

शहर आणि औद्योगिक विकास महामंडळ (महाराष्ट्र) मर्यादित

सूचना

क्रमांक: सिडको/ नियोजन/ नैना/ बीएन-५६

ज्याअर्थी, महाराष्ट्र प्रादेशिक व नगर रचना अधिनियम, १९६६ (महा. अधिनियम XXXVII, १९६६) (यापुढे ज्याचा उल्लेख "उक्त अधिनियम" असा करण्यात आला आहे), च्या कलम ४० च्या उप-कलम (१) मधील खंड (ख) द्वारा प्रदान करण्यात आलेल्या अधिकारांचा वापर करून महाराष्ट्र शासनाने दिनांक १० जानेवारी २०१३ रोजीच्या अधिसूचना क्रमांक टीपीएस. १७१२/४७५/ प्र.क्र.९८/१२/ नवी १२ (यापुढे ज्याचा उल्लेख "उक्त अधिसूचना" असा करण्यात आला आहे) अन्वये त्यात नमूद केल्याप्रमाणे नवी मुंबई विमानतळ प्रभाव अधिसूचित क्षेत्र (नैना) (यापुढे ज्याचा उल्लेख "उक्त अधिसूचित क्षेत्र" असा करण्यात आला आहे) साठी 'शहर आणि औद्योगिक विकास महामंडळ (महाराष्ट्र) मर्यादित' (महाराष्ट्र शासनाच्या मालकीची व नियंत्रणाखालील कंपनी) (यापुढे ज्याचा उल्लेख "उक्त महामंडळ" असा करण्यात आला आहे) म्हणजे "सिडकोची" ची विशेष नियोजन प्राधिकरण (यापुढे ज्याचा उल्लेख "उक्त प्राधिकरण" असा करण्यात आला आहे) म्हणून नेमणूक केली आहे.

आणि ज्याअर्थी, महाराष्ट्र शासनाने दिनांक २७ एप्रिल २०१७ रोजीच्या अधिसूचना क्र. टीपीएस-१२१५/२४५/प्र. क्र. ३३२/२०१५/एसएम/नवि-१२ अन्वये अधिनियमाच्या कलम ३१(१) नुसार उक्त प्राधिकरणाची उक्त अधिसूचित क्षेत्रातील २३ गावांसाठी अंतरिम विकास योजना काही भाग वगळून मंजूर केलेली आहे;

आणि ज्याअर्थी दिनांक १६ सप्टेंबर २०१९ रोजीच्या अधिसूचना क्र. टीपीएस-१७१७/स.क्र.२७५०/प्र. क्र. ९१/२०१९/नवि-१२ अन्वये उक्त प्राधिकरणाची उक्त अधिसूचित क्षेत्रातील १५१ गावांसाठी विकास योजना काही भाग वगळून मंजूर केलेली आहे;

आणि ज्याअर्थी, महाराष्ट्र प्रादेशिक व नगर रचना अधिनियमाचे कलम १५४ अन्वये नगर विकास विभागाने दिनांक ६ जानेवारी २०२० रोजीच्या पत्र क्र. टीपीएस १९१९/२७५०/प्र.क्र. ९१/नवि-१२ मधील निर्देशानुसार कलम ३७ (१) अन्वये सुधारणेसह प्रसिध्द केलेली १५१ गावांची विकास नियंत्रण नियमावली हि उक्त अधिसूचित क्षेत्रातील २३ गावांच्या अंतरिम विकास योजनेस लागू करण्यात आली आहे, जेणेकरून संपूर्ण नैना अधिसूचित क्षेत्रास एकच विकास नियंत्रण नियमावली असेल.

आणि ज्याअर्थी महाराष्ट्र शासनाने राज्यातील बृहन्मुंबई महानगरपालिका, बृहन्मुंबई महानगरपालिका क्षेत्रातील नियोजन प्राधिकरणे/ विशेष नियोजन प्राधिकरणे/ विकास प्राधिकरणे, महाराष्ट्र औद्योगिक विकास महामंडळ, नैना, जवाहरलाल नेहरू पोर्ट ट्रस्ट, हिल स्टेशन नगरपालिका, पर्यावरण, वन व हवामान बदल मंत्रालयाने अधिसूचित केलेली संवेदनशील क्षेत्रे व लोणावळा नगरपरिषद वगळता उर्वरित सर्व नियोजन प्राधिकरणे व प्रादेशिक योजना क्षेत्रांकरिता एकत्रिकृत विकास नियंत्रण व प्रोत्साहन नियमावली (युडीसीपीआर) (यापुढे जिचा उल्लेख 'उक्त युडीसीपीआर' असा करण्यात आला आहे) शासनाने उक्त अधिनियमामधील तरतुदीनुसार दि. २ डिसेंबर २०२० रोजीच्या अधिसूचना क्र.टीपीएस-१८१८/प्र.क्र.२३६/१८/वियो व प्रायो/कलम ३७(१कक)(ग)व कलम २० (४)/नवि-१३ अन्वये मंजूर केली असून, ती दि. ०३ डिसेंबर २०२० पासून अंमलात आली आहे.

आणि ज्याअर्थी, यापूर्वी दाटीवाटीने विकसित झालेल्या क्षेत्राचा पुनर्विकास करणे सुलभ होणेकरिता सिडको महामंडळास एकत्रीकृत विकास नियंत्रण व प्रोत्साहन नियमावली मधील 'शहर नुतनीकरण योजना' 'Urban Renewal Scheme' ची तरतुद नैना विकास नियंत्रण आणि प्रोत्साहन नियमावलीमध्ये समाविष्ट करणे गरजेचे वाटते आणि त्या अनुषंगाने महामंडळाने दिनांक ११ जून २०२५ रोजी संचालक मंडळाचा ठराव क्रमांक १३०८२ मंजूर केलेला आहे.

त्यामुळे, आता उक्त अधिनियमांच्या कलम ३७ च्या उप-कलम (१) नुसार महामंडळातर्फे सदर विकास नियंत्रण आणि प्रोत्साहन नियमावलीमध्ये सोबत जोडलेल्या परिशिष्टानुसार नविन विनियम समाविष्ट करण्यासाठी सूचना जारी करण्यात येत आहे.

