.

4.5 The Director of Town Planning, Maharashtra State, on the request of Project Proponent/s, by notification in the Official Gazette, may grant to add or delete any area, not exceeding 50% of the total area under Locational Clearance, subject to condition that the remaining area shall not be less than 40 Hect. The permissible FSI and other parameters shall increase or decrease accordingly.

#### 5. Letter of Intent (LOI) by the Collector:-

5.1 The Project Proponent/s shall apply to the Collector for obtaining the Letter of Intent for such project. Such application shall be accompanied by the ownership documents as prescribed in Clause 4.1(a) & 4.1(b) and with locational clearance notification issued by the Government

5.2 The Collector shall verify and satisfy himself that Ownership and Development Rights of all the lands under project are with the Project Proponent/s before issuing the Letter of Intent.

5.3 On receipt of an application under Clause 5.1 the Collector shall grant the Letter of Intent for the whole area or separately for any part thereof, which shall not be less than 40 Ha. at the first instance, subject to conditions as may be deem fit, or reject the application, within a period of 45 days from the date of receipt of application or reply from the Project Proponent/s in respect of any requisition made by the Collector, whichever is later.

Provided that, in case of rejection, the Collector shall mention the grounds for such refusal.

5.4 Every such Letter of Intent shall remain in force for a period of two year, if not applied for Development Permission under Clause 6, from the date of issue of Letter of Intent, unless renewed. Provided that, the Collector may, on application made by Project Proponent/s before expiry of the above period extend such period by two years in aggregate. Provided also that letter of intent granted by collector under earlier regulations may also be extended subject to other conditions of these regulations.

#### 6. Master Layout Plan Approval by the Collector:-

6.1 The project proponent/s shall apply to the concerned Authority for obtaining the approval to the Master Layout Plan of the entire area as per Letter of Intent. Such application shall be accompanied by the documents in two sets as prescribed below:-

- a) Attested copy of Gazette Notification issued by the Government under Clause 4.2.
- b) Attested copy of Letter of Intent issued by Collector under Clause 5.
- c) Part plan of sanctioned Regional Plan showing the lands under the Master Layout Plan.
- d) Village Map showing the lands under the Master Layout Plan.
- e) In case, project has no access from existing road having right of way of 18 m. then documents showing the ownership or registered agreement for permanent write of ways as the case may be of Project Proponent/s in lands proposed for 18 m. wide access road.
- f) Bank Guarantee of requisite amount as prescribed in Clause 12.6.
- g) Undertaking and Affidavit as may be prescribed by the Collector.
- h) Copies of Master Layout Plan with or without Building Plans in three sets prepared and signed by expert in respective field and team headed by an Architect or Town Planner registered with Institute of Town Planners India (ITPI) with sign of owner/developer.



- i) Contour map showing contour levels of lands under Master Layout Plan. Trueness of the contour shall be certified and attested by the surveying agency and the Project Proponent/s under their signature and seal.
- j) Colored google earth image / Bhuvan image/ Drone survey image etc. showing lands under Master Layout Plan signed by project proponent.
- k) Phased Program for development of physical infrastructure with amenities under project, along with the project cost details.

**6.2** If the application is not accompanied by the documents mentioned in Clause 6.1, the Authority shall convey the same to the Project Proponent/s immediately within 10 working days giving specific time period for fulfillment of such documents and if the same are not submitted by the said project proponent in given time then return the proposal at his level only.

**6.3** On receipt of application, complete in all respects, as prescribed under Clause 6.1, the Authority shall forward the same to the concerned Divisional Joint Director of Town Planning for technical consultation within 10 working days.

**6.4** The office of the Divisional Joint Director of Town Planning shall send its remarks to Authority within two months from the receipt of proposal from the Authority or receipt of reply from the Project Proponent/s in respect of any requisition made by him, whichever is later. Such master layout approval will be given with the condition that project proponent will not commence work without environmental clearance. Such environmental clearance shall be submitted at the time of sanction to the building permission. Sanctioned master Plan layout alongwith complete set of drawings shall be endorsed to the concerned branch office of Town Planning Department or to the authority wherever required for the further permissions.

**6.5 Approval to the Master Plan:-** The Authority shall grant approval to the master layout or reject the application, within one month from the receipt of reply from the Divisional Joint Director of Town Planning as mentioned in 6.4.

**6.6 Approval to the building plan:-** Detailed building permission under the master layout plan sanctioned as per clause 6.5 shall be granted by the concern authority with prior consultation as prescribed in proviso to clause 12.4 within 30 days from the receipt of the proposal from the project proponent as mentioned in 6.6.1.

