

मंजूर प्रादेशिक योजना-पुणे क्षेत्रात “शेती तथा ना-विकास विभाग” या वापर विभागामध्ये गावठाणापासून विवक्षित अंतरामध्ये अनुज्ञेय करावयाच्या रहिवास वापरासाठी अधिमूल्य आकारण्यासंदर्भाने नवीन विनियम अंतर्भूत करण्याबाबत कलम २०(४) अन्वये अंतिम मंजूरी.

महाराष्ट्र शासन
नगर विकास विभाग,
मंत्रालय, मुंबई-३२
दिनांक : ०४/०१/२०१६

शासन अधिसूचना क्र.टिपीएस-१८१५/प्र.क्र.४९/१५/प्रायो पुणे/कलम २०(४)/नवि-१३

सोबतची शासकीय अधिसूचना महाराष्ट्र शासनाच्या, साधारण राजपत्रामध्ये पुणे विभागीय पुरवणी भाग-एक मध्ये प्रसिध्द करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांचे आदेशानुसार व नांवाने,

(संजय सावजी)
अवर सचिव, महाराष्ट्र शासन

प्रत,

- १) मा.मुख्यमंत्री यांचे सचिव, मंत्रालय, मुंबई.
- २) मा.राज्यमंत्री, (नगर विकास) यांचे खाजगी सचिव, मंत्रालय, मुंबई.
- ३) प्रधान सचिव (नवि-१), नगर विकास विभाग, मंत्रालय, मुंबई.
- ४) प्रधान सचिव, महसूल विभाग, मंत्रालय, मुंबई.

प्रति,

- १) संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे.
- २) संचालक, नगर रचना तथा सह सचिव, नगर विकास विभाग, मंत्रालय, मुंबई.
- ३) सह संचालक, नगर रचना तथा सह सचिव, नगर विकास विभाग, मंत्रालय, मुंबई.
- ४) सह संचालक, नगर रचना, पुणे विभाग, पुणे.
- ६) जिल्हाधिकारी, पुणे.
- ७) सहायक संचालक, नगर रचना, पुणे.
- ८) व्यवस्थापक, शासकीय मध्यवर्ती मुद्रणालय, येरवडा, पुणे.

त्यांना विनंती करण्यात येते की, सोबतची शासकीय अधिसूचना महाराष्ट्र शासनाच्या, साधारण राजपत्राच्या पुणे विभागीय पुरवणी भाग-एक मध्ये राज्यस्तरावर प्रसिध्द करुन त्याच्या ५० प्रती संचालक, नगर रचना, महाराष्ट्र राज्य, मध्यवर्ती इमारत, पुणे, यांना पाठवाव्यात.

- ९) कक्ष अधिकारी (नवि-२९) नगर विकास विभाग, मंत्रालय, मुंबई - त्यांना विनंती करण्यात येते की, सोबतची अधिसूचना या विभागाच्या संकेतस्थळावर प्रसिध्द करावी.
- १०) कक्ष अधिकारी, माहिती व तंत्रज्ञान विभाग, मंत्रालय, मुंबई - त्यांना विनंती करण्यात येते की, सदरची अधिसूचना शासनाच्या संकेतस्थळावर प्रसिध्द करावी.
- ११) निवडनस्ती (कार्यासन-१३).

अधिसूचना
महाराष्ट्र शासन
नगर विकास विभाग
मंत्रालय, मुंबई-३२
दिनांक : ०४/०१/२०१६

महाराष्ट्र
प्रादेशिक
नियोजन व
नगर रचना
अधिनियम,
१९६६

क्र.टिपीएस-१८१५/प्र.क्र.४९/१५/प्रायो पुणे/कलम २०(४)/नवि-१३:- ज्याअर्थी, शासनाने नगर विकास विभागाची अधिसूचना क्र. टिपीएस-१८१५/२२७/प्र.क्र.२६/१५/नवि-१३, दिनांक २५ नोव्हेंबर, १९९७ अन्वये पुणे जिल्ह्याची प्रादेशिक योजना (यापुढे जिचा उल्लेख “उक्त प्रादेशिक योजना” असा करण्यात आलेला आहे) महाराष्ट्र प्रादेशिक नियोजन व नगर रचना अधिनियम, १९६६ चे कलम १५ (यापुढे ज्याचा उल्लेख “उक्त अधिनियम” असा करण्यात आलेला आहे) अन्वये मंजूर केली असून ती दिनांक १० फेब्रुवारी, १९९८ पासून अंमलात आलेली आहे;

