

**MAHARASHTRA REGIONAL AND
Town Planning Act, 1966.**

**Notice regarding modification
to Regulation 67 of
Development Control
Regulations for Gr. Mumbai,
1991 under section 37(1AA)
of**

**GOVERNMENT OF MAHARASHTRA
Urban Development Department,
Mantralaya, Mumbai 400 032.
Dated 16th September, 2003.**

NOTICE

No. TPB-4302/66/CR-10/2003/UD-11:

Whereas, the Development Control Regulations of Greater Mumbai (hereinafter referred to as "the said Regulations") have been sanctioned by the Government vide Urban Development Department Notification No. DCR 1090/RDP/UD-11 dated 20th February, 1991, under section 31(1) of Maharashtra Regional and Town Planning Act, 1966 (hereinafter referred to as "the said Act") to come into force with effect from 25/3/1991;

And whereas, the regulation No. 67 forming part of the said regulation regarding conservation of listed buildings areas, precincts of historical and/or aesthetical, architectural & cultural value (hereinafter to referred as "the said heritage regulation") have been sanctioned by the Government vide Urban Development Department's Regulation No. DCR 1090/3197/RDP/UD-11 dated 21/4/1995 under section 31 of the said Act to come into force with effect from 1/6/1995;

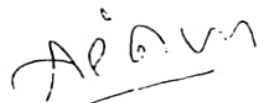
And whereas, the sub-regulation No. 10 of the said Heritage regulation specifies the grading of the listed buildings/listed precincts viz. Grade-I, II and III and also prescribes basic guidelines for development permissible in Grade-I, II and III;

And whereas, Mumbai Heritage Conservation Committee has undertaken a detailed exercise to formulate appropriate revision of the said heritage regulations and submitted a draft of revised Regulation 67 to Government for carrying out the modification under section 37 of the said Act (hereinafter referred to as "the said modification proposal");

And whereas, the Government has examined the said modification proposal in as much as it relates to the list of building categorised as Grade-II to be carried out to Regulation 67 of the said regulation and found it expedient to take recourse to the provision contained in section 37(1AA) of said Act to modify urgently the meaning of the Grade-II and basic guidelines for

Now therefore, in view of the facts and circumstances mentioned above and in exercise of the powers contained in sub-section (1AA) of the section 37 of the said Act, Government is pleased to issue the notice for inviting suggestions and objections from any person with respect to modification proposed to be carried out to Regulation 67 of the said Heritage Regulation as described in the Schedule appended hereto and further Government is also pleased to inform that any suggestions/objections upon the aforesaid mentioned modification be forwarded to Deputy Director of Town Planning, Greater Mumbai having his office at ENSA Hutment, Azad Maidan, Mahapalika Marg, Mumbai 400 001 within one month from the date of this notice. The said officer shall submit his report to the Government after scrutinising the suggestion and objections, say of the said Corporation and after granting hearing to the concerned persons, including the said Corporation.

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



(Abhiraj Girkar)

Under Secretary to Government.

SCHEDULE

Accompaniment to notification No. TPB 4302/66/CR-10/2003/UD-11

Existing Provision for Grade-II	Proposed modification for Grade-II
A. Definition - Heritage Grade-II (A&B) comprises of buildings, of regional or local importance, possessing special architectural or aesthetical merit, cultural or historical value, though of a lower scale than in Heritage Grade. They are local landmarks, contributing to the image and identity of the City. They may be the work of master craftsmen, or may be models of proportion and ornamentation, or designed to suit particular climate.	A. Scope - Heritage Grade-II comprises building/ precincts, of regional or local importance, possessing special architectural or aesthetical merit or cultural or historical value, though of a lower order than that of Heritage Grade-I. They are local landmarks contributing to the image and identity of the City. They may be the work of master craftsmen or may be models of proportion and ornamentation, or designed to suit particular climate. Heritage Grade-II buildings within the premises (open space/ compound) of which independent/ separate additional building(s)/ structure(s) may be permitted to be constructed, owing to the availability of adequate surrounding open space and unconsumed FSI, have been assigned Grade-IIB. The remaining Grade-II buildings have been assigned Grade-IIA.
B. Objective - Heritage Grade-II deserves intelligent conservation.	B. Objective - Heritage Grade-II deserves intelligent conservation.
C. Scope for changes - Grade-II(A) Internal changes, and adaptive reuse will be generally allowed, but external changes will be subject to scrutiny. Care would be taken to ensure the conservation of all special aspects for which it is included in Heritage Grade-II.	C. Scope for development - Grade-IIA : In addition to the scope for development permissible for Grade-I, internal changes, and adaptive reuse may be generally allowed. In certain circumstances, extension of a Grade-IIA heritage building may also be allowed; provided that such extension shall be in harmony with (and shall not detract from the Grade-IIA heritage building concerned or precinct, especially in terms of height and/or facade. External changes too may be permitted, subject to strict scrutiny. Care should be taken to

Grade-II(B):- In addition to above, extension or additional buildings in the same plot or compound could, in certain circumstances, be allowed provided that the extension/ additional building is in harmony with (and does not detract from) existing heritage building or precincts especially in terms of height and façade. D. Procedure - Development permission for the changes would be given by the Planning Authority in consultation with a sub-committee of the Heritage Conservation Committee.	ensure the conservation of all special aspects/features of the Grade-IIA building concerned. Grade-II(B):- In addition to above, additional building(s) in the same plot or compound may, in certain circumstances, be allowed; provided that, such additional building(s) shall be in harmony with (and shall not detract from) the Grade-IIB heritage building (s) or precinct, especially in terms of height and/or façade. D. Procedure:- Development permission would be given by the Municipal Commissioner in consultation with the MHCC.
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Abhiraj

(Abhiraj Girkar)

Under Secretary to Government.