**6.6.1** - The Project Proponent/s shall apply to the concerned Planning Authority / Special Planning Authority or Branch office of the Town Planning Department, for grant of building permission, alongwith all relevant documents and attested copy of Environment Clearance for the project from MoEF or the Authority empowered by the MoEF.

**6.6.2** - The Project Proponent/s shall submit the certificate of Architect regarding completion of plinth stating that the construction of plinth is as per the approved building Plans to the concerned Planning Authority / Special Planning Authority or Branch Office of the Town Planning as the case may be along with approved Plan. The Planning Authority / Special Planning Authority or Branch Office of the Town Planning shall verify the same **within stipulated time period**. If it is found that the construction of plinth is not as per the building permission sanctioned, the said office shall reject such plinth checking certificate. In such circumstances, the Project Proponent/s shall either demolish the said plinth or get the revised plan sanction according to changes. If it is found that the construction of plinth is as per the building permission sanctioned, then granting the plinth checking certificate is not necessary.

However notwithstanding anything mentioned above, before grant or refusal to the Master Layout Plan, the Authority shall, consult the, concerned Divisional Joint Director of Town Planning as prescribed in Clause-6.3 and 6.4, if the Planning Officer posted in such Authority is below the rank of Joint Director of Town Planning, and to the concerned branch office of Town Planning as prescribed in Clause-6.6 and 11, if the Planning Officer posted in such Authority is below the rank of Assistant Director of Town Planning.



## 7. Planning Considerations:-

### 7.1 Permissibility in respect of Zoning:-

7.1.1 Notwithstanding anything contained in any regulation for the time being in force, the project to be notified under this regulation may be permissible in any land-use zone/s of sanctioned Regional Plan / Development Plan, excepting areas mentioned in Clause 2 (v).

7.1.2 For the areas falling in zones, other than residential, commercial and U1 & U2 zone as per the sanctioned Regional Plan the Project Proponent/s shall have to pay a premium for permitting project in such zones at the rates prescribed below:-

Sr. No.	Type of Zone	Premium Charges
a	Afforestation Zone, Hill Top & Hill Slope Zone as shown on Regional Plan / Development Plan.	15 %
b	Public / Semi-public Zone, Industrial Zone, <b>TH &amp; LP</b>	8 %
c	Agriculture/ No Development Zone/G1 zone / Low Density Residential Zone / Buffer Zone of ESZ and other zones excepting at Sr. No. a & b above.	10 %

**Explanation:** Premium charges shall be calculated by considering the agriculture land rate of the said land as prescribed in Annual Statement of Rates (ASR) without applying the guidelines. If agriculture land rate is not mentioned in ASR for the said land in such cases Agriculture land rate of nearby land in the same village shall be considered. If agricultural land rate is not mentioned in the said village in such cases average agricultural land rate of nearby villages shall be considered for calculation of premium. Out of total premium 10% shall be paid at the time of Locational Clearance, 10% paid at the time of letter of Intent, 20 % at the time of sanctioning of Master Layout Plan and remaining 60% shall be in four equal installments per year and subject to interest as per Prime Lending Rate. (PLR)

7.1.3 **Restriction on development** - No construction shall be permitted on the lands within the HFL (*Blue line*), land in Hill Top & Hill Slope Zone and-on lands having slope equal to or more than 1:5 in the said Project, whether specifically marked as such on the Regional Plan / Development Plan or not. No development of any sort and activity involving cutting / leveling / filling shall be permissible on such sloping lands. Provided that, it shall be permissible to use such lands for Plantation, Park, Garden purposes, access road to township development with minimum cutting and other users as otherwise permissible in respective Regional Plan / Development Plans and the FSI of such lands shall be permissible to the extent as prescribed in Clause 7.2.

7.1.4. In the Buffer zone of notified ESZ and in ESZ's, only those development activities and FSI as permissible under MoEF notification of the ESZ (as amended from time to time) under Environment Protection Act, 1986 shall be permitted. All the development in these buffer zones shall be in accordance with MoEF notifications.

### 7.2 Permissible Floor Space Index (FSI):-

7.2.1 Notwithstanding anything contained in any regulation for the time being in force, if premium as mentioned in 7.1.2 is paid by the project proponent then the basic permissible FSI for such project shall be 1.0 to be calculated on Gross Plot Area under Master Layout Plan without deducting any areas under the slopes, within HFL, etc.



7.2.2 Further, additional FSI on payment of premium as mentioned below shall be permissible on payment of premium at the rate of 10% of the weighted average land rate of the said land as prescribed in Annual Statement of Rates for the relevant year, without applying the guidelines therein. Such premium shall be paid at the time of Building permission.

