

DRAFT DEVELOPMENT CONTROL REGULATIONS

(PUBLISHED UNDER SECTION 28 (4) OF MR & TP ACT, 1966)

AUGUST, 2012



**DRAFT
DEVELOPMENT CONTROL REGULATIONS
FOR
27 VILLAGES OF KALYAN AND AMBARNATH TEHSILS
THANE DISTRICT
MAHARASHTRA**

(PUBLISHED UNDER SECTION 28(4) OF MR & TP ACT, 1966)

**~~October 21, 2011~~
August, 2012**



Mumbai Metropolitan Region Development Authority

PREAMBLE

The Urban Development Department, Government of Maharashtra by Notification No. TPS/1299/1910/CR-34/2000/UD-12, dated 9th August 2006 published in Maharashtra Government Gazette dated 7th December 2006 has appointed Mumbai Metropolitan Region Development Authority (MMRDA) as the 'Special Planning Authority' (SPA) under sub section (1) of section 40 of the Maharashtra Regional and Town Planning Act, 1966 for the Notified Area of 27 villages of Kalyan & Ambarnath Tehsils of Thane District.

The SPA therefore, after carrying out the procedure laid down in the Chapter III of the MR & TP Act, 1966, to prepare a Draft Development Plan (DDP) along with Development Control Regulations (DCRs) for the "Notified Area" and the contents defined by section 22 of the Act, envisages to bring about orderly and planned development of the area.

As per the letter dated 11th January 2007 from the Urban Development Department, Government of Maharashtra, the proposal / Regulations in the sanctioned Regional Plan for Mumbai Metropolitan Region (1996 – 2011) are applicable for the proposed development in the area of these 27 villages till the Development plan is prepared and published.

While preparing the Draft Development Plan and DCRs for the "Notified Area of 27 villages", the provisions of Regional Plan of MMR have been perused and also suitable modifications have been proposed for applicability in the "Notified Area" owing to focus on balanced development. The Draft Development Plan Report and Draft DCRs were placed before Authority in its 129th Meeting held on 8th September 2011. The Authority by its Resolution no. 1256 dated 8th September 2011 has accepted the Draft Development Plan with the necessary amendments/corrections to be made therein and has authorized the Metropolitan Commissioner to publish the same for inviting suggestions and objections from public under the provisions of MR & TP Act, 1966.

Accordingly, the Draft Development Plan was published on 21st December 2011 inviting suggestions and objections from public within a period of 30 days from the date of publication. The Authority received 3805 suggestions/objections from the public within the stipulated time of 30 days. The Planning Committee, constituted under section 28 (2) of the Act has given the hearing from 23rd February 2012 to 16th April 2012 to the persons who have filed the suggestions/objections. On the basis of the Planning Committee's Report dated 26th July 2012, the corrected/amended* Draft Development Control Regulations are hereby published under section 28(4) of the MR & TP Act, 1966 prior to its submission to the Govt. for final sanction under section 30 of the MR & TP Act, 1966.

Mumbai
Date: August 2012

(Rahul Asthana)
Metropolitan Commissioner, MMRDA

***Note:** The strikethrough text (~~abc~~) represents proposed deletions and underlined text (abc) represents proposed corrections/amendments in the Draft DCRs.

INDEX

PART - I: ADMINISTRATION		1
1.	SHORT TITLE, EXTENT & COMENCEMENT.....	2
1.1.	Title.....	2
1.2.	Jurisdiction.....	2
1.3.	Date of coming into force.....	2
1.4.	Applicability of the Development Control Regulations.....	2
1.5.	Delegation of Powers.....	3
1.6.	Power to delegate.....	3
1.7.	Discretionary Powers of Planning Authority.....	3
1.8.	Power to Prescribe the Proformas.....	4
1.9.	Amendment / Modification to Appendices.....	4
2.	MEANINGS AS IN THE ACTS, RULES, ETC.....	4
2.1.	General	4
2.2.	Definitions.....	4
2.3.	Interpretation.....	15-16
PART - II: DEVELOPMENT PERMISSION, PROCEDURE AND REQUIREMENTS TO BE FULFILLED FOR SUCH PERMISSION		17
3.	DEVELOPMENT PERMISSION / COMMENCEMENT CERTIFICATE.....	17 18
3.1.	Permission from the Authority is mandatory.....	17 18
3.2.	Unauthorized development / liability for offences and penalties.....	17 18
3.3.	Exemption.....	17 18
3.4.	Validity of Development Permission.....	17 18
3.5.	Applicability to partially completed works.....	17 18
4.	PROCEDURE FOR OBTAINING DEVELOPMENT PERMISSION / COMMENCEMENT CERTIFICATE.....	18 19
4.1.	NOC for Non – Agricultural (NA) Permission	18 19
4.2.	Notice of Intention to Carry out Development.....	18 19
4.3.	Application / Plans for Intended Development.....	18 19
4.3.1.	Sizes of drawing sheets	19 20
4.3.2.	Colouring Notations for Plans.....	19 20
4.3.3.	Dimensions.....	19 20
4.4.	Information accompanying the application.....	20
4.4.1.	Plans and Statements.....	20
4.4.2.	Ownership Title and Area.....	20 21
4.4.3.	Key Plan (location plan).....	20 21
4.4.4.	Site plan.....	20 21
4.5.	Plans.....	21 22
4.5.1.	Proposal for Site Development or / and Sub Division	21 22
4.5.2.	Building Plan, where construction of buildings is envisaged	22
4.5.3.	Building Plans for Multi-storied or Special buildings.....	22 23
4.5.4.	Receipt of capitation fee for fire protection to be sent with building plan in certain cases.....	23-24
4.5.5.	Design Brief	23-24
4.6.	Service Plan.....	23 24
4.7.	Specifications.....	23 24

4.8.	Certificate of Supervision	24
4.9.	Development Permission <u>Scrutiny Fee Receipt</u>	24
4.9.1.	Exemptions from Payment of Development Permission Fees.....	24
4.9.2.	Refund of Fees in Case of Rejection.....	24
4.10.	Security Deposit	24 <u>25</u>
4.11.	Environmental Impact Assessment and Coastal Zone Regulations	24 <u>25</u>
4.12.	Excavation and Restoration Plan for Quarrying	24 <u>25</u>
4.13.	Signing the Plans	24 <u>25</u>
4.14.	Qualifications & Competence of the <u>Architects / Engineers/ Licensed Supervisors/ Engineer / Surveyor / Structural Engineers</u>	25
4.15.	Development Charges	25
4.16.	Grant of Permission or Refusal	25 <u>26</u>
4.17.	Deemed Permission	25 <u>26</u>
4.18.	Applicant to modify plans in certain cases	25 <u>26</u>
4.19.	Plans of buildings having more than 16 m. in height to be scrutinized also by Competent Fire Authority	25 <u>26</u>
4.20.	Extension of period of permission to be subject to development plan provisions, building regulations, etc	25 <u>26</u>
4.21.	Revocation of Permission	26
4.21.1.	Owner / Architect / Developer / Structural Engineer not absolved from responsibility because of granting development permission, etc.....	26
4.22.	Commencement Certificate (C.C.)	26 <u>27</u>
5.	PROCEDURE DURING CONSTRUCTION	27
5.1.	Intimation for Commencement of Work	27
5.2.	Documents at Site	27 <u>28</u>
5.2.1.	Results of Tests of materials.....	27 <u>28</u>
5.2.2.	Approved Plans.....	27 <u>28</u>
5.2.3.	Safety Measures at Site.....	27 <u>28</u>
5.3.	Plinth and Stilt Completion Certificate	27 <u>28</u>
5.4.	Deviations during constructions	28
5.5.	Completion Certificate/Acceptance of the Completion Certificate	28 <u>29</u>
5.6.	Occupancy Certificate	28 <u>29</u>
5.7.	Part Occupancy Certificate	29
5.8.	Occupancy Certificate for Special Buildings	29
5.9.	Refund Of Security Deposit	29
5.10.	Demolition of dilapidated and unsafe buildings	29 <u>30</u>
5.11.	Repairs to structures affected by DP Reservations	29 <u>30</u>
5.12.	Inspection	29 <u>30</u>
5.12.1.	Inspection at various stages.....	29 <u>30</u>
5.12.2.	Inspection by Fire Department.....	29
5.13.	Permission for temporary structures	29 <u>30</u>
	PART - III : LAND USE ZONES AND PERMISSIBLE USERUSES	31
6.	LAND USE ZONES	32
6.1.	Development to be in conformity of the Use Zones	32
6.2.	Land Use Classification	32
6.2.1.	Micro Zones Residential Zone	32
6.3.	Uses permitted in different zones	33
6.4.	Change in use of building not permitted	33