आणि ज्याअर्थी, उक्त मंजूर प्रादेशिक योजनेतील जोडपत्र-एक्स मधील विनियम क्र.२.६.१(xv) (यापुढे ज्याचा उल्लेख “उक्त विनियम” असा उल्लेख करण्यात आलेला आहे) मध्ये गावांच्या नैसर्गिक विस्तारासाठी सन १९९१ च्या लोकसंख्या सापेक्ष शेती तथा ना-विकास विभागामध्ये संबंधीत गावाच्या गावठाणाच्या हद्दीपासून त्यासभोवताली उक्त विनियमामधील तरतूदीनुसार ठराविक अंतरापर्यंत रहिवास वापर अनुज्ञेय करण्याची तरतूद आहे (यापुढे ज्याचा उल्लेख “उक्त तरतूद” असा करण्यात आलेला आहे);

आणि ज्याअर्थी, उक्त तरतूदीमध्ये सन १९९१ ऐवजी नजीकच्या जनगणनेची लोकसंख्या विचारात घेण्यासंबंधीच्या फेरबदलाची उक्त अधिनियमाचे कलम २० पोट नियम (४) ची अधिसूचना शासनाने क्रमांक टिपीएस-१८१२/१००६/प्र.क्र.१२६/१३/नवि-१३, दि.२८/०९/२०१५ रोजी अंतिमरित्या निर्गमित केलेली आहे;

आणि ज्याअर्थी, उक्त तरतूदीन्वये ना-विकास विभागामध्ये / शेती विभागामध्ये गावठाणापासून विवक्षित अंतरामध्ये रहिवास वापर अनुज्ञेय करताना त्याखालील क्षेत्रावर **अधिमूल्य** आकारून रहिवास वापर अनुज्ञेय करण्यासंदर्भाने शासनाने उक्त अधिनियमाचे कलम २०(३) अन्वये फेरबदल प्रस्तावित केलेला आहे. (यापुढे ज्याचा उल्लेख “**प्रस्तावित फेरबदल**” असा करण्यात आलेला आहे);

आणि ज्याअर्थी, उक्त अधिनियमाच्या कलम २० चे पोटकलम ३ मधील तरतूदीनुसार प्रस्तावित फेरबदल प्रस्तावाबाबत शासनाच्या नगर विकास विभागाची टिपीएस-१८१५/प्र.क्र.४९/१५/प्रायो पुणे/कलम २०(३)/नवि-१३, दि.०६/०५/२०१५ अन्वये आम जनतेच्या हरकती / सूचना मागविण्यासाठीची नोटीस महाराष्ट्र शासन राजपत्र, भाग-एक-मध्य उपविभागामध्ये दि.२१ ते २७/०५/२०१५ रोजी पृ.क्र.२ ते ४ वर प्रसिध्द झाली आहे. प्रस्तावित फेरबदलाबाबत नोटीस प्रसिध्दीनंतर विहित मुदतीत प्राप्त होणाऱ्या सूचना / हरकतींवर संबंधितांना सुनावणी देण्याकरीता व शासनास अहवाल सादर करण्याकरीता सह संचालक, नगर रचना, पुणे विभाग, पुणे यांना प्राधिकृत करण्यात आले होते (यापुढे ज्याचा उल्लेख “**उक्त अधिकारी**” असा करण्यात आला आहे);