Area under Township	Additional built-up area on payment of premium
40 hec. and up to 200 Hector.	Up to 70 % of basic permissible FSI
More than 200 hec. and up to 500 Hector	Up to 80 % of basic permissible FSI
More than 500 hec. Hector	Up to 100 % of basic permissible FSI

7.2.3 Over and above the FSI as prescribed above, an additional FSI in lieu of construction of tenements for social housing shall be permissible as prescribed in Clause 9, without charging premium.

7.2.4 It shall be permissible to utilise the maximum permissible built-up area as prescribed above, anywhere in the area under sanctioned Master Layout Plan.

### 7.3 Mandatory Town-Level Amenities - Area and FSI Allocations:-

Master Layout Plan shall provide for town-level area and FSI allocation, to be kept at one or more places, as follows:-

#### a) Spaces for Recreation:-

Sr. No.	Particulars	Minimum Area Required	Conditions
i	Garden/s and Park/s	5% of Master Layout Area.(out of this 50% area may be allowed on Hill Top Hill Slope Zone, Buffer Zone of ESZ and within HFL)	Out of this at least 1000 sq. mt. area shall be kept open for Town Plaza/Town Square, at one place and remaining area shall be kept open and may be allowed to be proposed at suitable places. Major public amenities / activities shall be cluster around this area.
ii	Play Ground/s	7.5% of Master Layout Area (may be allowed in Buffer Zone of ESZ having slope less than 1: 5)	Maximum 10% of area under Play Ground which may accommodate indoor games, stadiums and allied users only.

(Note - These spaces shall be exclusive of open spaces to be required at sector-level layouts. Notwithstanding anything contained DCPR, 10% open space shall be provided in sector level layout. Such open space shall be calculated by considering area of the sector excluding roads in Master Layout Plan and Town Level Amenity spaces excepting Economic Activities.)

#### b) Spaces for combined School/s (Primary School/s + High School/s) -

Sr. No.	Particulars	Minimum Area Required	Minimum Built-up Area required
i	For Master Layout area of 40 Ha.	5,000 sq.m.	5,000 sq.m.
ii	For Master Layout area more than 40 Ha.	To be increased proportionately with increase in Master Layout area and be proposed at one or more locations, as per requirements.	

#### Note-

a) The requirements prescribed above are by considering School to be run in double shift,

b) Requirement of plot area and built up area shall be exclusive of Play Ground spaces. Hence it is mandatory to show separate Play Ground adjoining to school building at the rate of 7 sq. m. / student.

**c) Community Health Care Facilities:-**

Primary and Secondary Health Care Facilities like Dispensary, Maternity Home, Hospital etc.

Sr. No.	Particulars	Minimum Area Required	Minimum Built-up Area required
i	For Master Layout area of 40 Ha.	1,000 sq. m.	1500 sq. m.
ii	For Master Layout area more than 40 Ha.	To be increased proportionately with increase in Master Layout area and be proposed at one or more locations, as per requirements.	

**d) Community Market:-**

Sr. No.	Particulars	Minimum Area Required	Minimum Built-up Area required
i	General Market including Mutton and Fish Market		
	For Master Layout area up to & inclusive of 200 Ha.	1000 sq. m.	As per requirement
	For Master Layout area more than 200 Ha.	To be increased proportionately with increase in Master Layout area and be proposed at one or more locations, as per requirements.	
ii	Vegetable Market		
	For Master Layout area up to & inclusive of 200 Ha.	1000 sq. m.	As per requirement
	For Master Layout area more than 200 Ha.	To be increased proportionately with increase in Master Layout area and be proposed at one or more locations, as per requirements.	

**Note-** Users mentioned in (i) & (ii) above may be clubbed together for convenience purpose, without altering the requirements in plot area and built-up area.

**e) Public Assembly Facilities:-** Town Hall and/or Auditorium including Library

Sr. No.	Particulars	Minimum Area Required	Minimum Built-up Area required
i	For Master Layout area up to & inclusive of 100 Ha	5000 Sq.mt	5000 Sq.mt
ii	For Master Layout area more than 100 hac. and up to 200 Ha.	10000 sq. mt.	10000 sq. mt.
iii	For Master Layout area more than 200 Ha.	To be increased proportionately with increase in Master Layout area and be proposed at one or more locations, as per requirements.	

**f) Economic Activities:-**

Economic activities including users such as Market, Multiplex, Mall, Information Technology & Information Technology enabled Services (IT & ITeS) including SEZs, Essential Shopping, Recreational Centers, Trade & Commerce, Education, Hospitals, Non-polluting Industries, Service Industries, Entertainment, Tourism, Star Category Hotels, Convention Centers, Gymnasiums. Socio-economic activities, such as workshop, hostel for Autistic persons,



challenged persons and Senior Citizens except independent residential tenements as per requirements.