6.5.	Use to be as specifically designated in Development Plan.....	33
6.6.	Shifting and/or interchanging the purpose of designations/Reservations.....	33
6.7.	Uses to be in conformity with Zone.....	34-33
6.8.	Width of roads in the Development Plan.....	34
6.9.	Non-conforming user for Industries.....	34
6.10.	Non conforming users other than for Industries.....	34
6.11.	Development of lands reserved / designated / allocated for public purposes.....	35
6.12	<u>Development for Mega City Project.....</u>	<u>35</u>
6.13	<u>Development of Special Township.....</u>	<u>35</u>
6.14	<u>Development of Rental Housing.....</u>	<u>35</u>
6.15	<u>Development of area under Heritage Structures/Sites/Precincts.....</u>	<u>36</u>
6.16	<u>Development/Redevelopment of Housing Schemes of Maharashtra Housing and Area Development Authority.....</u>	<u>36</u>
6.17	<u>Other Developments.....</u>	<u>36</u>

PART - IV: GENERAL PLANNING REQUIREMENTS FOR DEVELOPMENT OF LAND 37

7.	GENERAL PLANNING REQUIREMENTS FOR DEVELOPMENT OF LAND.....	37 38
7.1.	Requirement of site for development.....	37 38
7.1.1.	No land shall be used as a Site for the Construction of building.....	37-38
7.1.2.	Additional restrictions on construction/reconstruction.....	37-38
7.2.	Means of Access.....	38-39
7.2.1.	Width of Means of Access.....	38-39
7.2.2.	Width of Pathways (for Residential Zone only).....	41
7.2.3.	Access from Highways & wider Roads.....	41-42
7.2.4.	Additional provisions regarding means of access to apply to special buildings.....	41-42
7.3.	Development Proposal.....	41-42
7.3.1.	Content.....	41-42
7.3.2.	Shifting of and / or interchanging of reservation / designations recreational open spaces and public amenity sites, etc.	43
7.3.3.	Nature of the Public Amenity under Regulation 7.3.1 (c) (ii).....	43
7.3.4.	Requirements of Public Amenity sites Proposed under Regulation 7.3.1 (c) (ii).....	43
7.3.5.	Requirements of Recreational amenities / Open Spaces proposed under Regulation 7.3.1(c) (i).....	46
7.3.6.	Internal Means of Access to each plot.....	47
7.4.	Sub-Plots-Minimum Plot Area.....	47
7.4.1.	Size of plots for Special Housing Scheme.....	49-48
7.4.2.	Size of plot in Industrial zone.....	49-48
7.4.3.	Provision for shopping Center.....	49
7.4.4.	Provision for Electric Sub-Station.....	49
7.4.5.	Intersections of Roads.....	49
7.4.6.	Building Line	49
7.5.	Floor Space Index and Development Rights (FSI & DR).....	49
7.5.1.	Floor Space Index (FSI).....	49
7.5.2.	Values of FSI.....	50
7.5.3.	Development Rights (DR).....	52-58
7.5.4.	Value of DR.....	53-58
7.5.5.	Ceiling on consumption of FSI / DR in a holding.....	53-58
7.5.6.	Exclusions from FSI computation.....	53-59

7.5.7.	Conditions governing award of Development Rights (DRs).....	55 61
7.5.8.	Conditions governing award of Development Rights Certificate (DRC).....	56 61
7.5.9.	Conditions governing utilization of DR / TDR.....	56 62
7.6.	Marginal Open Spaces	57 63
7.6.1.	Marginal open spaces separate for each building or wing.....	57 63
7.6.2.	Setbacks & Open Spaces within Building Plots (Exterior open space).....	57 63
7.6.3.	Open Space Requirements.....	58 63
7.6.4.	Concession in Marginal Open Spaces in case of wider Plots.....	59 64
7.6.5.	Revas Projection.....	59 65
7.6.6.	Relaxation in open spaces in narrow plots (Gaothan & other than gaothan).....	59 65
7.6.7.	Interior Open Spaces (chowks).....	60 65
7.6.8.	Ventilation Shaft.....	60 65
7.6.9.	Features permitted in the Side or Rear Marginal Open Spaces.....	60 66
7.6.10.	Other Features / Accessory buildings permitted in Front, Side and Rear Marginal Open Spaces.....	64 66
7.7.	Height of Building	62 67
7.7.1.	Height Exemptions.....	62 67
7.8.	Parking, Loading & Unloading Spaces	62 68
7.8.1.	General Space Requirements.....	63 68
7.8.2.	Quantitative Requirements.....	63 68
7.8.3.	Other Vehicles.....	64 70
7.8.4.	Transport Vehicles.....	64 71
7.8.5.	Access Aisles and Driveways.....	64 71
7.8.6.	Common Parking Lot by a Group of Property Owners.....	64 71
7.8.7.	Parking Spaces – Where to be accommodated.....	65 71
7.8.8.	Cinemas, Theaters and Assembly Halls.....	65 71
7.8.9.	Parking Lock-up Garages to be included in calculation for floor space.....	65 72
7.8.10.	Parking spaces to be left out in addition to open space for lighting & ventilation.....	65 72
7.8.11.	Certain open spaces allowed to be used for parking or loading and unloading.....	66 72
7.8.12.	Provision for loading and unloading in certain case.....	66
7.8.13.	Vehicular Ramps.....	66 72

PART -V: SPECIFICATION OF PARTS OF BUILDING

73

8.	SPECIFICATION OF PARTS OF BUILDING	68 74
8.1.	Plinth	68 74
8.2.	Habitable Room	68 74
8.2.1.	Size and Dimension of habitable rooms.....	68 74
8.2.2.	Height of habitable rooms	69 75
8.3.	Kitchen	70 76
8.3.1.	Size of kitchen.....	70 76
8.3.2.	Height of kitchen.....	70 76
8.3.3.	Other requirement of kitchen.....	70 76
8.3.4.	Requirements regarding Pantries.....	71 76
8.4.	Bath-Rooms and Water-Closets	71 76
8.4.1.	Size of Bath-Rooms and Water-Closets.....	71 76
8.4.2.	Height of Bath-room and Water-Closet.....	71 77
8.4.3.	Other requirements of Bath-Room and Water-Closets.....	71 77

8.4.4.	Restrictions on use of Room containing Water-Closet.....	<u>72 77</u>
8.5.	Loft.....	<u>72 77</u>
8.5.1.	Size of ledge or tand	<u>72 78</u>
8.5.2.	Height of ledge or tand.....	<u>72-78</u>
8.5.3.	Projections of Cup-boards, etc	<u>72 78</u>
8.6.	Mezzanine Floor.....	<u>72 78</u>
8.6.1.	Size of Mezzanine Floor.....	<u>72 78</u>
8.6.2.	Height of Mezzanine floor.....	<u>72 78</u>
8.6.3.	Other Requirement of Mezzanine Floor.....	<u>73-78</u>
8.7.	Store Room.....	<u>73-78</u>
8.7.1.	Size of Store Room.....	<u>73 78</u>
8.7.2.	Height of Store Room.....	<u>73 78</u>
8.8.	Garage.....	<u>73 79</u>
8.8.1.	Size of private garage.....	<u>73 79</u>
8.8.2.	Size of public garage.....	<u>73 79</u>
8.8.3.	Height of garage.....	<u>73 79</u>
8.8.4.	Plinth of garage.....	<u>73 79</u>
8.8.5.	Set-back of garage.....	<u>73-79</u>
8.9.	Corner site.....	<u>74 79</u>
8.10.	Roofs.....	<u>74-79</u>
8.11.	Rain water pipes.....	<u>74-79</u>
8.12.	Basement.....	<u>74 79</u>
8.13.	Ramps.....	<u>75-80</u>
8.13.1.	Ramps for Pedestrians.....	<u>75 80</u>
8.13.2.	Ramps to Basements and Upper storeys for Vehicles.....	<u>75-81</u>
8.14.	Balcony.....	<u>75-81</u>
8.15.	Stilt.....	<u>75 81</u>
8.16.	Chimneys.....	<u>75 81</u>
8.17.	Letter Box.....	<u>76 81</u>
8.18.	Meter Room.....	<u>76 81</u>
8.19.	Common Antenna for Television Transmission Reception.....	<u>76 81</u>
8.20.	Lighting and ventilation of rooms.....	<u>76 82</u>
8.20.1.	Distance from Apertures Meant for Lighting.....	<u>77 82</u>
8.21.	Overhead tanks.....	<u>77-82</u>
8.22.	Parapet.....	<u>77 83</u>
8.23.	Cabin.....	<u>77 83</u>
8.24.	Boundary wall / compound wall.....	<u>77 83</u>
8.25.	Office room <u>Society Office</u>.....	<u>77-83</u>
8.26.	Provision of Lift.....	<u>78 83</u>
8.27.	Exits (Passages, Corridors, Verandahs, Doorways, Staircases and Ramps).....	<u>78 84</u>
8.27.1.	Exit Requirements.....	<u>78 84</u>
8.27.2.	Type of Exits.....	<u>79 84</u>
8.27.3.	Arrangement of exits.....	<u>79 85</u>
8.27.4.	Occupant load	<u>79 85</u>
8.27.5.	Capacity of exits.....	<u>80 85</u>
8.27.6.	Provision for staircase	<u>80 86</u>
8.27.7.	Width provision for staircase	<u>80 86</u>