आणि ज्याअर्थी, उक्त अधिनियमाच्या कलम २० चे पोटकलम ३ मधील तरतूदीनुसार प्रस्तावित फेरबदल प्रस्तावाबाबत शासनाच्या नगर विकास विभागाची टिपीएस-१८१२/१००६/ प्र.क्र.१२६/१३/नवि-१३, दि.०९/०७/२०१४ अन्वये आम जनतेच्या हरकती / सूचना मागविण्यासाठीची नोटीस महाराष्ट्र शासन राजपत्र, भाग-एक-मध्य उपविभागामध्ये दि.२४ ते

३०/०७/२०१४ रोजी पृ.क्र.८ ते ११ वर प्रसिध्द झाली आहे. प्रस्तावित फेरबदलाबाबत नोटीस प्रसिध्दीनंतर विहित मुदतीत प्राप्त होणाऱ्या सूचना / हरकतींवर संबंधितांना सुनावणी देण्याकरीता व शासनास अहवाल सादर करण्याकरीता सहायक संचालक, नगर रचना, शाखा कार्यालय, पुणे यांना प्राधिकृत करण्यात आले होते (यापुढे ज्याचा उल्लेख “उक्त अधिकारी” असा करण्यात आला आहे);

आणि ज्याअर्थी, उक्त अधिकारी यांनी दि.०६/०८/२०१५ रोजीच्या पत्रान्वये तसेच संचालक, नगर रचना, महाराष्ट्र राज्य, पुणे यांनी दि.२९/०९/२०१५ रोजीच्या पत्रान्वये उक्त प्रस्तावित फेरबदलाच्या अनुषंगाने शासनास अहवाल सादर केला आहे;

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

त्याअर्थी, सोबतच्या **अनुसूची-अ** मधील नमूद केल्याप्रमाणे प्रादेशिक योजना, पुणे च्या मंजूर **विकास नियंत्रण नियमावली**मध्ये उक्त अधिनियमाचे कलम २० चे पोटकलम (४) व त्या अनुषंगाने प्राप्त अधिकारात प्रस्तावित फेरबदलास शासन अंतिम मंजूरी देत आहे.

सदरहू फेरबदल नागरिकांच्या अवलोकनार्थ कामकाजाच्या दिवशी कार्यालयीन वेळेत खालील कार्यालयात उपलब्ध राहिल :-

- १) संचालक, नगर रचना, महाराष्ट्र राज्य, मध्यवर्ती इमारत, पुणे-४११ ००१.
- २) जिल्हाधिकारी, पुणे.
- ३) मुख्य कार्यकारी अधिकारी, पीएमआरडीए, पुणे.
- ४) विभागीय सह संचालक, नगर रचना, पुणे विभाग, पुणे.
- ५) सहायक संचालक, नगर रचना, पुणे शाखा, पुणे.

सदरहू अधिसूचना शासनाच्या www.maharashtra.gov.in या संकेतस्थळावर (कायदे / नियम येथे) प्रसिद्ध करण्यात यावी.

महाराष्ट्राचे राज्यपाल यांचे आदेशानुसार व नांवाने,

(संजय सावजी)
अवर सचिव, महाराष्ट्र शासन

अनुसूची-अ

**Accompaniment to the Government in Urban Development Department
Notification bearing No.TPS-1815/CR-49/15/RP Pune/Section 20(4)/UD-13,
dated 04/01/2016.**