Sr. No.	Particulars	Minimum Area Required	Minimum Built-up Area required
i	For Master Layout area of 40 Ha.	40000 sq. mtr.	80000 sq. mtr.
ii	For Master Layout area more than 40 Ha.	To be increased proportionately with increase in Master Layout area and be proposed at one or more locations, as per requirements.	

**Note-** i) Users as mentioned in b, c, d, e & f may be clubbed together, in Economic Activities Component, subject to condition that, total built-up area should not be less than the summation of minimum required for all such users, irrespective of their individual plot area requirements.

ii) The required parking spaces for all such amenities as per norms shall be provided in same plot.

**g) Public Utilities:-**

For Master Layout area up to & inclusive of 200 Ha.

Sr. No.	Particulars	Minimum Area Required	Permissible Built-up Area
i	Fire Brigade Station-	3000 sq.m. or as prescribed by the Director of Fire Services, Maharashtra State/ Chief fire Officer of the concern Authority.	As per recommendations of the Director of Fire Services, Maharashtra State/Chief fire Officer of the concern Authority.
ii	Sewage Waste Management Project (SWMP)	4000 sq.m.	As per requirements
iii	Cremation Ground	2000 sq.m.	As per requirements
iv	Burial Ground	2000 sq.m.	As per requirements
v	Bus Station / Transport Hub	3000 sq.m.	
vi	Police Station	1000 sq.m.	
vii	Electric Sub-station	As per requirement	
viii	Other Public Utilities	As per requirement	
ix	Public Parking Facilities	As per prevailing DCR	
x	Solid waste management	As per requirement	

**Note:** i) If the facility of Cremation Ground/ Burial Ground is available in the village where the Township is located in such case these requirements need not be insisted subject to NOCs of respective Gram Panchayat.

ii) If Police Station is available within 1k.m. area from the proposed Township, then such facility need not to be provided.

**h) Transport & Communication:-**

i) The entire area of the project shall have a proper road pattern, taking into consideration the linkages with *proposed roads of D.P & R.P.*, existing roads within the project and outside area as well. All such roads shall be developed by the Project Proponent/s as per standard prescribed by the Indian Road Congress.

ii) The width of the -



- i) Classified Road should not be less than as may be prescribed by concerned public authority;
  - ii) Main / Arterial / Ring Road should be of minimum right of way of 18 mt.
  - iii) Other Sub-Arterial roads, Collector streets, local streets, etc., shall be proposed as per the requirements to cater to the need of occupancies on such roads including for pedestrians.
  - iv) Network of cycle track in entire Township area of minimum width of 3 meter shall be provided without clashing with the vehicular traffic, to the extent possible.
- iii) It may be permissible for Project Proponent/s, to realign the Regional Plan / Development Plan Roads, and earlier existing roads passing through the project area, without changing the entry and exit points of such roads.
- iv) All the Regional Plan / Development Plan Roads and all the Main / Arterial / Ring Roads, shall always be open for general public, irrespective of the fact that, they resides in the project or not.

**General Note for Amenities (a) to (h):**

- i) The requirements prescribed above for items (a) to (f) are by considering FSI proposed for the project is only 1.0. If the FSI proposed is increased or decreased then the only built up area requirement shall be increased or decreased proportionately.
- ii) The requirements prescribed above for items (g) are for Master Layout area *up to & inclusive* of 200 Ha. It shall be increased proportionately and may be proposed at one or more locations, as per requirements.

**7.4 Residential Activities:-**

Sr. No.	Particulars	Area	Built-up Area
i	Residential Activities (including lands required for social housing, infrastructure such as water storage, drainage and garbage disposal, etc.)	The land excluding the land required for purposes as shown 7.3 (a) to (h).	Remaining built-up area subject to minimum 60% of the total proposed <b>Basic Residential FSI</b>

**7.5 Share of Local/Planning Authority-**

The Integration of Integrated Township Projects included in the Local/Planning Authority, an area @ 2% of the gross area shall be earmarked and shall be handed over free of cost to the respective Authority for Development of the City Level Facilities.

For determining eligibility of ITP, the above 2% area shall be considered in area calculation. This area shall not contain area under hill slopes, and shall be accessible by major road. Base FSI of such 2 % land shall be made available to the applicant on remaining land.

**8. Development Control Regulations:-**

For those aspects which are not covered under this regulation, the prevailing provisions as prescribed in the Standardised Development Control and Promotion Regulations for Development Plan in Maharashtra or DCPR of respective authorities shall apply *mutatis-mutandis*. The provisions of MoEF CRZ notifications amended from time to time shall also be applicable.