8.28.	Requirement of individual exit at each floor.....	84 86
8.28.1.	Doorways	84 86
8.28.2.	Revolving doors	84 87
8.28.3.	Stair ways	84 87
8.28.4.	Fire escape or external stairs	82 88
8.28.5.	Spiral Stairs (Fire Escape)	82 88
8.28.6.	Ramps.....	83 88
8.28.7.	Corridors.....	83 88
8.29.	Refuge area.....	83 89
8.30.	Special requirements for Public Semi Public and Assembly Educational Buildings.....	83 89
8.31.	Facilities for physically handicapped challenged persons.....	83 89
8.32.	Water Supply and Drainage Arrangements.....	84 89
8.32.1.	Drinking water arrangement.....	84 89
8.32.2.	Wells.....	84 89
8.32.3.	Sub-Soil Dispersion System / Septic Tank.....	85 90
8.33.	Fire protection requirements.....	86 91
8.34.	Additional provisions relating to fire protection applicable to certain buildings...	86 91
8.35.	Special requirements of Industrial buildings.....	86 91
8.36.	Special Provisions for installation of Water Heating System.....	86 91
8.37.	Installation of Rain Water Harvesting Structure.....	86 92
8.38.	Provision for installation of Solar Energy Assisted Systems.....	86
8.39.	Special provisions in respect of developments for Economically Weaker Sections, slum areas and Redevelopment Schemes etc.....	86
8.40.	Rental Housing.....	87
8.40.1.	Construction of Rental Houses on unencumbered land.....	87
8.40.2.	Construction of Rental Houses on unencumbered land	87
8.40.3.	Construction of Rental Houses unencumbered lands vested with MMRDA.....	87
8.41.	Podium.....	92
9.	STRUCTURAL SAFETY AND SERVICES	87 93
9.1.	Structural design.....	87 93
9.2.	Quality of material and workmanship.....	87 93
9.3.	Alternative materials, methods of design and construction and tests.....	88 93
9.4.	Tests.....	88 93
9.5.	Building Services.....	88 94
9.5.1.	Electrical Installations.....	88 94
9.5.2.	Lifts and Escalators Installation.....	88 94
9.6.	Plumbing Service, Water Supply, Sanitation fittings and Fire-Fighting Installations.....	88 94
9.6.1.	Requirements of Water Supply in buildings.....	89 94
9.6.2.	Sanitary Requirements.....	89 94
9.7.	Signs and outdoor display structures.....	89 94
<u>PART - VI: APPENDICES</u>		96

List of Tables

Table No.	Page No.
Table 1: Drawing sheet sizes.....	49 <u>20</u>
Table 2: Colouring of Plans.....	49 <u>20</u>
Table 3: Distance of site from Electric Lines.....	37 <u>38</u>
Table 4: Width of access for Residential & Commercial Zones.....	39 <u>40</u>
Table 5: Width of access for Industrial Zone & Special type of building.....	39 <u>40</u>
Table 6: Width of pathways (for Residential Zones).....	41
Table 7: Provision of open spaces in layout or sub - division.....	43 <u>42</u>
Table 8: Community Facilities <u>Amenities</u> and other Sub-Division Requirements.....	44
Table 9: Minimum plot areas for various Uses.....	48 <u>47</u>
Table 10: Maximum allowed FSI in Residential Land use (R-1, R-2 Zone).....	50
Table 11: Maximum permissible FSI in Commercial Land use other than Growth Centre /CBD.....	51
Table 12: Maximum permissible FSI in Commercial Land use in Growth Centre /CBD.....	51
Table 13: Maximum permissible FSI in <u>Other various Land Uses/Zones</u>	51
Table 14: Land area to be considered for application of respective maximum FSI.....	52
<u>Table 14A : Permissible additional FSI on built up Parking Area</u>	<u>57</u>
Table 15: Value of DR towards expenditure incurred for developing amenities.....	53 <u>58</u>
Table 16: Minimum Area for Ventilation Shaft.....	60
Table 17: Size of Parking Spaces.....	63 <u>68</u>
Table 18: Off-Street Parking Spaces.....	63 <u>68</u>
Table 19: Parking Space for assembly Building such as Cinema etc.....	65
Table 20: Minimum size and dimension of habitable room.....	68 <u>74</u>
Table 21: Height of habitable rooms.....	69 <u>75</u>
Table 22: Provision of Loft.....	72 <u>77</u>
Table 23: Occupant Load.....	79 <u>85</u>
Table 24: Occupants per Unit Exit Width.....	80 <u>85</u>
Table 25: Water Supply Requirements in buildings.....	89 <u>94</u>
Table 26: Schedule for Service Industries <u>of permissible uses in Commercial and Industrial zones</u>	108 <u>114</u>
Table 27: Minimum setbacks prescribed for different roads.....	132 <u>137</u>
Table 28: Minimum setbacks from the road.....	133 <u>137</u>
Table 29: Open Space Relaxation in narrow plots in Residential and Commercial Zones.....	134 <u>138</u>
Table 30: Open Space Relaxation in narrow plots Industrial Zones.....	134 <u>138</u>
Table 31: Open Space Relaxation in narrow plots in Gaothans.....	135 <u>139</u>
Table 32: The Wet Riser/Wet –Cum-Down Comers Installations with capacity of Water Storage Tanks and Fire Pumps.....	160 <u>163</u>

List of Appendices:

Appendix No.	Page No.
Appendix - A: Operational Constructions of Government Departments.....	94 <u>97</u>
Appendix - B: Qualification, Competence, Duties & Responsibility of Licensed Technical Personnel/Architect for Preparation of Schemes for Development Permission & Supervision.....	92 <u>98</u>
Appendix - C: - Fees, Deposits and Charges.....	95 <u>101</u>
Appendix - D: - Land Use Classification & Uses Permitted.....	99 <u>105</u>
Appendix - E: Regulations for Accommodation Reservations/Lands users and the manner of Development.....	119 <u>125</u>
Appendix - F: Set backs and Marginal Open Spaces.....	129 <u>134</u>
Appendix - G - Regulations for Low Cost Housing Schemes of the Maharashtra Housing and Area Development Authority for Economically Weaker Section (EWS) and Low Income Groups (LIG).....	136 <u>140</u>
Appendix - H: Regulations for Reconstruction / Redevelopment.....	138 <u>142</u>
Appendix - I: - Regulation for re-development / construction of accommodation for censused slum dwellers through Owners/Developers/Co-operative Housing Societies of slum dwellers/Authority/ MHADA/other Public Authorities.....	139 <u>143</u>
Appendix - J: - Regulation for sites and services and for small size tenements for the Housing Schemes under the Urban Land (Ceiling and Regulations) Act, 1976 approved by Government from time to time.....	142 <u>146</u>
Appendix - K: Special Facilities for Physically Handicapped <u>Challenged</u> Persons.....	144 <u>148</u>
Appendix - L: Special Provisions for Installation of <u>Solar Water Heating System</u>	147 <u>151</u>
Appendix - M: Installation of Rain Water Harvesting Structure.....	149 <u>152</u>
Appendix - N: Provision of Solar Energy Assisted Systems.....	151
Appendix - O: Additional fire protection requirements for buildings more than <u>16 24</u> m. in height and <u>Special</u> buildings.....	153 <u>156</u>
Appendix - P: Regulations for Development of Information Technology Establishment.....	168 <u>170</u>
Appendix - Q: Regulation for Development of Biotechnology Units / Parks.....	170 <u>172</u>
Appendix - R: <u>Regulations for Construction of buildings of Department of Police, Municipal Council / Corporation, Police Housing Planning Authority, Jail, and Home Guard, Fire Brigade etc. including their Staff Quarters of Government of Maharashtra</u>	172 <u>174</u>
Appendix - S: Commercial Use of Lands in the Possession of the Maharashtra State Road Transport Authority (MSRTC).....	173 <u>175</u>
Appendix - T: Per capita Water requirement of Various Uses / Occupancies.....	174 <u>176</u>
Appendix - U: Sanitation requirements for Various Uses / Occupancies.....	176 <u>178</u>
Appendix - V: No Development Zone (NDZ).....	186 <u>185</u>
Appendix - W: Railway Adjoining Areas.....	191
Appendix - X: Special Economic Zone (SEZ).....	192 <u>190</u>
Appendix - Y: Rental Housing on unencumbered land with subject to FSI 3.0.....	193 <u>191</u>
Appendix - Z: Rental Housing on unencumbered land with subject to FSI 4.0.....	197 <u>195</u>
Appendix - AA: Rental Housing Project on unencumbered lands vested with Mumbai Metropolitan Region Development Authority (MMRDA).....	204 <u>199</u>
Appendix - BB AB: Regulations for Development of Special Township.....	205 <u>202</u>
Appendix - CC AC: Guidelines for permitting Quarries.....	213 <u>210</u>
Appendix - AD: Regulations for Heritage Structures / Sites/ Precincts.....	212
<u>Appendix - AE: Regulations for Development/Redevelopment of Housing Schemes of Maharashtra Housing and Area Development Authority</u>	<u>215</u>