उक्त अधिनियमांच्या कलम ३७, उप कलम (१) अनुषंगाने महाराष्ट्र शासनाच्या राजपत्रात नोटीस प्रकाशित करण्याच्या तारखेपासून १ महिन्यापेक्षा अधिक नसेल अशा कालावधीत कोणत्याही व्यक्तिकडून सदर सूचनेच्या अनुषंगाने आक्षेप व सूचना मागविण्यासाठी सिडको महामंडळ सूचना प्रकाशित करत आहे. या सूचनेसंबंधी आक्षेप व सूचना महामंडळाच्या मुख्य नियोजनकार, टॉवर नं. १०, ७ वा मजला, नियोजन विभाग, बेलापूर रेल्वेस्थानक संकुल, सीबीडी बेलापूर, नवी मुंबई ४०० ६१४ यांच्याकडे पाठवाव्यात.

नवी मुंबई विमानतळ प्रभाव अधिसूचित क्षेत्र विकास नियंत्रण आणि प्रोत्साहन नियमावलीमध्ये प्रस्तावित विनियम खाली नमूद कार्यालयातील फलकावर तसेच सिडकोच्या संकेतस्थळावर (<https://cidco.maharashtra.gov.in>) जनतेच्या अवलोकनार्थ उपलब्ध राहील:-

- १) सिडको महामंडळाच्या पंजीकृत कार्यालय, निर्मल, दुसरा मजला, नरिमन पॉईंट, मुंबई ४०००२१
- २) मुख्य नियोजनकार (नैना), नियोजन विभाग, ७ वा मजला, टॉवर नं १०, बेलापूर रेल्वेस्थानक संकुल, सीबीडी बेलापूर, नवी मुंबई ४०० ६१४
- ३) सह संचालक, नगररचना व मुल्य निर्धारण विभाग (कोकण विभाग), तिसरा मजला, कोकण भवन सीबीडी बेलापूर, नवी मुंबई ४०० ६१४

संचालक मंडळाच्या आदेशानुसार,


राविंद्रकुमार म. मानकर
मुख्य नियोजनकार (नैना), सिडको

पंजीकृत कार्यालय: निर्मल, दुसरा मजला, नरिमन पॉईंट, मुंबई ४०० ०२१
दिनांक: ११ जून २०२५

CITY AND INDUSTRIAL DEVELOPMENT CORPORATION OF MAHARASHTRA LTD.

NOTICE

No. CIDCO/ Planning/ NAINA/ BN-56

WHEREAS, the Government of Maharashtra in exercise of powers conferred under clause (b) of sub-section (1) of the Section 40 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") declared by Notification, No. TPS.1712/475/CR-98/12/UD-12, dated 10th January, 2013 (hereinafter referred to as "the said Notification") City and Industrial Development Corporation of Maharashtra Limited (being a company owned and controlled by the Government of Maharashtra) (hereinafter referred to as "the said Corporation") as Special Planning Authority (hereinafter referred to as "the SPA") for Navi Mumbai Airport Influence Notified Area (NAINA) (hereinafter referred to as "the said notified area") as specified therein;

And whereas, the Government of Maharashtra vide Notification No.TPS-1215/245/CR-332/2016/SM/UD-12 dated 27th April 2017 had sanctioned the Interim Development Plan (IDP) of 23 villages of the said notified area, with some excluded parts, under section 31(1) of the said Act;

And whereas, the Government of Maharashtra vide Notification No. TPS.1717/MIS-2750/C.R. 91/2019/UD-12, dated 16th September 2019 had sanctioned the Development Plan of 151 villages of the said notified area, with some excluded parts;

And whereas, the Government of Maharashtra in the Urban Development, in exercise of the powers conferred under Section 154 of the said Act vide Notification No. TPS-1717/2750/CR-91/19/UD-12, dated 6th January 2020, directed that the sanctioned Development Control & Promotion Regulations (hereinafter referred to as " the said DCPR") of 151 villages that are proposed to be modified and published under section 37(1AA) on 6th January 2020 be made applicable along with above modifications to the Interim Development Plan of 23 villages published in the Maharashtra Govt. Gazette, dated 27th May 2017, so that there is a single "DCPR" for the said notified area;

Whereas, the Government of Maharashtra has sanctioned the Unified Development Control and Promotion Regulations (UDCPR) (hereinafter referred to as "the said UDCPR" for all the Regional Plans and Planning Authorities of the state except Municipal Corporation of Greater Mumbai, other Planning Authorities Special Planning Authorities/Development Authorities within the limit of Municipal Corporation of Greater Mumbai, MIDC, NAINA, Jawaharlal Nehru

Port Trust. Hill Station Municipal Councils, Eco-Sensitive/Eco-Fragile region notified by MoEF & CC and Lonavala Municipal Council under the provisions of the said Act vide Notification No. TPS-1818/CR 238/18/DP and RP/Sec. 37(1AA)(c)& sec 20(4)/UT-13, dated 2nd December, 2020 which has come into force with effect from 3rd December, 2020.

And whereas, the said Corporation considers it necessary to make provision of 'Urban Renewal Scheme' in NAINA DCPRs based on the provisions in UDCPRs for the redevelopment of erstwhile developed congested areas and has approved the proposal vide Board Resolution No. 13082 dated 11th June 2025;

Now, therefore, under sub-section (1) of the Section 37 of the said Act, the Corporation hereby issues and publishes notice declaring its intention to carry out the modifications to the said DCPRs as specified in the Schedule attached herewith.

In pursuance of sub-section (1) of the Section 37 of the said Act, the Corporation invites objections and suggestions from any person with respect to the proposed modifications to the said DCPR not later than one month from the date of the publication of this Notice in the Maharashtra Govt. Gazette. The objections and suggestions shall reach the Chief Planner (NAINA) of the Corporation having his office at 7th Floor, Tower No. 10, CBD-Belapur Railway station complex, CBD Belapur, Navi Mumbai-400 614.

A schedule showing the proposed modifications to the said DCPR of the said notified area is kept for inspection by public during office hours at following address along with the website (cidco.maharashtra.gov.in) :-

- i. Registered office of the Corporation at 2nd Floor, Nirmal, Nariman Point, Mumbai 400021.
- ii. Office of Chief Planner (NAINA), Planning Dept. at 7th Floor, Tower No. 10, CBD-Belapur Railway station complex, CBD Belapur, Navi Mumbai -400 614
- iii. Office of Joint Director of Town Planning (Konkan Division), 3rd Floor, Konkan Bhavan, CBD Belapur, Navi Mumbai 400614.

By the order of Board of Directors of the Corporation,


Ravindrakumar M. Mankar
Chief Planner (NAINA)

Regd. Office: Nirmal, 2nd Floor, Nariman Point, Mumbai 400021
Date: 19th June 2025

Schedule of proposed provisions in the NAINA DCPRs for incorporation of policy for Urban Renewal Scheme:

Following regulation shall be added to the NAINA DCPRs after Reg. No. 16.7

Reg. No. 16.8 Urban Renewal Scheme

16.8.1. Urban Renewal Scheme (URS) means any scheme for redevelopment of a cluster or clusters of buildings and structures, with a minimum area of 10,000 sq. m. in non-gaothan area and 4000 sq. m. in gaothan area, bounded by existing distinguishing physical boundaries such as roads, nallas, railway lines, forest land etc., accessible by an existing or proposed DP road which is at least 18 m wide.