However where in prevailing DCR of the respective authority the maximum height of building is not mentioned in such cases the maximum height shall be allowed subject to



provisions of Maharashtra Fire Prevention and Life safety measures Act 2006 and any restriction imposed by Chief Fire Officer.

### **9. Social Housing:-**

**9.1** The Master Layout Plan shall provide sufficient space for construction of small tenements for persons from EWS and LIG categories (hereinafter referred to as the "Social Housing Component"), as a social responsibility with FSI as mention in Clause No 9.3. Out of this Social Housing Component 25 % FSI shall be utilised exclusively for construction of EWS tenements and remaining 75 % FSI may be used for LIG tenements. Out of the total tenements constructed as Social Housing component, one third (1/3rd) tenements shall be kept for Rental Housing tenements which will be disposed on Rent only by the project Proponents.

**9.2** Social Housing tenements shall be constructed with area as specified by the MHADA for EWS and LIG category respectively.

**9.3** The minimum Social Housing component shall be constructed at 15% of the Residential basic FSI of the area available for Residential Development as prescribed in Clause 7.4 (hereinafter referred to as the "Social Housing component").

**9.4** Social Housing tenements shall be constructed as per the general and special specifications prescribed by concerned unit of MHADA for their projects.

**9.5** The Project Proponent/s, after getting commencement certificate of Social Housing component as mentioned above shall immediately intimate to MHADA regarding the numbers of Social Housing Component to be disposed by them to the allottee. Upon such intimation, MHADA within a period of six months, from the date of receipt of such intimation after following procedure of lottery system shall prepare the list of the allottee from the district as far as possible and forward it to the Project Proponent/s. The project proponent shall dispose of such housing tenements to the allottee at the construction cost mentioned in ASR applicable of the year of disposal plus 25% additional cost. Out of this 25% additional cost, 5% shall be paid to MHADA towards administration charges.

Provided that if the MHADA is unable to provide the list of the allottee as mentioned above or the allottee fails to deposit the amount within specified time limit then the project proponent shall dispose of such social housing tenements in the market at the construction cost in ASR applicable to the land of the year of disposal plus 20% additional cost.

**9.6** Every Occupation Certificate for the regular tenements shall be granted only alongwith the Occupation Certificate in proportionate with Social Housing component.

**9.7** Amalgamation of such Social Housing tenements shall not be permitted in any case.

**9.8** The purchaser of tenement under social housing shall deposit an amount equivalent to 10% of the construction cost of tenement, as prescribed in Annual Statement of Rates prevailing at the time of occupation, with the Project Proponent/s as one-time maintenance deposit for onsite infrastructure maintenance.

**9.9** The Project Proponent/s shall maintain the premises and common spaces outside the building/s of social housing including concerned all basic infrastructure and amenities, in good condition in the same manner with the maintenance of remaining area of the project.

**9.10** The purchaser of tenement under social housing shall have to pay all the government taxes, duties like stamp duty, GST etc. and also the fees charged for use of common amenities at actual, to the Project Proponent/s, as per the requirement, from time to time.

### **10 Liability of Project Proponent/s:-**





**10.1** The entire project shall be an integrated one with all facilities within the boundaries of such project. All the on-site infrastructure i.e. internal roads, approach road, street lights, water supply and drainage system shall be mandatory and constructed / maintained in future by the Project Proponent/s. Proposed internal roads and Open Spaces in the layouts shall be used only for ITP.

**10.2** The Development Plan Roads & Reservations which are included in ITP shall be Developed by project proponent and after development made available to the general public. The reservations may be allowed to shift within 500 mt. (within Township Area Only) in consultation with Director of Town Planning M. S. Pune.

**10.3** It shall be the responsibility of the Project Proponent/s to develop and maintain all the infrastructure in good condition till handing over to the appropriate authority.

The project proponent may collect periodical contribution or raise corpus funds for the maintenance of infrastructure from the purchasers of tenements or statutory bodies of the purchasers of tenements formed by the developer for this purpose.

Provided that, the Project Proponent/s shall handover the infrastructure, for maintenance purpose, only after the completion of the project, to the Urban Local Body or appropriate authority, when constituted in the area comprised by the project along with the unutilized corpus fund collected for maintenance of common infrastructure.