| Existing Provision | Sanctioned Modification |
|---|--|
| <p>Regulation No. 2.6.1 (xv) - In the villages where no specific residential zone is shown, residential development may be permitted -</p> <p>(i) within a belt of 500 meters from the gaathan limits of settlements having a population of less than or equal to 5000 as per the latest Census and,</p> <p>(ii) within a belt of 1500 meters from the gaathan limits in the case of non-municipal settlements having a population of more than 5000 as per the latest Census.</p> <p>(iii) in case of settlements of both the categories, mentioned above, falling in the planning areas of Zone Plans, such distance from the gaathan limits shall be 500 meters only.</p> <p>(iv) in the case of village settlements in the western ghat hilly area of the district, such residential development may be restricted to a belt of 200 meters from the gaathan limits.</p> <p>For the purpose of this regulation, <u>Western Ghat area</u> shall be the area as declared and notified by the Ministry of Environment and Forests Department, New Delhi vide their Notification No.F.No.1-4/2012-RE(Pt.) Dt.13/11/2013 and amended from time to time.</p> <p>Provided that such Residential development in the aforesaid belt in all the categories mentioned above (i) to (iv) shall not be permissible on lands which deserve preservation or protection from environmental considerations, viz, hills and hill-tops, and belts of 200 meters from the H.F.L.s of major lakes etc.</p> <p>Provided further that for the Residential Zone available considering latest population as mentioned in (i) to (iii) above, the Chief Executive Officer, Pune</p> | <p>Regulation No. 2.6.1 (xv) - In the villages where no specific residential zone is shown, residential development may be permitted -</p> <p>(i) within a belt of 500 meters from the gaathan limits of settlements having a population of less than or equal to 5000 as per the latest Census and,</p> <p>(ii) within a belt of 1500 meters from the gaathan limits in the case of non-municipal settlements having a population of more than 5000 as per the latest Census.</p> <p>(iii) in case of settlements of both the categories, mentioned above, falling in the planning areas of Zone Plans, such distance from the gaathan limits shall be 500 meters only.</p> <p>(iv) in the case of village settlements in the western ghat hilly area of the district, such residential development may be restricted to a belt of 200 meters from the gaathan limits.</p> <p>For the purpose of this regulation, Western Ghat area shall be the area as declared and notified by the Ministry of Environment and Forests Department, New Delhi vide their Notification No.F.No.1-4/2012-RE(Pt.) Dt.13/11/2013 and amended from time to time.</p> <p>Provided that such Residential development in the aforesaid belt in all the categories mentioned above (i) to (iv) shall not be permissible on lands which deserve preservation or protection from environmental considerations, viz, hills and hill-tops, and belts of 200 meters from the H.F.L.s of major lakes etc.</p> <p>Provided further that for the Residential Zone available considering latest population as mentioned in (i) to (iii) above, the Chief Executive Officer, Pune</p> |

Metropolitan Region Development Authority / Assistant Director of Town Planning, Pune Branch, Pune, as the case may be, shall prepare proper road network plan for the villages falling under their jurisdiction considering the existing roads and sanctioned Regional Plan proposals within a stipulated time of six months from the date of sanction of this modification and take preliminary approval from Director of Town Planning, Maharashtra State, Pune and submit the same to the State Government for modification to the Regional Plan under Section 20 of MR & TP Act, 1966. The Developer / Land Owners shall incorporate such proposed road network in their development proposals. However the sanctioning process of plans shall not be stopped during the course of preparation of such road network plan. Such road network subsequently be incorporated while preparing Development Plan for the PMRDA area.

Metropolitan Region Development Authority / Assistant Director of Town Planning, Pune Branch, Pune, as the case may be, shall prepare proper road network plan for the villages falling under their jurisdiction considering the existing roads and sanctioned Regional Plan proposals within a stipulated time of six months from the date of sanction of this modification and take preliminary approval from Director of Town Planning, Maharashtra State, Pune and submit the same to the State Government for modification to the Regional Plan under Section 20 of MR & TP Act, 1966. The Developer / Land Owners shall incorporate such proposed road network in their development proposals. However the sanctioning process of plans shall not² be stopped during the course of preparation of such road network plan. Such road network subsequently be incorporated while preparing Development Plan for the PMRDA area.

Notwithstanding anything contained in the above regulation, such residential development in Agriculture/No development Zone shall be permitted only on payment of premium of the total area of land. Such premium shall be calculated considering 30 % rate of the said land as prescribed in the Annual Statement of Rates of the year granting such residential developments. Such premium shall be deposited in the concerned Authority / Branch Office of the Town Planning Department for crediting the same into the Government treasury.

Provided further that where more than 50 percent of area of the Survey Number/Gat Number is covered within the above peripheral distance then the remaining whole of such Survey Number / Gat Number within one ownership shall be considered for development on payment of premium as above.