16.8.2. However, in specific cases, in which URS is not bounded by roads, nallah and railway lines etc.

and/ or,

areas of any vacant or encroached land is situated within 400 m from the periphery a URS, belonging to any Public Authority/ Planning Authority, which is not contiguous, is proposed to be included in the URS,

then the boundaries of such cluster can be decided/ finalised the by the CEO, in consultation with High Power Committee (H.P.C.).

16.8.3. In case of demonstrable hardship such as natural subdivision by road, nallah, river or railway line etc., the cluster can be allowed up to an area of 8000 sq. m. in non-gaothan area which may be allowed by the CEO.

16.8.4. No forest land shall be included in URS. However, encroached forest land may be included in URS for clearance of encroachment on such forest land with NOC of Forest Department. However after clearance of encroachment, such forest land shall be used as mentioned in Reg. No. 16.8.12 (g) with NOC of Forest Department.

16.8.5. Such URS may be:

- a) Under the Development Plan (DP), where the DP contains such well-defined Clusters; or
- b) Under the Urban Renewal Plan (URP) for the concerned area, prepared and notified by the CEO, who may revise the same, as and when required; or
- c) By the Promoter of the Urban Renewal Scheme over a cluster or clusters of buildings, where such clusters are not shown on the DP and the URP is yet to be prepared. If such plans are submitted and approved, these shall mean to be URP within the meaning of this Regulation.

16.8.6. The Urban Renewal Cluster (URC) may consist of a mix of structures of different characteristics such as –

- a) Buildings which are at least 30 years of age
- b) Authorized buildings which are unsafe as determined by the Designated Officer appointed by CEO or as per the Regulation No. 9 for Unsafe Buildings.
- c) Buildings belonging to the Central Government, the State Government, Semi-Government Organizations etc. as well as Institutional Buildings, Office Buildings etc. that are at least 30 years of age, with prior consent of the respective Authority.
- d) Any land belonging to the State Government, any Semi-Government Organization, (either vacant or built upon) which falls within the area of the proposed Urban Renewal Scheme, including that which has been given on lease or granted on the tenure of Occupant Class II, provided that if built upon, these building shall be at least 30 years of age.
- e) Any other buildings which may be less than 30 years of age but which by reasons of dis-repair or because of structural/ sanitary defects, are unfit for human habitation or by reasons of their bad or sub-optimal configuration or the narrowness of streets are dangerous or injurious to the health or safety of the inhabitants of the area, as certified by the Designated Officer appointed by the CEO or as per the Regulation No. 9 - Unsafe Buildings.
- f) The lands belonging to MIDC can be included in the URS after obtaining necessary clearance from Industries Department.

Provided that,

- i. Age of a building shall be as on the 1st of January of the year in which URC involving such building, complete in all respect is submitted to the SPA-NAINA or prepared and notified by the CEO and shall be calculated from the date of occupation certificate or, where such occupation certificate is not available, from the date of assessment as per the property tax record in respect of such building as available with Gram Panchayat.
- ii. Whenever any authorized building, more than 30 years of age, is included in a URC, the same shall not be done without evaluation of its state of dis-repair and if such building is found in a state of disrepair, only after giving the owner/ occupier(s) thereof, a notice of three months to cause any repairs needed. At

the end of three months, if such building is found to be habitable and safe, such building shall be treated at par with authorized buildings which are less than 30 years of age. If at the end of three month, such building is found and certified by the Designated Officer appointed by CEO or as per the Regulation of Unsafe Buildings as dilapidated and unsafe for habitation, such building shall be included in the URC without the requirement of consents.

- iii. If some authorized buildings which are less than 30 years of age or buildings which are developed or in the process of development, under the different provisions of the DCPRs, are required to be included in the URC for the purpose of wholesome planning, they may be so included with consent of minimum 70% owners, provided the area under such buildings does not exceed 40% of the total area of URC. Such buildings shall be retained while designing/ sanctioning URS and plot of such building shall be excluded from calculation of FSI under this Regulation.

16.8.7. Priority for implementation shall be given to Urban Renewal Scheme submitted by private land owner/ developer.

16.8.8. Eligibility for Urban Renewal Cluster (URC)–

Every occupant of every building falling under a URC on the date of sanction of this Regulation (hereinafter referred to as the cut-off date), shall be eligible for rehabilitation and relocation under the Scheme, in accordance with the provisions of Regulation No. 16.8.9 (iii) and 16.8.10, subject to the ineligibility criteria mentioned herein below:

- a) No new Tenancy, occupancy or any other right created after the cut-off date shall be taken into account in any illegal or unauthorized construction. No unauthorized construction made after the cut-off date in any existing building or in the form of new building shall be considered while doing computation of existing FSI or liability of rehabilitation on the URC.
- b) Any occupant, who has been allotted any subsidized housing in the respective Metropolitan Region or in NAINA area as the case may be, by any public or semi-public authority in the past shall not be eligible for subsidized rehabilitation under a URC as mentioned in Regulation No. 16.08.10. For this, a self- declaration in the form of Registered Affidavit shall be considered sufficient which, if ever found to be false, shall render the concerned allottee liable for eviction and prosecution as per law.
- c) Subject to the forgoing provisions, only the actual owners of residential unit of authorized building and the occupants of unauthorized buildings fulfilling the eligibility criteria

mentioned under this Regulation shall be held eligible for rehabilitation and any person, other than the actual occupant, claiming rights as owner/ promoter/ developer/ lessee over any land/ building/ structure included in the URC, shall have no right whatsoever to rehabilitation under the URC in the reconstructed tenements against such land/ building/ structure. In case of an unoccupied building or a building occupied illegally, no one shall have right whatsoever to rehabilitation under the URC, against such building/ structure.