**10.4 Project Proponent/s shall mandatorily provide facilities for making the Township SMART -**

i) For the people residing in the project area, an efficient and timely public transportation system up to the nearest public transportation station/hub/depot/stand. He shall develop it himself or tie with Government / Semi Government or private transport agency for such efficient public transportation. The number of buses and trips will be decided by MSRTC / Local Transport Authority.

ii) Continuous unobstructed footpath of minimum 2 m. width on either sides of all street / roads of width ROW 12 m. or more and of a lesser width for roads / Streets of ROW less than 12 m.

iii) Dedicated and physically segregated bicycle track with a width of 3 mt. or more, should be provided for entire Township Area.

iv) Pedestrian friendly pathways, encouragement to non-motorized transport, intelligent traffic management, non-vehicle street / zones, smart parking, energy efficient street lighting visible improvement in the area i.e. replacing existing overhead electric wiring with underground wiring, encroachment free public areas,

v) Arranging generation of power through non-conventional energy sources like solar, wind and other shall be mandatorily provided with at least 10% of total requirement of common physical infrastructure of the project;

vi) To provide energy management by adopting advanced technology like installing Solar Water Heating System, Solar Lamps/Lights in common areas, LED Lamps, auto-operated street lights, solar pumps, etc. all external lighting shall be of LED, Solar Water Heating System, Solar Lamp shall be compulsorily provided;

vii) To provide effective water management by adopting water harvesting techniques like rain water harvesting, recycling of used water, metered water supply to the users under project, double plumbing pipeline. The recycled water shall be used for flush system, gardening, carwash and industrial use;



viii) To provide effective safety & security measures like CCTV surveillance at strategic locations, centralized control room, etc.;

ix) Arranging smart and fast internet/broad band connectivity to all residences, e-governance online system for grievance redressed;

x) Encouraging and providing platform for citizens participations in decision making about public community issues.

xi) Arranging real time environmental monitoring i.e. air pollution, noise pollution etc. shall be observed

xii) Encouraging and providing platform for e-DCR for building plans with BIM, 3-D maps on GIS of the utility services network and properties in the city, central command, control and emergency response center for all infrastructure facilities. Project Proponent/s shall also provide urban design concept plans along with Master Plan.

xiii) It shall be obligatory on the part of Project Proponent/s to provide the infrastructure and green building norms that are necessary as per the guidelines as may be laid down by the Government, under the policy of development of 'Smart City' from time to time.

xiv) Ensure that the buildings have at least 3 star ratings from GRIHA.

#### **10.5 Project Proponent/s shall also mandatorily provide for:-**

**a) Water Supply** - Safe and potable drinking water at the rate of 90 liters per capita per day, exclusive of requirement of water for firefighting and gardening purposes. The storage capacity of the same shall be at least 1.5 times of the actual required quantity as determined by expected population (Resident and Floating) and other uses. The Project Proponent/s would be required to develop proper internal distribution with double pipe plumbing for reuse of treated water at appropriate places and maintenance system along with smart metering and shall specially undertake rain water harvesting, groundwater recharging and waste water recycling within the project.

Provided that, the Project Proponent/s should not use groundwater as a source of water, to meet the above requirement.

**b) Drainage and Garbage Disposal:-** The Project Proponent/s shall make suitable and environment friendly arrangements for the disposal and treatment of sewage and solid waste generated in the project at source, as per the norms of the Maharashtra Pollution Control Board. The Project Proponent shall provide zero discharge in ITP for solid as well as liquid waste.

The Project Proponent/s should provide facilities for water conservation by different means such as Rain Water Harvesting, Recycling of Waste Water, etc. and also set-up, in the project area itself, the Solid Waste Management Project (SWMP) with a sufficient capacity for processing of 100% garbage and solid waste.

**c) Power:-** The Project Proponent/s shall ensure continuous and quality power supply for the project area. The Project Proponent/s may draw the power from any existing supply system or may go in for arrangement of captive power generation with the approval from the concerned authority. If power is drawn from any existing supply system, the Project Proponent/s shall, before commencement of development, procure a firm commitment of power for the entire Township from the power supply company.

#### **11 Occupancy Certificate:-**



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**11.1** Application for obtaining the Occupancy Certificate for buildings in project, in full or part shall be submitted by Project Proponent/s to the respective Planning Authority. Such application shall be accompanied by -

- a) All the relevant documents alongwith coloured Google Earth / Bhuvan /Drone survey image showing the area under Master Layout Plan;
- b) Documents showing compliance of the conditions prescribed while according sanctions from time to time;
- c) Appropriate declaration/s and undertaking/s made by the Project Proponent/s and his technical personnel's;
- d) Any other requirement as may be prescribed by the Planning Authority.

**11.2** On receipt of application as prescribed under Clause 11.1, the Planning Authority shall forward the same to the concerned officer as stipulated in the proviso to clause no. 12.4 for technical consultation, within 10 working days.