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

(Sanjay Saoji)
Under Secretary to Government

NOTIFICATION

**Government of Maharashtra
Urban Development Department,
Mantralaya, Mumbai-32
Date : 04/01/2016**

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

No.TPS-1815/CR-49/15/RP Pune/Section 20(3)/UD-13:- Whereas, the Government in the Urban Development Department, vide its Notification No.TPS-1895/227/CR-26/95/UD-13 dated the 25th November, 1997, has sanctioned the Regional Plan for Pune District (hereinafter referred to as “the said Regional Plan”) under Section 15 of the Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as “the said Act”), which has come into force with effect from the 10th February, 1998;

And whereas, as per the sanctioned Regulation No.2.6.1(xv) (hereinafter referred to as “the said Regulation”) in the Annexure-X of the said Regional Plan, Residential Development for Natural Expansion is permitted in Agricultural / No Development Zone upto certain distance along the periphery of the Gaothan limit, in accordance with the population of the 1991 census. (**hereinafter referred to as “the said Regulation”**);

And whereas, such natural expansion is now permitted upto certain distance along the periphery of the Gaothan limit, in accordance with the population of the **latest census** instead 1991 census and for that the Government has issued Notification under Section 20(4) no.TPS-1812/1006/CR-126/13/UD-13, dated the 28/09/2015;

And whereas, the Government is of the opinion that the such residential development in Agricultural / No Development Zone upto certain distance along the periphery of the Gaothan limit is to be permitted on **payment of premium (hereinafter referred to as the “proposed modification”**);

And whereas, Government has issued the Notice no.TPS-1815/CR-49/15/RP Pune/Section 20(3)/UD-13, dated 06/05/2015 and declares its intention by issuing notice under Section 20(3) of the said Act to make the proposed modification and for that purpose, invites suggestions and / or objections from any person with respect to the proposed modification. Suggestions and / or objections in this regard shall be submitted to the concerned Divisional Joint Director of Town Planning, Pune Division Pune who is appointed as the “Officer” for giving hearing in respect of the suggestions and / or objections received in this regard and submit his report to the Government;

And whereas, appointed Officer has submitted his report on 06/08/2015 and Director of Town Planning has submitted report on 29/09/2015

And whereas, after considering the report submitted by the said Officer and consulting the Director of Town Planning, Maharashtra State, Pune, the Government is of the opinion that, it is necessary to sanction the proposed modification;

Now, therefore, in exercise of the powers conferred by sub-section (4) of Section 20 of the said Act, the Government hereby sanctions the proposed modification as mentioned in **Annexure-A** appended hereto for Regional Plan, Pune and accordingly modify the Development Control Rules of the sanctioned Regional Plan.

This Notification shall be made available for inspection to the general public during office hours on all working days at the following offices:-

- 1) Director of Town Planning, Central Building, Pune-411001.
- 2) The Collector of the concerned district.
- 3) Chief Executive Officer, PMRDA, Pune.
- 4) Joint Director of Town Planning, Pune Division, Pune
- 5) Assistant Director of Town Planning, Pune Branch, Pune

This Notification shall also be published on the Government website www.maharashtra.gov.in (कायदे / नियम).

By order and in the name of Governor of Maharashtra,

(Sanjay Saoji)
Under Secretary to Government

Annexure-A

Accompaniment to the Government in Urban Development Department Notification bearing No.TPS-1815/CR-49/15/RP Pune/Section 20(4)/UD-13, dated 04/01/2016.