16.8.9. Determination of eligibility and requirement of Rehabilitation and Relocation areas under URS:

- i. As specified by SPA-NAINA, Owner/ Co-operative Housing Societies need to submit the proof of ownership of land, eligibility and requirement of alternative area of Rehabilitation. In case the proposal is submitted by a developer, developer needs to agree to the details through a Registered agreement along with relocation of each occupant under any URS and the consideration commensurate to the land, if any.
- ii. CIDCO shall publish the list of buildings/ structures and their owners/ lessees, occupants/ tenants etc., for inviting suggestions and objections along with relevant records, within one month of such publication for determination of entitled area and the consideration to be offered to the owners/ lessees and other right-holders as well as eligibility and admissible area for the occupants, in accordance with the provisions in this Regulation. Authorized Officer(s) shall, after due enquiry and hearing, finalize the said list(s) and cause the same to be published. Appeal against any decision leading to finalization of the said list shall lie with CIDCO. In case of dispute regarding land ownership District Collector/ an officer authorized in this regard by the District Collector shall be the authorized officer.

iii. Entitlement of Rehabilitation:

- a) All the eligible occupants of the building(s) undergoing redevelopment under a URC shall be rehabilitated in the redeveloped building(s) :

Provided that the CEO may also rehabilitate, in the rehabilitation buildings of the URC, one or more persons declared eligible for allotment of tenement under any other Scheme or Project of the Government or Corporation, Project Affected Persons, outside the area of URC.

- b) Each eligible residential occupant, shall be rehabilitated on a carpet area equivalent to the area occupied by such occupant in the old building plus additional 30% of the eligible area. However in case of residential occupants, such carpet

area shall not be less than 30 sq. m

- c) In case of commercial, such carpet area shall be as per actual area in possession.
- d) All the eligible occupants shall be rehabilitated in the redeveloped buildings of URC as far as possible. However at the request of or with the consent of an occupant, he may be allotted alternative rehabilitation in a location outside URC, up to the extent of his eligibility, at the discretion of the CEO. Request or consent under this provision shall however be irrevocable.
- e) Though CEO shall endeavour to make provision for rehabilitation areas as per the entitlement of each and every eligible occupant, whenever such area, whether for residential user or non-residential user, within a range of 10% of the individual entitlement of any occupant, is not available in the URC, he shall be entitled for rehabilitation in an available tenement of immediately next higher area, subject to the allottee paying for the differential area.
- f) If the beneficiary refuses to pay the specified amount towards such differential area, he will be entitled for an available rehabilitation tenement of immediately lower area, without any consideration towards such reduction in area.

16.8.10. Terms of Allotment of Rehabilitation Tenements:

- i) Allotment of rehabilitation tenements for owners belonging to authorised buildings shall be free of cost and without any consideration for the original area and additional 30% area over and above the eligible area shall be allowed for the occupants of the authorised buildings, free of Cost.
- ii) If any non-residential unit holder demands residential unit against his non-residential previous holding, such request may be considered by CEO in consultation with HPC. However to consider such request shall not be obligatory on the part of the CEO.
- iii) Allotment of rehabilitation tenements to occupants belonging to unauthorized/ illegal buildings shall be at a consideration in accordance with the following Table No. **16 X** :-

Table No. 16 X		
Minimum Carpet Area of Rehab Tenement	Type of Rehab Tenement	Consideration (i.e. Amount payable by the Allottee to CIDCO/ Developer)
(1)	(2)	(3)
For Residential Area		
30 sq. m	Residential	Free of Cost

>30 sq. m but less than or equal to 50 sq. m	Residential	Up to 30 sq. m as above. Beyond 30 sq. m at Construction Cost as per ASR rates.
>50 sq. m	Residential	Up to 50 sq. m as above. Beyond 50 sq. m at Full Market Rate as per ASR
Non-Residential/ Commercial Area		
16.75 sq. m	Non - Residential/ commercial Area	Construction Cost as per ASR rates
>16.75 sq. m but less than or equal to 40 sq. m	—do—	Up to 16.75 sq. m as above and beyond 16.75 sq. m at 100% of Construction Cost as per ASR rates
>40 sq. m	—do—	Up to 40 sq. m as above and Beyond 40 sq. m at 100% of market rate as per ASR.

- iv) If an eligible occupant finds it financially unaffordable to pay the amounts as mentioned herein, CEO may allot him a tenement of immediately lower area. If any eligible beneficiary finds it financially unaffordable to pay even the amount required for the minimum area, or fails to make payment as per the Schedule of payment given by the CEO, the CEO may allot him a tenement of minimum area on hire-cum-purchase basis, till such allottee pays the requisite amount in one or more instalments or through EMI payments. Rent in such cases would be decided by CEO and EMI shall be calculated for such number of years at such rate of interest as may be fixed by CEO.
- v) Any existing amenity in the URC on the date of coming into force of this regulation which is under control of a private person/ organization and Charitable Trust/ religious organization shall be entitled for an area equal to the existing area of such amenity, subject to the following :
- for an amenity being used for non-residential activities and under the control of private person(s)/ organization(s), allotment of equivalent area under URS shall be at 50% of ASR Rate for commercial area up to 40 sq. m and at 100% of ASR Rate for commercial area above 40 sq. m.
 - for an amenity being used for non – residential and in control of any Charitable Trust or religious organization for purpose of raising fund for public welfare activities, such allotment shall be free for area up to 40 sq. m and at 50% of ASR Rate for construction above 40 sq. m.
 - for an amenity having users like (e.g. Educational/ Health-care facility etc.) and under control of private person(s)/ organization(s) such allotment shall be at 25 % of ASR Rate for constructed area up to 40 sq. m and at 50% of ASR Rate for

constructed area above 40 sq. m.

vi) **Process of Allotment to Beneficiaries and Conditions thereof :**

- a) Process of allotment of tenements to beneficiaries, lease conditions including those pertaining to transfer, formation of co-operative housing societies and policy of maintenance of common amenities of buildings and layout as well as policy regarding any other relevant matter shall be as determined by the Corporation from time to time.
- b) Allotment of land shall be on lease for the period of 30 years, which shall be renewable for further period of 30 years at a time. However, Allotment of rehabilitation tenements for owners and beneficiaries shall be on ownership basis. This provision of lease shall not apply for the authorised building constructed on private land.
- c) Rehabilitation tenements allotted to beneficiaries shall not be transferable for first fifteen years, except with prior permission of CEO, who may grant such permission in case of hardship, on payment of premium as below :
 - i) For the transfer of Rehabilitation tenements allotted to Occupants belonging to the authorised buildings, no premium shall be charged
 - ii) For carpet area less than 30.00 sq. m premium shall be 10% of the differential amount calculated as per clause (iv) below
 - iii) For the transfer of Residential and non-residential Rehabilitation tenements other than those covered under (i) and (ii) above, premium shall be 25% of differential amount calculated as per explanation below:
 - iv) Differential amount for the purpose of clause (ii) and (iii) shall be equal to difference in the Annual Statement of Rates (ASR) valuation in the year of transfer and the original consideration paid for the allotment of a Tenement brought forward to the year of transfer through capital inflation index.