**11.3** The concerned officer shall send his remarks to the Commissioner/Chief Officer within one month from the receipt of proposal or receipt of reply from the Project Proponent/s in respect of any requisition made by him, whichever is later

**11.4** The Planning Authority shall grant Occupancy Certificate or reject the application giving specific reason within fifteen days from the receipt of reply from the concerned officer.

**11.5** The Municipal Commissioner / Chief Officer, before issuing the Occupancy Certificate for the project as a whole, shall verify and satisfy himself about the completion of erection / development / construction of all the basic required infrastructure in Master Layout plan. In case, an application for part occupancy, such completion shall be as prescribed in phase programme.

## **12. General Stipulations:-**

**12.1** Development of basic infrastructure and amenities shall be completed by the Project Proponent/s to the satisfaction of the Collector either for whole or as per phases, of the project.

**12.2** It shall not be mandatory for the Project Proponent/s to provide Amenity Space, *inclusive housing* as otherwise required as per regulation of Regional Plan / Development Plan, if any.

**12.3** The Project Proponent/s shall plant indigenous trees at the rate of at least 150 trees per ha. and maintain it properly. The certificate to that effect issued by the Deputy Conservator of Forest or an Officer nominated by him for this purpose shall be produced by Project Proponent/s at the time of application for Final Occupation Certificate under Clause 11.

**12.4** All the powers and functions that are supposed to be exercised by the Authority under this regulation shall be exercised by the Chief Officer / Chief Executive Officer of the concerned Planning Authority wherever applicable, excepting the powers to grant Letter of Intent under Clause-5 of this regulation.

Provided that, before grant or refusal to the Master Layout Plan, the Chief Officer / Chief Executive Officer of the Authority shall, consult the, concerned Divisional Joint Director of Town Planning as prescribed in Clause-6.3 and 6.4, if the Planning Officer posted in such Authority is below the rank of Joint Director of Town Planning, and to the concerned branch office of Town Planning as prescribed in Clause-6.6 and 11, if the Planning Officer posted in such Authority is below the rank of Assistant Director of Town Planning.

**12.5** All the amounts of scrutiny fees, charges, premium etc. payable to the Government shall be deposited with the concerned Branch office of the Town Planning. In circumstances described



in proviso of Clause 1 above, 50% of such amount shall be deposited with the concerned Branch office of the Town Planning, and 50% to the concerned Planning Authority.

**12.6** The Project Proponent/s shall submit a bank guarantee of an amount equal to the 15% of estimated development cost required for development of the basic Physical infrastructure such as roads, water supply, drainage & garbage disposal, Trunk installations for power supply, fire brigade station & fire engines. Such development cost be worked out as per respective phases taking into consideration the phased programme for development of infrastructure with amenities under project as submitted and as required under clause 6.1. Certificate regarding estimated development cost shall be produced by the respective Architect of the project. If Bank Guarantee as mentioned above is submitted then separate security deposit shall not be insisted by the authority.

**12.7** The Project Proponent/s shall construct and maintain the Fire Station building & Infrastructure at their cost. The project proponent shall post well-trained staff at fire station as per the recommendations of the Director of Fire Services, Maharashtra State / Chief Fire Officer of the concerned Authority, or the cost of staff appointed by Chief Fire Officer for this purpose shall be borne by the Project Proponent. The amount of all expenditure on such staff shall be the responsibility of the Project Proponent/s. After completion of fire station and as per requirement such fire brigade/station shall be handed over to the nearest respective authority on the terms and condition decided by the respective authority and project proponent.

**12.8** Developer shall complete the Special Township Project within 10 years or such period as allowed by the Government from the approval to the master plan. Developer shall develop and maintain all infrastructures (internal street light, roads etc.) up to the completion of the STP project. Within such period, the concession in property tax levied by the respective Planning Authority shall be 66% of normal rate as prescribed under the Maharashtra Municipal Council, Nagar Panchayat and Industrial Town ship Act, 1965 or Maharashtra Municipal Corporation Act. Such property tax shall be levied after the actual possession or issuing of Occupancy Certificate whichever is earlier.

Respective Planning Authority shall provide mandatory provisions like Birth and Death Registration Certificate etc. for the same period in such STP. Provided that the utilities like fire brigade, police station/chauki etc. shall be handed over to the nearest respective Authority at the terms and condition decided by the respective authority.

**12.9** Licensing to the Project Proponent/s - The respective Authority shall provide licenses to the Project Proponent/s for telephone Connection, Power and other utilities in the Town ship area as per existing rules & regulations. After granting the license from the respective Authority, the project proponent/s shall provide utilities in the Town ship area as per the conditions laid down by the respective authority.