PART I:
ADMINISTRATION

PART I: ADMINISTRATION

1. SHORT TITLE, EXTENT & COMENCEMENT

1.1. TITLE

These regulations may be called as the “Development Control Regulations for the Notified Area of 27 Villages of Kalyan and Ambarnath Tehsils of Thane District. (Hereinafter called as ‘these regulations’)

1.2. JURISDICTION

These Regulations shall apply to building activity and development work in areas under the jurisdiction of the Mumbai Metropolitan Region Development Authority (MMRDA) as the Special Planning Authority appointed by the Government of Maharashtra vide Notification No. TPS/1299/1910/CR-34/2000/UD-12 dated 09.08.2006 published in Maharashtra Government Gazette dated 07.12.2006 issued under Section 40 (1) (c) of the Maharashtra Regional & Town Planning Act, 1966 (Maharashtra Act. No. XXXVII of 1966) in respect of the Notified area of 27 villages of Kalyan and Ambarnath Tehsils in Thane District, as amended from time to time (hereinafter referred to as “the Notified Area”).

1.3. DATE OF COMING INTO FORCE

- 1.3.1 These Regulations shall come into force on the day the **Notification** regarding **sanction** of the Draft Development Plan for the Notified Area of 27 villages of Kalyan and Ambarnath Tehsils in Thane District issued under section 31 of the Maharashtra Regional and Town Planning Act, 1966 is published in the Maharashtra Government Gazette.
- 1.3.2 These Regulations after they receive final sanction of the State Government under section 31 of the Act shall supersede all Development Control Rules and Building Bye-laws earlier framed and sanctioned under the Maharashtra Regional and Town Planning Act, 1966, the Bombay Provincial Municipal Planning Authority's Corporations Act, 1949 and the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965, as the case may be, unless the context otherwise requires.
- 1.3.3 Till the time the State Government finally sanctions these Regulations under section 31 of the Maharashtra Regional and Town Planning Act, 1966, the Regulations currently in force, if any, shall also be applicable. During this period the Planning Authority shall have due regard to the provisions of these Regulations as well as the Regulations in force.

1.4. APPLICABILITY OF THE DEVELOPMENT CONTROL REGULATIONS

- 1.4.1 Without prejudice to the MMRDA Act, 1974 ~~Municipal Planning Authority Act~~ or Bombay Provincial Municipal Corporations Act, 1949 these Development Control Regulations shall apply to all the development activity as under.
- 1.4.2 ~~If there is a conflict between the requirements of these regulations and those of any rules or byelaws, these regulations shall prevail.~~
- 1) **DEVELOPMENT OF SITE OR / AND SUB-DIVISION OR AMALGAMATION OF LAND:** - Where land is to be developed, subdivided, or two or more plots are to be amalgamated, or a lay-out is to be prepared; these Regulations shall apply to the entire area under development, sub-division, amalgamation and layout. Provided that, where a developed land, an existing lay-out / sub-division plan is being altered, these Regulations shall apply only to that part which is being altered.
- 2) **DEVELOPMENT & CONSTRUCTION** - Except as hereinafter otherwise provided, these regulations shall apply to all development, redevelopment, erection and/or re-erection of building, change of

- user, as well as to the design, construction or reconstruction of and additions and alterations to the building.
- 3) **PART CONSTRUCTION-** Where the whole or part of a building is demolished or altered or reconstructed / removed except where otherwise specifically stipulated, these regulations apply only to the extent of work involved.
 - 4) **CHANGE OF OCCUPANCY-** Where the occupancy of a building is changed, except where otherwise specifically stipulated these regulations apply to all part of building affected by change.
 - 5) **RECONSTRUCTION-** The reconstruction in whole or part of a building which has ceased to exist due to an accidental fire, natural collapse, demolition, having been declared unsafe or which is likely to be demolished by or under an order of the Authority shall be allowed subject to the regulations in Appendix – H.
 - 6) **EXCLUSIONS-** Nothing in these regulations shall require the removal, alteration or abandonment or prevent the continuance of the lawfully established use or occupancy of an existing building or its use, unless in the opinion of the Planning Authority, such a building is unsafe or constitutes a hazard to the safety of adjacent property.

1.4.2 If there is a conflict between the requirements of these regulations and those of any rules or byelaws, these regulations shall prevail.

1.4.3 These Regulations shall be applicable in the U-1 zone of Mumbai Metropolitan Region included within the jurisdiction of the Special Planning Authority as per the use zones proposed in the Draft Development Plan, from the date of their enforcement.

1.5. DELEGATION OF POWERS

Except where the Planning Authority's special permission is expressly stipulated, the powers or functions vested in it by these Regulations may be delegated to any official under its control, subject to its revision if necessary and to such conditions and limitations, if any as it may prescribe. In each of the said Regulations, the word "Planning Authority" shall to the extent to which any official is so empowered be deemed to include such official.

1.6. POWER TO DELEGATE

~~The State Government may, by notification in the official gazette delegate by a general or special order any or its powers under these Regulation, subject to such conditions as it may consider appropriate, to any officer of the State Government not below the rank of Deputy Secretary, Except those relating to any matter which is required to be dealt with under the special permission of the Planning Authority.~~

1.7. DISCRETIONARY POWERS OF PLANNING AUTHORITY

1.7.1 The Planning Authority will exercise its discretion in the following ways in conformity with the intent and spirit of these Regulations:

- i) Decide on matters, where it is alleged that there is an error in any order requirement decision determination or interpretation made in the application of these regulations;
- ii) Determine and establish the location of zonal boundaries in exceptional cases, or in case of doubt or controversy;
- iii) Interpret the provisions of these regulations where the streets layout actually on the ground varies from the street layout as shown on the Development plan;
- iv) Modify the limit of a zone with the previous approval of the Government where the boundary line of the zone divides a plot and

- v) Authorize the erection of a building or use of premises for a public service undertaking for public utilities purposes only, where it finds such an authorization to be reasonably necessary for the public convenience and welfare event if it is not permitted in land use classification.

1.7.2 In specific cases where clearly demonstrable hardship is caused the Planning Authority may for the reasons to be recorded in writing by special written permission:-

- i) Permit any of the dimensions/provisions prescribed by these Regulations to be modified provided the relaxation sought does not violate the health safety, fire safety structural safety and public safety of the inhabitants of the building and the neighborhood. However, no relaxation in floor space index shall be granted under any circumstances except as permissible under these Regulations.
- ii) Grant temporary permission for certain types of structures and subject to the conditions as specified in Regulation 5.13.

While granting permission under 1.7.2 (i) and (ii) above, conditions may be imposed on size, cost or duration of the structure, abrogation or claim of compensation, payment of deposit and its forfeiture for noncompliance and payment of premium as may be prescribed by the Planning Authority.

1.7.3 The premium at the rate decided by the Planning Authority shall be charged in following cases-

- i) Where any sort of relaxation is granted under the regulation 1.7.2 and
- ii) Where additional benefit is accruable under these regulations over and above the provisions of the earlier sanctioned development plan and the development control regulations there under as amended from time to time.

1.8. POWER TO PRESCRIBE THE PROFORMAS

The Authority shall have the powers to prescribe proformas and / or make amendments in the contents of such proformas and in the general procedure for grant of development permission.