Provided that, in case of unauthorized transfer of any Rehabilitation tenement, the CEO may regularize the transfer by charging double the premium as mentioned above, with 12% interest from the date of transfer.

Provided further that, if the transferee refuses to pay the premium demanded within 3 months of demand, the CEO shall initiate process of vacating the premises, though in cases of willingness but hardship, CEO may grant instalments with 12% interest rate.

- v) After consideration for land falling under URC to the person(s) having legal rights in land as per regulation No.16.8.13 (iv)(c) is offered and provision for rehabilitation all the eligible beneficiaries of the building(s) under URC is proposed in redeveloped building(s) in URC area as per Regulation No.16.8.9.(iii)

In respect of those eligible beneficiaries of unauthorized/ illegal buildings entitled for rehabilitation tenement in URC, who do not join the scheme willingly, the following steps shall be taken:

- a) Provision for all of them shall be made in the rehabilitation component of the scheme.
- b) The details of the tenement that would be given to them by way of allotment on the same basis as for those who have joined the scheme will be communicated to them in writing by the Implementation Agency.
- c) The transit tenement that would be allotted to them would also be indicated along with those who have joined the scheme.
- d) If they do not join the scheme within 15 days after the approval for Implementation Agency has been given to the scheme, then action under the relevant provision of the MR & TP Act, 1966, as amended from time to time, shall be taken and their structures will be removed and it shall be ensured that no obstruction is caused to the scheme of the majority of persons, who have joined the scheme willingly.
- e) After this action under the foregoing clause is initiated, they will not be eligible for transit tenement along with the others and they will not be eligible for the reconstructed tenement, but they will still be entitled only to what is available after others have chosen, which may be on the same or some other site.
- f) If they do not join till the building permission to the scheme is given, they will completely lose the right to any built-up tenement and their tenement shall be taken over by the CEO and to be disposed off as per guidelines issued by the Government from time to time and used for the purpose of accommodating Project Affected Persons and other beneficiaries etc. who cannot be accommodated in-situ.

16.8.11. Permissible FSI for URC

The FSI permissible in the URS shall be the FSI required for rehabilitation of existing occupiers/ tenants + incentive FSI under this Regulation, or 4.00 whichever is higher. Provided that Incentive FSI shall be governed by the ratio of Land Rate (LR) (in Rs.Per sq. m) of the URC under redevelopment to the Rate of Construction (RC) (in Rs.Per sq. m), as per the Annual Statement of Rates (ASR) applicable to the area and size of the URC as given in table below:

Basic Ratio (LR/RC*)	Incentive as per scheme		
	More than 0.40 ha up to 1.0 ha	More than 1.0 ha up to 5.0 ha	For more than 5.0 ha
Above 2.00	1.75	2.00	2.25
Above 1.50 and up to 2.00	2.00	2.25	2.50
Above 1.1 and up to 1.50	2.25	2.50	2.75
Up to 1.00	2.50	2.75	3.00

Explanation:

- (a) In case of different land rates area applicable to different parts of the URC, weighted average of all the applicable rates shall be taken for calculating the Average land rate and basic ratio.
- (b) The land rate and the rate of construction for calculation of the basic ratio shall be taken for the year in which the URS is approved by the competent authority and shall remain unchanged during the entire project cycle of the URS.

FSI shall be calculated over the gross area of the URC, deducting area falling in CRZ-I and Forest areas if any. However, if the area in CRZ-II is up to 25% of the URC then the FSI shall be allowed to be used in non CRZ area. However no FSI shall be allowed for the area from CRZ-I.

- (c) The FSI for an Urban Renewal Scheme in CRZ area shall be governed by the MOEF Notifications issued from time to time.
- (d) Plot area, considered after deducting the area of URC falling in CRZ (except CRZ-II)/ Forest area and area under unbuildable reservations, etc. shall be primarily used for rehabilitation of existing occupants and development of buildable reservations and public amenities with required FSI. After the said development, if there are any eligible occupants left who could not be rehabilitated due to inability to construct the requisite area for rehabilitation and relocation, owing to constraints imposed by NAINA DCPRs, shall be rehabilitated in any nearby URS or tenements available with the Corporation; as per the policy guidelines decided by the Corporation.

- (e) If after construction of rehabilitation tenements and other areas of entitlement as per the provisions of this Regulation, there is still some building potential left as per the ceiling of 4.0 FSI, construction can be done for free sale, either in independent buildings, or on sub-plots or in composite buildings or in undivided plots along with rehabilitation component.
- (f) When the FSI available in URC in case less than 4.0 then 50% of the difference in FSI shall be constructed in the form of EWS/ LIG tenements and shall be handed over to the CEO. CEO may use these tenements preferably for transit accommodation, PAP tenements or staff quarters. However if tenements are not needed for above purpose then CEO shall after realisation of proceeds from disposal of these tenements, deposit such proceeds in Shelter Fund setup under this Regulation.

16.8.12. Development of Reservations contemplated in Development Plan falling in the area of URC

All the reservations in the Development plan falling in the area of URC shall be provided and may be rearranged/ relocated, under URS as follows:

- a) Redevelopment/ reconstruction in any zone shall be allowed to be undertaken without going through the process of change of zone. However, for the industrial user, the existing segregating distance shall be maintained from the existing industrial unit.
- b) Any land under non-buildable reservations, admeasuring only up to 500 sq. m maybe cleared by shifting the existing tenants from that site.
- c) If the area under a non-buildable reservation is more than 500 sq. m minimum 50% of the area under reservation shall be developed for the same purpose and handed over to the Corporation, subject to minimum of 500 sq. m and remaining land shall be allowed for development.
- d) For the reservation of parking lot on a land included in URC, built up area equivalent to zonal permissible FSI for the area under reservation in that plot shall be made available free of cost to the Corporation or to any other Appropriate Authority. Such built up area to be handed over shall be free of FSI.
- e) For other buildable reservations on land, built up area equal to 60% of the zonal permissible FSI under such reservations or existing built up area of the amenity whichever is more, on that plot shall be made available free of FSI and free of cost to the Corporation or to the Appropriate Authority. The reservations of compatible nature can be preferably constructed in one or more separate blocks, depending on the area and nature of such reservations and CEO may permit composite development of reservations in case of such reservations. However, if the HPC/ Planning Authority

requires built-up area under any designation/ reservation in excess of the zonal permissible FSI, then such excess area shall be considered as rehabilitation FSI and incentive FSI as admissible under this Regulation shall be permissible.

Provided that in case of development of reservations of Public Health under the Urban Renewal Scheme, built-up area equal to 30% of the zonal permissible FSI shall be handed over to the Corporation free of FSI and free of cost, in addition to the rehabilitation of the existing tenements or users if any.