**12.10** It shall be mandatory for the Project Proponent/s to provide appropriate width of road as per existing width or as per easement rights to the land not owned by the project proponent which is surrounded by the Township Area.

### **13. Special Concessions:-**

**13.1 Deemed conversion for Non-Agricultural (N.A.) Use:-** The lands under approved Master Layout Plan shall be considered as deemed N.A. No separate permission shall be required under the provisions of Maharashtra Land Revenue Code, 1966. The amount of nonagricultural assessment shall be exempted to the extent of 50% of the normal rate for the land under Integrated Township Project.

**13.2 Grant of Government land:** - The Government land/s, if surrounded or adjacent by the lands owned by the Project Proponent/s, may preferably be granted to the Project Proponent/s, as per the rules and regulations to that effect, by the Revenue and Forest Department of the State Government. Maximum 10% of the total area under township shall be allowed to be included in such township.



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**13.3 Concession in Stamp Duty:-** For the purchase of land by project proponent for township area or for the first transaction from Project Proponent/s to Purchaser of any unit under any user from approved Master Layout Plan or subsequent building plan under this Regulation, concession of 50% of stamp duty as otherwise required under the Mumbai Stamp Act, shall be granted. This concession will be available only at one stage i.e. either at the time of land purchase or at the time of sale of units. Also, if the project proponent assigns the rights to his own subsidiary companies for the running of the Amenities in such Township project as per the approved plan in such cases concession of 50 % of stamp duty as otherwise required under the Mumbai Stamp Act, shall be granted.

**13.4 Exemption in payment of Development Charges:-** 50 % of the amount of Development Charges under sub-section (3) of Section 124F of the said Act shall be exempted for institution use or, change of use of any land or building or, development of any land or building, proposed for project undertaken by a Project Proponent/s under this Regulation.

**13.5 Relaxation from Mumbai Tenancy and Agriculture Land Act:-** The condition that, only the agriculturist will be eligible to buy the agriculture land shall not be applicable to the Project Proponent/s for purchasing agriculture land for Integrated Township under this Regulation.

**13.6 Exemption from Ceiling for holding agriculture land:-** The limit for holding agriculture land, stipulated in the Maharashtra Agricultural Lands (Ceiling and Holdings) Act, 1961 shall not be applicable to the Project Proponent/s for development of Integrated Township Project under this Regulation.

**13.7 Exemption from scrutiny fee:-** The amount of scrutiny fee shall be exempted to the extent of 50% of the normal rate for building permission under Integrated Township Project.

**13.8. Exemption from royalty on minor minerals:-** The amount of royalty on minor minerals as per the Maharashtra Minor Mineral Extraction (Development and Regulation) Rules shall be exempted to the extent of 50% for the earth which is extracted while developing the land within Township area and fully exempted if the said excavated material is used in the same project.

#### **14. Transition Policy:-**

**14.1** It shall be permissible for the Project Proponent/s, to whom Special Township Project has already been granted location clearance and / or LOI or the project is ongoing wherein part Occupancy Certificate is granted before 26/12/2016 to -

a) Continue such Special / Integrated Township Project under the erstwhile regulations under which LC is granted without considering these regulations.

b) If the project proponents wish to develop township according to this regulations then he may apply for grant of Letter of Intent or Master Layout Plan as the case may be wherever required, under this regulation.

**14.2** If in case as described in Clause 14.1(b), the construction of the project is on-going and the Occupation Certificate, either in fully or partly has granted or not been granted, it shall be permissible for the Project Proponent/s to choose an option to prefer this regulation subject to payment of premium as prescribed in Clause 7.1 and 7.2. In such cases premium shall be calculated on balance area which shall be the difference of FSI permitted as per earlier regulation and that being availed as per this regulation.

**15. Appeal:** - Anyone aggrieved by an order passed under prevailing byelaws may within forty days of the date of communication of the order prefer an appeal to the Director of Town Planning, Maharashtra State, Pune. The appeal shall be decided within 60 days.



16. **Control by the State Government** - Director of Town Planning M.S Pune is authorised on behalf of Government to monitor the Township Project and submit his report once in six months to Government.
17. Government may relax any provisions from this regulation considering the site condition of the particular project.
18. Read the concern Planning Authority / Special Planning Authority constituted under relevant Acts instead Collector, wherever applicable.
19. The rate of premium mentioned in the Regulation No.7.1.2 and 7.2.2 can be revised by the Government from time to time.

By order and in the name of Governor of Maharashtra,



  
(R.M. Pawar)

Under Secretary to Government