1.9. AMENDMENT / MODIFICATION TO APPENDICES

Except where same area prescribed in Maharashtra Regional & Town Planning Act, 1966 or Municipal Planning Authority Act or Bombay Provincial Municipal Corporations Act, 1949 or in the rules or the bye-laws framed there under, the Planning Authority may, in consultation with the Director of Town Planning, Maharashtra State, from time to time, add to, alter or amend Appendices 'A' to 'BB AE'.

2. MEANINGS AS IN THE ACTS, RULES, ETC

2.1. GENERAL

- 1) In these Regulations, unless the context otherwise requires, the definitions given in Regulations 1 to 134 ~~133~~ of 2.2 hereunder shall have the meaning indicated against each of them.
- 2) Terms, Words and expressions not defined in these Regulations shall have the same meaning or sense, as indicated in the following legislations and codes:
- i) Maharashtra Regional & Town Planning Act, 1966 (Maharashtra Act No. XXXVII of 1966)
- ii) The Bombay Provincial Municipal ~~Planning Authorities~~ Corporations Act, 1949 (Bombay Act No. LIX of 1949) ~~and the Brihan Mumbai Planning Authority Act, 1988.~~
- iii) The Maharashtra Land Revenue Code 1966 ~~as the case may be,~~
- iv) The National Building Code of India, 2005.

- v) The Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 (Maharashtra Act No. XL of 1965) and the rules or bye-laws framed there under, as the case may be, unless the context otherwise require.

2.2. DEFINITIONS:

- 1) **“ACCESS”** means aligned means of passage from the public road to the plot or land.
- 2) **“ACCESSORY BUILDING”** means building separated from the main building on a plot and put to one or more accessory uses.
- 3) **“ACCESSORY USE”** means any use of the premises subordinate to the principal use and customarily incidental to the principal use.
- 4) **“ACT”** means the Bombay Provincial Municipal Authorities Corporations Act, 1949 (Bombay Act no. ~~LXI~~ LIX of 1949) and the Maharashtra Regional and Town Planning Act, 1966 (Mah. Act No. XXXVII of 1966).
- 5) **“ADVERTISING SIGN”** means any surface of structure with characters, letters or illustrations applied thereto and displayed in any manner whatsoever out of doors for purposes of advertising or giving information regarding or to attract the public to, any place, person, public performance, article or merchandise whatsoever, and which surface or structure is attached to, forms part of, or is connected with, any building or is fixed to a tree or to the ground or to any pole, screen, fence or hoarding or displayed in space;
- 6) **“AIR-CONDITIONING”** means the process of treating air so as to control simultaneously its temperature, humidity, cleanliness and distribution to meet the requirement of enclosed space:
- 7) **“ADDITION AND/OR ALTERATION”** means change from one occupancy to another or a structural change. Such as an addition to the area or height or the removal or part of a building or a change to the structure such as the construction or cutting into or removal of any wall, part of a wall partition, column, beam, joist floor including a mezzanine floor or other support or a change to or closing of any required means of ingress or egress or change to fixtures or equipment as provided in these Regulations.
- 8) **“APPROPRIATE AUTHORITY”** means Any public authority on whose behalf land is reserved designated for a public purpose in any plan or in any scheme or set aside for taking over by the authority by taking recourse to the provisions of Regulation 7.3.1 (c) (i) or Regulation 7.3.1 (c) (ii) which it is otherwise authorized to acquire under any law.
- 9) **“APPROVAL BY THE AUTHORITY HAVING JURISDICTION”** - The authority which has been created by a statute and which, for the purpose of administering the Regulations, may authorize a committee or an official to act on its behalf, hereinafter called “the Authority”
- 10) **“ASSEMBLY BUILDING”** includes any building or part of a building where group of people congregate or gather for amusement, recreation, social , religious, patriotic, civil, travel and similar purposes such as theatres, motion picture houses, drive-in-theatres, assembly halls, museums, mangal karyalayas, skating rinks, gymnasium, restaurants, eating houses, boarding houses, places of worship, dance halls, club rooms, gymkhana, passenger stations and terminals of air, surface and other public transportation services, recreation piers and stadia ;
- 11) **“AUTOMATIC SPRINKLER SYSTEM”** means an arrangement of piping and sprinklers designed to operate automatically by the heat of fire and to discharge water upon the fire and which may also simultaneously give automatic audible alarm;
- 12) **“AUTHORITY”** means Planning Authority/Special Planning Authority/Local Authority/Appropriate Authority.

- 13)“**BALCONY**” means a horizontal projection beyond building line including a parapet, handrail, balustrade to serve as a passage or a sitting out place.
- 14)“**BASEMENT**” OR “**CELLAR**” means the lower storey of a building below or partly below ground level;
- 14A) “**BUILDABLE PLOT AREA**” means an area computed as per Regulation 7.5.1(1)(b).
- 15)“**BUILDING**” means A structure, constructed with any materials whatsoever for any purpose, whether used for human habitation or not, and includes -
- i Foundation, plinth, walls, floors, roofs, chimneys, plumbing and building services, fixed platforms;
 - ii Verandahs, balconies, cornices, projections;
 - iii Part of a building or anything affixed thereto;
 - iv Any wall enclosing or intended to enclose any land or space, signs and outdoor display structures;
 - v Tanks constructed for storage of liquids;
 - vi All types of buildings defined ~~here-in-below~~ in these Regulations, but tents, shamianas and tarpaulin shelters erected for temporary purposes occasionally shall not be considered to be “building”.
- 16)“**BUILDING LINE**” means the line up to which the plinth of a building adjoining a street or an extension of a street or a future street may lawfully extend and shall include the lines prescribed, if any, in any scheme or development plan;
- 17)“**BUILT-UP AREA**” means the area covered by a building on all floors including cantilevered portion, if any, but excepting to areas excluded specifically under these regulations;
- 18)“**BUSINESS BUILDING**” includes any building or part thereof which is used for transaction of business or for the keeping of accounts and records and also office, bank or professional establishment, court house or library if the principal use of any of them is transaction of public business or keeping of books and records.
- 19)“**CABIN**” means a non-residential enclosure constructed of non-load bearing partition;\
- 20)“**CARPET AREA**” means the net floor area including balconies within an apartment but excluding the area of walls;
- 21)“**CHAJJA**” means a sloping or horizontal structural overhang usually provided over openings on external walls to provide protection from sun and rain;
- 22)“**CHIMNEY**” means the construction by means of which a flue is formed for the purpose of carrying the products of combustion to the open air and includes chimney stacks and the flue pipe;
- 23)“**COMBUSTIBLE MATERIAL**” means a material, if it burns or adds heat to a fire when tested for combustibility in accordance with IS: 3808-1966 Method of Test for combustibility of building materials;
- 24)“**CONTIGUOUS HOLDING**” means a contiguous piece of land in one ownership irrespective of separate property register cards or 7/12 extract:
- 25)“**CONGESTED AREA**” means the area indicated as such on the development plan if any;
- 26)“**CONVENIENCE SHOPPING**” means shops, each with an area not exceeding 20 sq.m. and comprising those dealing with day to day requirements, as distinguished from whole-sale trade or shopping such as following:-
- i Food grain or ration shops each with a carpet area not exceeding 50 sq. m.

- ii Pan Shop
 - iii Tobacconists
 - iv Shops for collecting and distribution of clothes and other materials for cleaning and dyeing establishments
 - v Tailor or danner shops
 - vi Groceries, confectioneries, wine and general provision shops each with a carpet area not exceeding 50 sq. m.
 - vii Hair dressing saloons and beauty parlors
 - viii Bicycle hires and repair shops
 - ix Vegetable and fruit shops
 - x Milk and milk product shops
 - xi Medical and Dental Practitioners, Dispensaries or clinics, Pathological or Diagnostic clinics and Pharmacies each with a carpet area not exceeding 50 sq.m..
 - xii Shops dealing in ladies ornaments such as bangles, etc.
 - xiii Florists
 - xiiii Bakeries and shops selling products
 - xix Newspaper and magazine stalls
 - xv Wood, coal and fuel shops each with a carpet area not exceeding 30 sq. m.
 - xvi Books and stationery shops or stores
 - xvii Cloth and garment shops
 - xviii Plumbers, electrician, radio, television and video shops and libraries and repairs shops connected therewith
 - xix Restaurants and eating houses each with a carpet area not exceeding 50 sq. m.
 - xx Shoes and sports shops each not exceeding carpet area of 75 sq. m.
- 27)“**COURTYARD**” means a space permanently open to the sky within the site around a structure and paved/concreted.
- 28)“**CHOWK**” means a fully or partially enclosed space permanently open to the sky within a building at any level.
- 29)“**CORRIDOR**” means a common passage of circulation space including a common entrance hall.
- 30)“**CUPBOARD**” means a cantilevered projection at floor level permitted in a required open space except on ground floor level. Cupboard on ground floor shall be at plinth level, but not in required mandatory open space.
- 31)“**DEPTH OF SITE**” means the mean horizontal distance between the front and the rear side boundaries
- 32)“**DETACHED BUILDING**” means a building whose walls and roofs are independent of any other building with open spaces on all sides;
- 33)“**DEVELOPMENT RIGHTS (DRS)**” - The floor space potential of a plot required to be surrendered to the Planning Authority / ~~Appropriate Authority~~ by virtue of a reservation/designation proposed in the development plan, regular line of street prescribed under the relevant Act or public amenity site; or compensation for loss of floor space potential due to restriction on development of Heritage Structures/Sites/Precincts, etc. ~~recreational open space user imposed under Regulation 7.3.1 (c) (i) or 7.3.1 (c) (ii).~~ While working out the value of Development Rights, the FSI admissible for the plots from the predominant use zone of the surrounding lands shall be considered. ~~The FSI~~