- f) Where a proposed Development Plan Road or Regular line of street passes through the Urban Renewal Scheme area, the entire FSI admissible under this Regulation for the area of the road may be given in the same Scheme
- g) Built up area required for development of public amenities/ reservations shall not be counted while computing permissible FSI under URS. If URS includes areas falling under CRZ and Forest, subject to NOCs of the concerned Authority, these areas may be considered against the compulsory open space to be kept as per DCPRs.
- h) The multiuser, mix user in High rise or composite building for public purpose amenities shall be permitted.
- i) If the area under non-buildable reservation except Play Ground in the URS area is more than 2000 sq. m, minimum 50% of the area of such reservation or 2000 sq. m whichever is more shall be developed for the said purpose.

16.8.13. Preparation and Approval of URS

- i) Subject to the provisions of Development Plan and the URP prepared and notified by the CEO, the Corporation may prepare detailed plan, for one or more URCs contained therein, showing proposals for development/ reconstruction of cluster of buildings and/ or structures, which in the opinion of the CEO should be developed or redeveloped under a URS. Such plan shall include the following:
 - (a) Plan for overall development/ Redevelopment of specific areas for urban renewal.
 - (b) Strategies and plan for dealing satisfactorily with areas of bad layout, obsolete development and relocation and rehabilitation of population.
 - (c) Open spaces, gardens, playgrounds and recreation areas.
 - (d) Area or areas required for making the implementation of such plan for Urban Renewal viable.
- ii) After preparation of detailed plans of URC(s), the CEO shall place the same for approval of a High Power Committee (HPC) constituted under this Regulation as follows:

Jt. Managing Director (NAINA)	-	Chairman
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Chief Vigilance Officer	-	Member
Addl. Chief Planner/ CP (NAINA)	-	Member
Chief Lands & Survey Officer (NAINA)		Member
Sr. Transportation Engineer (NAINA)	-	Member
Sr. Planner (BP-NAINA)	-	Member Secretary

After approval of detailed plans of URC(s) as aforesaid, the CEO shall proceed to select an Implementation Agency for executing URS in the manner described herein. HPC shall finalise the Implementation Agency.

iii) Entitlement for consideration under URS:

Anyone having any legal rights over any parcel of land falling under URS shall, after establishment of his rights, be offered consideration for such land as per the following provisions which, if declined by any rights holder(s), shall give liberty to the CEO to initiate process of acquisition of such rights under appropriate law. Implementation of URS shall be regarded as a public purpose.

iv) Consideration for Land falling under URS:

- a) Person(s) having legal rights in any land required for URS under this Regulation shall be offered consideration for the entitled area of land as provided hereinafter.
- b) Basis for determination of entitled area towards consideration under URS Scheme shall be as follows:
 - i) Person (s) in legal possession and ownership of unencumbered land: Entitled area collectively against this parcel of land shall be equivalent to the area of the land.
 - ii) Person(s) in legal possession and ownership of **encumbered** land where authorized buildings have consumed FSI less than the permissible FSI:- If liability of rehabilitation of the occupants of the building(s)/ Structure(s) on the land in question is being taken on URS, entitled area collectively against such parcel of land shall be 25% of the area of encumbered land plus difference of FSI available on such parcel land and the encumbrance. If the occupants of the building(s) are being independently rehabilitated/ compensated by the person(s)/ rights holders in legal possession and ownership of the land, and not being rehabilitated in URS, entitled area collectively against such parcel of land towards consideration shall be equal to FSI available on the vacated land area.

Provided where the area of rehab is less than the component of free sale, the

component for free sale could be enhance up to 30% by the CEO in consultation with HPC.

- iii) Person(s) in possession and ownership of authorized encumbered land where buildings have consumed FSI more than permissible FSI: If liability of rehabilitation of the occupants of the building(s)/ Structure(s) in question is on the land being taken on URS, entitled area collectively against such parcel of land shall be 25% of land area. If the occupants of the building(s)/ Structure(s) are being independently rehabilitated/ compensated by the person(s)/ rights holder (s); in possession and ownership of the land, and not being rehabilitated in URS, entitled area collectively against such parcel of land towards consideration shall be equal to FSI available on the vacated land area.
- iv) Person(s) having right over unauthorisedly encumbered land: Entitled area collectively against this parcel of land shall be calculated at 50% of entitled area calculated as per clause (ii) and (iii) above, except when occupant(s) of building(s) are being rehabilitated/ compensated by such Person(s) and are not being rehabilitated in URS, entitled area towards consideration shall be equal to FSI available on the vacated land area

c) Consideration for Acquisition of land under URP:

- i) Consideration for any land required to be procured for URP shall be either in terms of payment due for entitled area collectively against that parcel of land, as calculated in Regulation No. 16.8.13 (iv) (b) above as per ASR, alongwith 100% solatium, as applicable for the year of possession, along with 12% annual simple interest from date of possession to date of payment, or in terms of TDR equivalent to the entitled area as per TDR Regulation No. 43 or in terms of equivalent area constructed in URS or in terms of developed free sale vacant plot of area equal to 50% of entitled area calculated as per clause (i), (ii), (iii) and (iv) of Regulation No.16.8.13 (iv)(b) above, with base FSI of 1.0 in the same URC fronting on same road width as original plot, subject to availability of land. Concerned person(s) shall have option to choose from amongst these four modes of consideration. The option once chosen shall be registered and shall be irrevocable.
- ii) Once consideration as above, has been accepted by a person having any interest in the land on which any unauthorised construction exists or existed, the CEO may consider such person eligible for Compounding of any offence under relevant provisions of MR & TP Act with respect to the concerned land/ plot.