| Existing Provision | Sanctioned Modification |
|--|---|
| <p>Regulation No. 2.6.1 (xv) - In the villages where no specific residential zone is shown, residential development may be permitted -</p> <p>(i) within a belt of 500 meters from the gaothan limits of settlements having a population of less than or equal to 5000 as per the latest Census and,</p> <p>(ii) within a belt of 1500 meters from the gaothan limits in the case of non-municipal settlements having a population of more than 5000 as per the latest Census.</p> <p>(iii) in case of settlements of both the categories, mentioned above, falling in the planning areas of Zone Plans, such distance from the gaothan limits shall be 500 meters only.</p> <p>(iv) in the case of village settlements in the western ghat hilly area of the district, such residential development may be restricted to a belt of 200 meters from the gaothan limits.</p> <p>For the purpose of this regulation, <u>Western Ghat area</u> shall be the area as declared and notified by the Ministry of Environment and Forests Department, New Delhi vide their Notification No.F.No.1-4/2012-RE(Pt.) Dt.13/11/2013 and amended from time to time.</p> <p>Provided that such Residential development in the aforesaid belt in all the categories mentioned above (i) to (iv) shall not be permissible on lands which deserve preservation or protection from environmental considerations, viz, hills and hill-tops, and belts of 200 meters from the H.F.L.s of major lakes etc.</p> <p>Provided further that for the Residential Zone available considering latest population as mentioned in (i) to (iii) above, the Chief Executive Officer, Pune Metropolitan Region Development Authority / Assistant Director of Town</p> | <p>Regulation No. 2.6.1 (xv) - In the villages where no specific residential zone is shown, residential development may be permitted -</p> <p>(i) within a belt of 500 meters from the gaothan limits of settlements having a population of less than or equal to 5000 as per the latest Census and,</p> <p>(ii) within a belt of 1500 meters from the gaothan limits in the case of non-municipal settlements having a population of more than 5000 as per the latest Census.</p> <p>(iii) in case of settlements of both the categories, mentioned above, falling in the planning areas of Zone Plans, such distance from the gaothan limits shall be 500 meters only.</p> <p>(iv) in the case of village settlements in the western ghat hilly area of the district, such residential development may be restricted to a belt of 200 meters from the gaothan limits.</p> <p>For the purpose of this regulation, Western Ghat area shall be the area as declared and notified by the Ministry of Environment and Forests Department, New Delhi vide their Notification No.F.No.1-4/2012-RE(Pt.) Dt.13/11/2013 and amended from time to time.</p> <p>Provided that such Residential development in the aforesaid belt in all the categories mentioned above (i) to (iv) shall not be permissible on lands which deserve preservation or protection from environmental considerations, viz, hills and hill-tops, and belts of 200 meters from the H.F.L.s of major lakes etc.</p> <p>Provided further that for the Residential Zone available considering latest population as mentioned in (i) to (iii) above, the Chief Executive Officer, Pune Metropolitan Region Development Authority / Assistant Director of Town</p> |

Planning, Pune Branch, Pune, as the case may be, shall prepare proper road network plan for the villages falling under their jurisdiction considering the existing roads and sanctioned Regional Plan proposals within a stipulated time of six months from the date of sanction of this modification and take preliminary approval from Director of Town Planning, Maharashtra State, Pune and submit the same to the State Government for modification to the Regional Plan under Section 20 of MR & TP Act, 1966. The Developer / Land Owners shall incorporate such proposed road network in their development proposals. However the sanctioning process of plans shall not be stopped during the course of preparation of such road network plan. Such road network subsequently be incorporated while preparing Development Plan for the PMRDA area.

Planning, Pune Branch, Pune, as the case may be, shall prepare proper road network plan for the villages falling under their jurisdiction considering the existing roads and sanctioned Regional Plan proposals within a stipulated time of six months from the date of sanction of this modification and take preliminary approval from Director of Town Planning, Maharashtra State, Pune and submit the same to the State Government for modification to the Regional Plan under Section 20 of MR & TP Act, 1966. The Developer / Land Owners shall incorporate such proposed road network in their development proposals. However the sanctioning process of plans shall not be stopped during the course of preparation of such road network plan. Such road network subsequently be incorporated while preparing Development Plan for the PMRDA area.

Notwithstanding anything contained in the above regulation, such residential development in Agriculture/No development Zone shall be permitted, only on payment of premium of the total area of land. Such premium shall be calculated considering 30 % rate of the said land as prescribed in the Annual Statement of Rates of the year granting such residential developments. Such premium shall be deposited in the concerned Authority / Branch Office of the Town Planning Department for crediting the same into the Government treasury.

Provided further that where more than 50 percent of area of the Survey Number/Gat Number is covered within the above peripheral distance then the remaining whole of such Survey Number / Gat Number within one ownership shall be considered for development on payment of premium as above.

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

(Sanjay Saoji)
Under Secretary to Government