

MUNICIPAL CORPORATION OF GREATER MUMBAI
(Chief Engineer(Development Plan)Department)

Circular

CHE/DP/ 15616/GEN Dt. 12.9.17

CHE/DP/ 40/Gen
2017-18

Sub: Transitional Policy to deal with the implication of Modifications proposed by Corporation and the said list of modifications published under section 28(4) of MR&TP Act 1966

Ref: Circular issued under no. CHE/7204/DP/GEN Dt.30/05/16.

Corporation vide its Resolution under no. 307 dated 27/05/16 had accorded sanction to re-publish the Draft D.P /Draft DCR 2034 for inviting suggestions/objections from general public under the provisions of section 26(1) of MR&TP Act 1966.

The Planning Committee constituted under section 28(2) of MR&TP Act 1966 heard the suggestions/objections from general public and submitted their report along with their recommendations on Draft D.P/Draft DCR 2034 to the Planning Authority under section 28(3) of MR&TP Act 1966.

The Planning Authority i.e. Corporation vide Resolution under no. 393 dt.31/07/17 has now empowered the Municipal Commissioner to obtain sanction of State Govt to the Draft D.P /Draft DCR 2034 published on 27/05/16 along with the modifications/changes as proposed.

The list of modifications sanctioned by Corporation as per the recommendations of Planning Committee (Annexure - A) and the list of modifications as sanctioned su-moto by Corporation vide Sr. No. 1 to 266 (Annexure -B) on the Draft D.P/Draft DCR 2034 vide C.R No. 393 of 31/07/17 is published in Govt. Gazette under no.CHE/13696/DP/Gen Dated 07/08/17 for information of public as per section 28(4) of MR&TP Act 1966. The C.R No.393 dt.31/07/17 and Govt. Gazette dated 07/08/17 along with Annexure A and Annexure B are available on MCGM website 'portal.mcgm.gov.in' (Home page >related links>more>Draft Development Plan (2014-34)>Gazette notification no. 62 under section 28(4) of MR&TP Act 1966).

The policy guidelines in respect of procedure to deal with the building proposals during the transitional period from the date of publication of Draft D.P 2034 i.e. 27/05/16 till the date of sanction of Draft D.P 2034 by State Government as per the provisions of section 31

of MR&TP Act 1966 has already been circulated vide circular issued under no. CHE/7204/DP/GEN Dt.30/05/16 under reference.

As per the circular dated 30/05/16 all the earlier circulars issued for transitional policy were to continue except for substituting the date of publication of Draft DP from 25/02/15 to 27/05/16, substituting Draft DP 2034 with Draft D.P 2034 (May 16) etc.

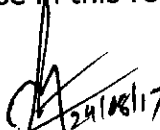
All the earlier transitional circulars have considered the stringent of the Draft D.P 2034 and the SRDP 1991 as far as the lands under reservations / zoning is concerned.

Section 46 of MR&TP Act 1966 provides that 'the Planning Authority in considering applications for permissions shall have due regard to the provisions of any draft or final plan or proposal published by means of notice submitted or sanctioned under this Act'.

The Draft DP 2034 has already been published in Govt. Gazette under section 26(1) of MR&TP Act and now the list of modifications to Draft DP 2034 is published under section 28(4) of MR&TP Act. Hence while processing the applications received for development permissions due regards to the modifications sanctioned by the Corporation is required to be given.

In view of above, while processing the applications received for development permissions as regards lands under reservations / zoning, the stringent provisions in SRDP 1991, Draft DP 2034(May-2016) and modifications as reflected in Annexure A & B, sanctioned by the Corporation vide resolution no.393 dt.31.07.2017 shall be considered hence forth.

The above guideline is issued in continuation of above mentioned circular and should be followed scrupulously by BP/DP staff and any lapse in this regards will be viewed seriously.


(Vivek More)
Dy.Ch.E.(D.P.)I


(Sanjay P Darade)
Ch.E.(D.P.)


(Ajoy Mehta) 31/7/17
Municipal Commissioner