- iii) Wherever any person having demonstrable legal rights over any area falling under URP rejects the consideration being offered, the CEO shall forward the proposal for Land Acquisition under —Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013 read with section 126 (1) (c) of MR & TP Act, 1966. In such an eventuality, the CEO may move the competent authority for advance possession of the land(s) so as to ensure smooth implementation of URS and shall pay requisite advance, rent etc. under the ‘Right to Fair Compensation and Transparency in Land Acquisition, Rehabilitation and Resettlement Act, 2013’, as determined by the Competent Authority. If, however there is any dispute only about apportionment of consideration among person(s) having demonstrable legal rights over any land falling under URS, the CEO shall ask the disputing parties to approach Competent Civil Court to get their disputes resolved and to settle apportionment of consideration as offered under this Regulation. Till the final decision in this regard is received, in order to ensure that URS does not get delayed and adversely affect other parties to the URS; the CEO shall cause an area, equivalent to the entitled area corresponding to such land, to be constructed as part of URS and in case the claimant(s) of ownership finally declared eligible by the Competent Court decide upon an option other than constructed area and exercise such other option, as mentioned in Regulation No.16.8.13 (iv)(b), the CEO shall pay consideration as per such option exercised and such reserved constructed area in URS shall vest with the Corporation.
- iv) In any proposed URC, any open plot is included and if the concerned owner is not willing to participate in URC, the compensation payable shall be as per Land Acquisition, Rehabilitation and Resettlement Act, 2013 read with section 126(1)(c) of MR & TP Act, 1966.
- v) In case of buildings or lands belonging to the Central Govt., the State Government, Semi-Government Organizations or MHADA or any Local Government or any Corporation or Company owned by the Central/State Government or any Local Government(hereinafter collectively referred to as Public Authority), prior consent of such Public Authority shall have to be obtained for their inclusion in the URS. For such lands or buildings, the CEO may either offer Market Price, to be decided by mutual consent, subject to ratification by the Corporation, or may offer constructed area, in-situ or ex-situ, in a composite or independent building or may, alternatively, offer equivalent TDR as per TDR regulations No. 43 or may offer an exchange of suitable land

as per mutual consent, subject to ratification by the Corporation and thereafter such land(s)/ building(s) shall vest with the Corporation and shall form the part of URS.

16.8.14. Planning for Rehabilitation and Free Sale Plots in URS

- i) Net area of URC shall be calculated after deducting the area under CRZ (except CRZ-II) and Forest, if any. Out of total net area of the URC, maximum of 50% area in terms of one or more plots, to be called Free Sale Plots, shall be carved out for raising resources to cover the cost of construction of rehabilitation component and development of all the reservations and amenities. While carving out Free Sale Plots, due weightage shall be given to the fact that the higher is the percentage of these plots in terms of area, the denser is the Rehabilitation Area, and in exceptional cases, Commissioner may reduce these Free Sale Plots to zero. The percentage of the free sale plot may be enhanced up to 50% subject to approval by the HPC by considering 100% in-situ Rehabilitation with consumption of minimum FSI of 2.5 and if net plot area excluding Recreation Ground area is more than 8000 sq. m under URS. Constructed area available on this Free Sale Plot collectively shall be equal to that available over the whole URC minus that required for rehabilitation and relocation. If Free Sale Plots, are more than one, the Commissioner may distribute the available free sale construction area under URS over such plots, as he may deem fit. Such Free Sale Plots shall be deemed to belong to Growth Center Zone for the purposes of permissible users thereon.

Provided that, in exceptional cases, the above percentage of free sale plot may further be enhanced beyond 50% in order to make scheme viable, subject to fulfilment of following conditions, subject to the approval of HPC:-

- a)** 100% in-situ rehabilitation;
 - b)** no dilution more than what is mentioned in Regulation No.16.8.12, in the area of development plan reservations.
- ii) After the development of reservations, any occupants who could not be settled due to non-buildability of required construction area for rehabilitation and relocation, owing to constraints imposed by DCR, shall be rehabilitated in the nearby URS or PAP tenements available with the Corporation; as per policy guidelines decided by the Corporation.
- iii) Two or more URCs within a notified URP having different densities may be permitted to get clubbed for implementation purpose sharing the densities in order to ensure balanced development increasing the viability of clusters.

16.8.15. Selection of Implementation Agency

If an owner or group of owners or proposed co-op. Hsg. Society of occupants or federation of occupants, either directly or through a Power of Attorney Holder, collectively owning more than 51% of the area of URC or a part thereof, come forward for implementation of URS as per the Detailed Plan prepared by the Corporation for such URC, within 3 months of declaration of the detailed plans of URC, or within such extended period as may be granted by the CEO, they may be selected as Implementation Agency for implementation of URS on such URC. In such a case the infrastructure should be developed by the Implementing Agency at their own cost, otherwise an Infrastructural charges at the rate of 10% of construction cost of buildings of rehab & free sale component (excluding infrastructure) as per prevailing ASR to be received by the corporation. In case owners/ stakeholders owning more than 51% of whole or part area of URS as mentioned above fail to come together, selection of an implementation agency for the URS shall be done through a transparent bid process.

16.8.16. URS by Private Promoters/ Co-operative Housing Societies

- i) Whenever there is no URP made by Corporation or wherever there is no URS floated by the Corporation over one or more URCs falling under URP, any Private Promoter, MHADA, Co-operative Housing Society, federation of occupants etc. may approach the Corporation with consent of owners/ stakeholders of 51% of any area requiring Urban Renewal, for implementation of URS thereon and Corporation may, after satisfying himself that conditions mentioned herein, which make an area fit for redevelopment under URS are met, decide to implement URS thereon and, subject to other conditions and processes mentioned in this Regulation, appoint such applicant as implementation agency at the Base Premium. The Authority shall decide base premium with the approval of High Power Committee (HPC).
- ii) In case where there are some owners (pertaining to less than 30% area) who have not given their consent to the Private Promoter, Co-operative Housing Societies etc. for URS, who are appointed as per Clause (i) above by Corporation as Implementing Agency, the Corporation shall offer remaining owners and right holders consideration for their rights as mentioned in the provisions for URS being designed and implemented by the Corporation, and if these considerations are rejected by these dissenting owners or right holders the Corporation shall forward proposals for Land Acquisition to competent authority. In such cases, if final compensation is in terms of money, the same shall be recovered from the Implementation Agency.
- iii) A surcharge on development undertaken by the promoter/ developer at the rate of 100% of Development Charge shall be leviable, which may be paid in stages in proportionate

with the progress of work. This surcharge shall not be applicable to the construction within basic FSI, the built up area to be handed over to the Corporation or any Public Authority in lieu of any reservation and also to the amenity areas to be handed over to the Corporation per the requirement indicated by the Corporation or the High Power Committee.