~~prescribed for the user in favour of which the plot is being surrendered shall, however, be totally disregarded. DRs could also be earned by undertaking development of a reservation / designation, amenity site under Regulation 7.3.1 (c) (i) or 7.3.1 (c) (ii), construction of Development Plan roads or construction for widening of an existing road to the extent a Regular line of street is prescribed.~~

- 34) **“DEVELOPMENT RIGHTS CERTIFICATE (DRC)”** A document specifying the extent of DRs earned and allowed to be utilised in the form of TDR.
- 35) **“DOUBLE FRONTAGE SITE”** means a site having a frontage on two streets other than a corner plot;
- 36) **“DRAIN”** means a line of pipe including all fittings and equipment such as manholes, inspection chambers, traps, gullies and floor traps used for the drainage of building, or a number of buildings or yards appurtenant to the buildings within the same cartilage and shall include open channels used for conveying surface water or a system for the removal of any liquid.
- 37) **“DRAINAGE”** means the removal of any liquid by a system constructed for that purpose
- 38) **“DHARMASHALA”** means a building used as a place of religious assembly, a rest house , a place in which charity is exercised with religious or social motives, or a place where in a certain section of people have a right of, or are granted, residence without payment or on nominal payment.
- 39) **“EDUCATIONAL BUILDING”** means a building exclusively used for a school or college, recognized by the appropriate Board or university, or any other Planning Competent Authority involving assembly for instruction, education or recreation incidental to education use, and including a building for such other user’s incidental thereto such as a library or a research institution. It shall also include quarters for essential staff required to reside in the premises, and a building used as a hostel captive to an educational institution whether situated in its campus or not.
- 40) **“ENCLOSED STAIRCASE”** means a staircase separated by fire resistant walls and door or doors from the rest of the building;
- 41) **“ESCAPE ROUTE”** means any well ventilated corridor, staircase or other circulation space, or any combination of the same by means of which a safe place in the open air at ground level can be reached;
- 42) **“EXISTING BUILDING”** or “existing use” means a building or, as the case may be, use which is lawfully in existence immediately before the commencement of these regulations;
- 43) **“EXIT”** means a passage, channel or means of egress from any building, storey or floor area to a street or other open space of safety; horizontal, outside and vertical exits having meanings at (i), (ii) and (iii) respectively as under –
- i **“HORIZONTAL EXIT”** means an exit which is a protected opening through or around a fire wall or a bridge connecting two or more buildings,
 - ii **“OUTSIDE EXIT”** means an exit from a building to a public way, to an open area leading to a public way or to an enclosed fire resistant passage leading to a public way.
 - iii. **“VERTICAL EXIT”** means an exit used for ascending or descending between two or more levels, including stairways, smoke-proof towers, ramps, escalators and fire escapes.
- 44) **“EXTERNAL WALL”** means an outer wall of a building not being a party wall even through adjoining to a wall of another building or a wall abutting on an interior open space of any building.
- 45) **“FIRE AND/OR EMERGENCY ALARM SYSTEM”** means an arrangement of call points or detectors, sounders and other equipment for the transmission and indication of alarm signals, for testing of circuits and whenever required for the operation of auxiliary services workable automatically or manually to alert the occupants in the event of fire or other emergency;

- 46) **“FIRE LIFT”** means one of the lifts specially designed for use by fire service personnel in the event of fire or other emergency.
- 47) i) **“FIRE PUMP”** means a machine driven by external power for transmitting energy to fluids, by coupling the pump to a suitable engine or motor which may have varying outputs/capacity but shall be capable of having a pressure of 3.2kg./cm² at the topmost level of a multistoried or high-rise building.
- ii) **“BOOSTER FIRE PUMP”** means a mechanical/electrical device which boosts up the Water pressure at the top level of a multistoried high rise building and which is capable of a pressure of 3.2 kg./cm² at the nearest point.
- 48) **“FIRE PROOF DOOR”** means a door or shutter fitted to a wall opening, and constructed and erected with the requirement to check the transmission of heat and fire for a specified period;
- 49) **“FIRE RESISTANCE”** means the time during which a material fulfils its function of contributing to the fire safety of a building when subjected to prescribed conditions of heat and load or restraint according to the fire resistance test of structures done in accordance with IS:3809-1966 Fire Resistance Test of Structures.
- 50) **“FIRE RESISTING MATERIAL”** means a material which has certain degree of fire resistance;
- 51) **“FIRE SEPARATION”** means the distance in meters measured from any other building on the site, or from other site, or the opposite of a street or other public space to the building;
- 52) **“FIRE SERVICES INLETS”** means a connection provided at the base of a building for pumping up water through inbuilt fire fighting arrangements by fire service pumps in accordance with the recommendations of the Fire Service Authority;
- 53) **“FIRE TOWER”** means an enclosed staircase which can only be approached from the various floors through landing or lobbies separated from both the floor areas and the staircase by fire-resisting doors, and open to the outer air;
- 54) **“FLOOR”** means the lower surface in a storey on which one normally walks in a building and does not include a mezzanine floor. The floor at ground level with a direct access to a street or open space shall be called the ground floor; the floor above it shall be termed as floor 1, with the next higher floor being termed as floor 2, and so on upwards;
- 55) **“FLOOR SPACE INDEX (FSI)”** means the quotient of the ratio of the combined gross floor area of all floors excepting area specifically exempted under these regulations, to the ~~total~~ buildable area of the plot viz.
- $$\text{Floor Space Index (FSI)} = \frac{\text{Built up area of all floors}}{\text{Buildable Plot area}}$$
- 56) **“FOOTING”** means a foundation unit constructed in brick work, masonry or concrete under the base of wall or column for the purpose of distributing the load over a large area;
- 57) **“FOUNDATION”** means that part of the structure which is in direct contact with and transmitting loads to the ground;
- 58) **“FRONT”** means the space between the boundary line of a plot abutting the means of access/road/street and the building line. Plots facing two or more means of access/roads/streets shall be deemed to front on all such means of accesses/roads/streets.
- 59) **“FOYER”** means a lobby for waiting:

- 60) **“GALLERY”** means an intermediate floor or platform projection from a wall of an auditorium or a hall providing extra floor area or additional seating accommodation and includes the structures provided for seating at stadia;
- 61) **“GARAGE-PRIVATE”** means a building or a portion thereof designed and used for the parking of vehicles;
- 62) **“GARAGE-PUBLIC”** means a building or portion thereof, designed other than as a private garage, operated for gain, designed and/or used for repairing, servicing, hiring, selling or storing or parking motor-driven or other vehicles;
- 63) **“GROUP HOUSING SCHEME”**: ~~Group of multi-storied housing for more than one dwelling unit where land is owned jointly (as in case of co-operative societies or the public agencies such as local authorities or housing boards etc.) and the construction is undertaken by one authority.~~ **“GROUP HOUSING”** means a building constructed or to be constructed with one or more floors, each floor consisting of one or more dwelling units and having common service facilities. Common service facilities means facilities like stair case, balcony, corridor, varandaha, lift, etc. The group housing scheme means group of such buildings proposed in one plot.
- 64) **“HABITABLE ROOM”** means a room occupied or designed for occupancy by one or more persons for study, living, sleeping, eating or kitchen room used as a living room, but not including bathrooms, water closets compartment, toilets, laundries, serving and storage pantries, corridors, cellars, attics, and inhabitable spaces that are not used frequently or during extended periods;
- 65) **“HAZARDOUS BUILDING”** includes any building or part thereof which is used for the storage, handling, manufacture or processing of radioactive substances or of highly combustible or explosive materials or products which are liable to burn with extreme rapidity or which may produce poisonous fumes or explosions or for storage, handling, manufacturing or processing which involved highly corrosive, toxic or noxious alkalis, acids or other liquids or chemicals producing flame, fumes, explosives or mixtures of dust or which result in the division of matter into the particles subject to spontaneous ignition;
- 65A) **“HAZARDOUS MATERIAL”** means
- i Radioactive substances;
 - ii Material which is highly combustible or explosive and/or which may produce poisonous fumes or explosive emanations, or storage, handling, processing or manufacturing of which may involve highly corrosive, toxic or noxious alkalis or acids or other liquids;
 - iii Other liquids or chemicals producing flame, fumes, explosive, poisonous, irritant or corrosive gases or which may produce explosive mixtures of dust or fine particles capable of spontaneous ignition;
- 66) **“HEIGHT OF A BUILDING”** means the vertical distance measured in the case of flat roofs, from the average level of the developed ground around and contiguous to the building to the highest finished roof level point of the building and, in the case of pitched roofs, up to the point where the external surface of the outer wall intersects the finished surface of the sloping roof, and, in the case of gables facing the road, the mid-point between the eaves level and the ridge.
- 67) **“HEIGHT OF A ROOM”** means the vertical distance measured from the finished floor surface to the finished ceiling/slab surface. The height of a room with a pitched roof means the average height between the finished floor surface and the bottom of the eaves and the bottom of the ridge;
- ~~Explanation: Architectural features serving no other function except that of decoration shall be excluded for the purpose of taking heights under this clause;~~
- 67A) **“HIGH RISE BUILDING”** means a building of a height more than 70 meters above the surrounding average ground level.

68) **“HOME OCCUPATION”** means occupation other than that of operating an eating or drinking place offering services to the general public, carried by a member of the family residing on the premises and in accordance with which there is no display that will indicate from the exterior that the building is being utilized in whole or in part for any purpose other than that as residential (dwelling) use and in connection with which no article or service is sold or held up for sale except that produced, which is non-hazardous and not affecting the safety of the inhabitants and neighborhood by a member of the family residing in the premises and no mechanical equipment is used except as is customary for purely domestic or household purposes or employing licensable good;

If motive power is used, the total electricity load should not exceed 0.75 K.V. “Home Occupation” may also include such similar occupation as may be specified by the Planning Authority with the approval of Authority and subject to such terms and conditions as may be prescribed.

~~69) **“HORIZONTAL EXIT”** means a protected opening through or around a fire wall or a bridge connecting two buildings;~~

70) **“HAZARDOUS MATERIAL”** means

- ~~i Radioactive substances;~~
- ~~ii Material which is highly combustible or explosive and/or which may produce poisonous fumes or explosive emanations, or storage, handling, processing or manufacturing of which may involve highly corrosive, toxic or noxious alkalis or acids or other liquids;~~
- ~~iii Other liquids or chemicals producing flame, fumes, explosive, poisonous, irritant or corrosive gases or which may produce explosive mixtures of dust or fine particles capable of spontaneous ignition;~~

71) **“INDUSTRIAL BUILDING”** includes any building or structure or part thereof, in which products or materials of all kinds are fabricated, assembled or processed like assembly plants, laboratories, power plants, mills, dairies or factories;

72) **INFORMATION TECHNOLOGY ESTABLISHMENT:-**“Information Technology Establishment means an establishment which is in the business of development of IT software, IT Hardware, IT services, IT enabled services as defined below:

- a **IT SOFTWARE:** IT Software is defined as any representation of instruction, data, sound or image, including source code and object code, recorded in a machine readable form and capable of being manipulated or providing interactivity to a user, with the means of a computer.
- b **IT HARDWARE:** IT Hardware shall cover such industrial units as may be decided by the Director of Industries.
- c **IT SERVICES AND IT ENABLED SERVICES:** These include various IT Services and are defined by the IT Task force of the Government of India as follows:
- d “IT Service including IT Enabled Service is defined as any unit that provides services that result from the use of any IT Software over a Computer System for realizing any value addition”.
- e The Directorate of Industries has prepared and published an illustrative list of such IT Enabled Services which is to be updated from time to time”.

73) **“INNER CHOWK”** means a chowk enclosed on all sides;

74) **“INSTITUTIONAL BUILDING”** means a building constructed by Government, Semi-Government organizations or registered Trusts and used for medical or other treatment, a hostel for working women or for an auditorium or complex for cultural and allied activities or for an hospice, care of persons suffering from physical or mental illness, handicap, disease or infirmity, care of orphans, abandoned women, children and infants, convalescents, destitute or aged persons and for penal or correctional detention with restricted liberty of the inmates ordinarily providing sleeping accommodation, and includes Dharmashala, hospitals, sanatoria, custodial and penal institutions such as jails, prisons, mental hospitals, houses of correction, detention and reformatories;

- 75) **“INTERIOR OR TANDEM SITE”** means a site access to which is by a passage from a street, whether such passage forms part of the site or not;
- 76) **“LEDGE”** or **“TAND”** means a shelf-like projection, supported in any manner whatsoever, except by means of vertical supports within a room itself but not having wider than half meter.
- 77) i) **“LICENSED SURVEYOR/ENGINEER/STRUCTURAL ENGINEER/ SUPERVISOR”** means a qualified surveyor, engineer, structural engineer or supervisor, licensed by the Planning Authority;
- ii) **“ARCHITECT”** means an architect who is an associate or corporate member of the Indian Institute of Architects or who holds a degree or diploma which makes him eligible for such membership for such qualifications listed in Schedule XIV of the Architects Act, 1972, and being duly registered with the Council of Architecture under that Act;
- 78) **“LIFT”** means an appliance designed to transport person or materials between two or more levels in a verticals or substantially vertical directions by means of a guided car platform;
- 79) **“LOFT”** means an intermediary floor between two floors or a residual space in a pitched roof, above normal floor level which is constructed and adopted for storage purposes;
- 80) **“MAJOR WATER COURSE”** means a water course which carries storm water discharging from a contributing area of not less than 160 hectares, the decision of the Planning Authority on the extent of the contributing area being final. A minor water course is one which is not a major one.
- 81) **“MASONRY”** means an assemblage of masonry units properly bounded together with mortar;
- 82) **“MASONRY UNIT”** means an unit whose net cross-sectional areas in every plane parallel to the bearing surface is 75 percent or more of its gross cross-sectional area measured in the same plane. It may be either clay, brick, stone, concrete, block or sand-lime brick;
- 83) **“MERCANTILE BUILDING”** - includes any building or part thereof which is used as shop, store or market for display and sale of merchandise, either wholesale or retail, or which is used as office or for providing storage and service facilities incidental to the sale of merchandise and located in one and the same building;
- 84) **“MEZZANINE FLOOR”** means an intermediate floor, not being a loft between the floor and ceiling of any storey;
- 85) **“MULTI-STOREYED BUILDING”** ~~or high-rise building~~ means a building of a height of 46 24 m. meters upto 70 m or more above the surrounding average ground level. A building of height less than 24 m. shall be a normal building.
- 85A) **“NET PLOT AREA”** means plot area remaining after deducting from the gross plot area of holding areas under roads and reservations of the Development Plan;
- 86) **“NON-COMBUSTIBLE”** means not liable to burn or add heat to a fire when tested for combustibility in accordance with the IS-3808-1966 Method of Test for Combustibility of Building Materials;
- 87) **“OCCUPANCY”** OR **“USE”** means the principal occupancy or use for which a building or a part of it is used or intended to be used, including contingent subsidiary occupancies, mixed occupancy buildings being those in which more than one occupancy are present in different portions of the buildings;
- 88) **“OFFICE BUILDING”** or **“PREMISES”** means the premises which is to be or which is solely or principally used as office for administration, clerical work or handling money or for operating telephone, telegraph or computer;

Explanation- for the purposes of this clause, “clerical work” includes writing, book-keeping sorting papers, typing filling, duplicating, punching cards or tapes , machine calculating, drawing of matter and the editorial preparation of matter for publication;

89)“**OPEN SPACE**” means an area forming an integral part of the site left open to the sky;

90)“**OUTER CHOWK**” means a chowk where one of the sides is not enclosed;

91) “**PARAPET**” means a low wall or railing built along the edge of a roof or a floor;

92)“**PARKING SPACE**” means an enclosed or unenclosed covered or open area sufficient in size to park vehicles. Parking spaces shall be served by a driveway connecting them with a street or alley and permitting ingress or egress of vehicles;

93)“**PARTITION**” means an interior non-load bearing divider full storey or part storey in height;