16.8.17. Transit Camps - For smooth implementation of the URS, construction of temporary transit camps may be permitted on the same land or a land situated elsewhere as given here-under:

- i) Irrespective of its land-use classification under Development Plan, construction of temporary transit tenements made of light detachable material such as tubular/prefabricated light structures shall be allowed up to an FSI of 4.0 on any nearby vacant site without any reservation in the Development Plan, with the consent of the land-owner.
- ii) The temporary transit camp shall be provided on or close to the site of URS itself. However in exceptional circumstances to be recorded in writing, construction of Temporary Transit Camps may be permitted on the area of open space required to be kept in accordance with Regulation No. 20.3
- iii) Multi-storeyed temporary transit tenements may be allowed to be constructed with 4.00 FSI on the site of URS.
- iv) The area of temporary transit tenements shall be excluded from the computation of FSI, but structural safety of such tenements shall be ensured.
- v) Building permission for Temporary Transit Tenements shall be given within 45 days from the date of application but only after approval to the URS, failing which such permission shall be deemed to have been granted.
- vi) If a site, reserved in Development Plan for any public purpose is vacant or partly encumbered, or it happens to be the unused portion of such public purpose for which such site is reserved, and there is no other option for locating temporary transit tenements, then such site or unused portion may be utilized for building temporary transit tenements, with the permission of CEO, on payment of such rent and subject to such conditions/ as the CEO may prescribe.
- vii) Temporary transit camp erected, under this Regulation shall have to be demolished by the Developer within 30 days from grant of Occupation Certificate to the Rehabilitation buildings and the land there under shall be brought back to the original state.

16.8.18. Non-conforming activities: All activities which are existing shall be allowed to be re- accommodated regardless of the non-conforming nature of such activities,

excepting those which are hazardous and highly polluting and those where alternative accommodation has already been provided elsewhere by the Promoter/ Developer/ Corporation.

16.8.19. Relaxation in Building and other requirements:

- i) The calculation of FSI for all purposes shall be on gross area i.e. without deducting any percentage for recreational open space. This shall not affect the requirement of physical open space in terms of keeping aside the said recreational open space on site as per the DCPRs.
- ii) Balcony shall not reduce marginal open space less than 3.00 meter. However, at ground level, clear margin of minimum 4.5 m shall be maintained.
- iii) Front and marginal open spaces: For a building in the Rehabilitation Component or composite building having height up to 24.0 m, front and marginal open space shall be 4.5 m and for buildings having height more than 24.0 m, the same shall be 6.00 m.
- iv) Notwithstanding the provisions in DCPRs, where the plot abuts a DP Road having width of 18.0 m and above, the front marginal open space shall not be insisted upon beyond 4.5 m, provided such road is not a Highway.
- v) Where the plot abuts a trained nallah, the marginal open space along the nallah shall not be insisted upon beyond 4.5 m from the edge of the trained nallah or as per requirement of Irrigation Department, whichever is greater.
- vi) The distance between any two rehabilitation buildings shall not be less than 6.00 m.
- vii) If the height of a building in URS is more than 25 m, 6 m wide marginal open space or marginal open space as per the requirement of CFO, whichever is greater, shall be considered.
- viii) A Composite building shall contain at least 50 percent of the built up area as Rehabilitation Component.
- ix) The means of access shall be normally governed by the provisions of DCPRs. However, in the URS, wherever the design of the buildings up to 24 m height in the same land requires some relaxation, the same may be given by the CEO.
- x) A minimum of at least 10 percent of the area of URC shall be provided as recreational open space. In addition to this, 10 percent of URC area shall be earmarked for amenity space which can be adjusted against the DP reservation (excluding roads), if any provided the area of such reservation exceeds 25% of the area of the URP.
- xi) Amenities not available in the periphery of 400 m from boundaries of URC shall be

developed on the Amenity Plot, subject to the minimum area specified for such amenities under this Regulation and handed over free of cost to the Corporation without any consideration.

- xii) All relaxations outlined hereinabove shall be admissible only to buildings in the Rehabilitation Component of URS and also to the composite buildings therein. Premium at the concessional rate shall be charged by the Corporation for all or any of the relaxations given herein above or for any other mentioned in the DCPRs.
- xiii) Any aspect of development under URS, which is not specified under this Regulation shall be governed by the relevant provisions of the DCPRs.
- xiv) In order to facilitate redevelopment and to decongest the redeveloped area in the URC, the CEO may insist on additional road width, over and above that prescribed in the sanctioned Development Plan or the width of the existing roads.
- xv) Provisions of Public amenities and roads under the URS shall be considered at par with reservations and the roads in the Development Plan
- xvi) Portion of URC falling under No Development Zone, Buffer Zone, CRZ- I & III and Private Forest shall form a part of the required Recreational Area in the URS.

16.8.20. Religious structures existing on the site of URS prior to redevelopment, if allowed to be redeveloped in accordance with the guidelines issued by the Government from time to time; following such redevelopment, shall not have area exceeding their area prior to redevelopment.

16.8.21. Heritage buildings of Grade-I and II may be included in the area of Urban Renewal Cluster, but have to be kept as they are, along with land appurtenant, but shall not be considered for FSI under this Regulation. As regards such Heritage Structures, the Promoter/ Developer shall have to contribute Heritage Cess at 5% of ASR Rates on the basis of built-up area of the Heritage structure. Existing provisions under these Development Control Regulations shall apply to Heritage Buildings of Grade-III. However, before granting the approval for such buildings, the HPC shall consult the Heritage Committee appointed for that purpose.

16.8.22. If HPC approves areas for amenities such as Fire Stations/ Hospitals/ Police Stations/ Schools etc. other than reservations/ designations as per Development Plan, such amenities shall be handed over to the concerned Authority, free of cost and the built up area of such amenity shall be considered as rehabilitation F.S.I. and incentive FSI as admissible under this Regulation shall be permissible.

The decision of HPC shall be appealable, as if, it is an appeal under Section 47 of

the MR & TP Act, 1966.

16.8.23. Formation of Co-operative Housing Societies, and their Federations for buildings in URS

CEO shall cause formation of Co-operative Housing Society for each and every building, either separately or collectively as he may deem fit and shall cause to be deposit 25% of the amount of consideration received from the allottees of such building, in a - Building Maintenance Fund I to be utilised by the Co-operative Housing Society of the allottees of such Building, as per the guidelines framed by the Corporation. In addition, the CEO shall cause to be deposit 25% of the amount of consideration received from the allottees of each and every rehabilitation and relocation in URC building, in another Maintenance Fund called URC Maintenance Fund II to be set up, by the CEO, for the dedicated use of maintenance of common facilities/ amenities in the URC by the Corporation. The utilisation of the URC maintenance Fund shall be in accordance with the guidelines framed by the Corporation.

16.8.24. Formation of Shelter Fund

CEO shall cause to be deposit 50% of amount of consideration received from the allottees and amount received from bidding process in a separate fund to be named as - Shelter Fund, which may be used as per the policy to be formulated by the Corporation for payment of consideration for acquisition of land falling under URC, providing financial assistance to beneficiaries under URC, procurement of land for creation of affordable Housing, and promoting affordable housing in the city limits.

Note – If any correction/ changes are needed in the URS Regulation for the benefit of URC or for success of URC scheme, the decision can be taken at HPC level and subsequently should be communicated to the Government to incorporate such decision in this Regulation.