94)“**PARTY WALL**” includes-

- i a wall forming part of a building, and being used or constructed to be used in any part of the height or length of such wall for separation of adjoining buildings belonging to different owners or occupied or constructed or adopted to be occupied by different persons; or
- ii a wall forming part of a building and standing in any part of the length of such wall to a greater extent than the projection of the footing on one side on grounds of different owners;

95)“**PERMANENT OPEN AIR SPACE**” means a space-

- i Which is a street or which is not encroached upon by any structure; and
- ii its freedom from encroachment in future by a structure of any kind is assured either by law or by contract or by the fact that the ground below it is a street or is permanently and irrevocably appropriate as an open space;
- iii Provided that, in determining the open air space required in connection with construction work on a building any space occupied by an existing structure may if it is ultimately to become a permanently open air space, be treated as if it were already a permanently open space;

96)“**PERMISSION**” means a permission or authorization in writing by the Planning Authority to carry out any building activity or development work to which these regulations apply;

97)“**PLINTH AREA**” means the built-up covered area measured at the floor level of the basement or of any storey;

98)“**PLINTH**” means the portion of a structure between the surface of the surrounding ground and surface of the floor immediately above the ground;

98A) “**PODIUM**” means a continuous projecting base or pedestal under a building, within the permissible marginal open spaces and set backs;

99)“**PORCH**” means a covered surface supported on pillars or otherwise for the purpose of pedestrian or vehicular approach to a building;

100)“**RESIDENTIAL BUILDING**” includes any building in which sleeping accommodation is provided for normal residential purposes with or without cooking or dining or both facilities or one or two or multi-family dwellings, lodging or rooming houses, hostels, dormitories, apartment houses and flats, residential hostels and private garages;

101)“**RENTAL HOUSING**” – means a housing development project for vital public purpose as defined vide Government Notification No. TPS – 1208 / MMR / CR – 393 / 08 / UD – 12 dated 04/11/2008 and adopted in these Regulations.

- 102) **“RETENTION ACTIVITY”** - means an activity or use which is allowed to continue, notwithstanding its non-conforming nature in relation to the permitted in the adjoining or surrounding area;
- 103) **“REVAS PROJECTION”** - means a part of a room or rooms projection in the open space beyond the building line;
- 104) **“ROAD”** and **“STREET”** - means any highway, street, lane, pathway, alley, stairway, passageway, carriageway, footway, square, place of bridge, whether a through fare or not, over which the public have a right of passage or access or have passed and has access uninterruptedly for a specified period, whether existing or proposed in any scheme and includes all bunds, channels, ditches, storm water drains, culverts, sidewalks, traffic islands, roadside trees and hedges, retaining walls, fences, barriers and railings within the street lines;
- 105) **“ROAD OR STREET LEVEL OF GRADE”** - means the officially established elevation or grade of the central line of the street upon which a plot fronts and if there is no officially established grade, the existing grade of the street at its mid-point;
- 106) **“ROAD OR STREET LINE”** - means the line defining the side limits of a road or street;
- 107) **“ROAD WIDTH”** or **“WIDTH OF ROAD/STREET”** - means the whole extent of space within the boundaries of a road when applied to a new road/street, as laid down in the city survey or development plan or prescribed road lines by any act or law and measured at right angles to the course or intended course of direction of such road;
- 108) **“ROW HOUSING”** - means a row houses with only front, rear and interior open spaces;
- 109) **“SEMI-DETACHED BUILDING”** - means a building detached on three sides with open spaces on each of such three sides as specified in these regulations;
- 110) **“SERVICE LANE”** - means a road or lane provided at the rear or side of a plot for service purposes;
- 111) **“SITE”** or **“PLOT”** - means a parcel or piece of land enclosed by definite boundaries;
- 112) **“SITE CORNER”** - means a site at the junctions of, and fronting on, two or more intersecting streets;
- 113) **“SITE DEPTH”** - means the mean horizontal distance between the front and rear site boundaries;
- 114) **“SITE WITH DOUBLE FRONTAGE”** - means a site having frontage on two streets other than a corner plot;
- 115) **“SMOKE-STOP DOOR”** means a door for preventing or checking the spread of smoke from one area to another;
- 116) **“STILT”** means a portion of a building at ground level open from at least two sides, used for parking of vehicles or as play field;
- 117) **“STAIR COVER”** means a structure with a covering roof over a staircase and its landing built to enclose only the stairs for the purpose of providing protection from weather and not used for human habitation;
- 118) **“STORAGE”** means a place where goods are stored;
- 119) **“STORAGE BUILDING”** includes any building or part thereof used primarily for the storage or sheltering of goods wares or merchandise like warehouse, cold storage, freight depots, transit sheds, store houses, public garages, hangers, truck terminals, grain elevators, bars and stables;
- 120) **“STORE ROOM”** means a room used as storage space;

- 121)“**STOREY**” means the portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between any floor and ceiling next above it;
- 122)“**SPECIAL BUILDING**” means-a building solely used for the purpose of a drama or cinema theatre, a drive-in-theatre an assembly hall or auditorium, an exhibition hall, theatre, museum, a stadium, a “Mangal Karyalayas” or ~~whether~~ where the built-up area of such a user exceeds 600 sq. m. in the case of mixed occupancies;
- i An industrial building (except Service Industry);
 - ii A hazardous building;
 - iii A building of a wholesale establishment;
 - iv A residential hotel building or centrally air-conditioned building which exceeds-~~46~~ 24 m. in height, or
 - v—A total built-up area of 600 sq.m.
- 123)“**TENEMENT**” means an independent dwelling unit with a kitchen; or a cooking alcove;
- 123A) “**TERRACE**” means
- a) Roof Terrace on the uppermost storey open to sky;
 - b) Set-back terrace at floor level open to sky;
 - c) Double height terrace at alternative floor level with roof at double height equal to two storeyes.
- 124)“**TO ABUT**” means to abut on a road in such manner that any portion of the building is fronting on the road;
- 125)“**TO ERECT**” means –
- i to erect a new building on any site, whether previously built upon or not, or
 - ii to re-erect any building of which portions above the plinth level have been pulled down, burnt or destroyed or
 - iii to erect from one occupancy to another and sub-division of occupancy into more than one;
- 126)“**TOWER LIKE STRUCTURE**” means that structure whose height of tower like portion is at least twice width of the broader base;
- 127)“**TRAVEL DISTANCE**” means the distance from the remotest point on a floor of a building to a place of safety be it a vertical exit, horizontal exit or an outside exit measured long the line of travel;
- 128)“**THEATRE**” means a place of public entertainment for the purposes of exhibition of motion picture and/or dramas and other social or cultural programs;
- 129)“**UNSAFE BUILDING**” means that building which is structurally unsafe, unsanitary or not provided with adequate means of egress or ingress which constitutes a fire hazard or is otherwise dangerous to human life or which in relation to existing use constitutes a hazard to safety or health or public welfare, by reason of inadequate maintenance, dilapidation or abandonment;
- 130)“**VOLUME TO PLOT RATIO(V.P.R.)**” means the ratio of volume of building measured in cubic meters to the area of plot measured in square meters and expressed in meters;
- 131)“**WATER CLOSET (W.C.)**” means a privy with an arrangement for flushing the pan with water but does not include a bathroom;
- 132)“**WHOLESALE ESTABLISHMENT**” includes an establishment wholly partly engaged in wholesale trade, manufactures wholesale outlets including related storage facilities, warehouses and establishment engaged in truck transport and truck transport booking agencies;

133)“**WINDOW**” means an opening other than a door, to outside of the building which provides all or part of the required natural light, ventilation or both to an interior space.

2.3. INTERPRETATION

- 1) In these Regulations, the use of the present tense includes the future tense, the masculine gender includes the feminine and neutral gender, the singular includes the plural and plural includes the singular. The word ‘person’ includes a Planning Authority, Council, Authority, Body, Organization, Institution etc. as an individual. Writing includes printing and typing and ‘signature’ includes thumb impression made by a person who cannot write if his name is written near to or just above such thumb impression.
- 2) Whenever sizes and dimensions of rooms and spaces within buildings are specified, they shall mean the clear dimensions unless otherwise specified in these Regulations.
- 3) If any question or dispute arises with regard to interpretation of any of these Regulations the matter shall be referred to the State Government which, after considering the matter and, if necessary, after giving hearing to the parties, shall give a decision on the interpretation of the provisions of these Regulations. The decision of the Government on the interpretation of these Regulations shall be final and binding on the concerned party or parties.

PART - II
**DEVELOPMENT PERMISSION, PROCEDURE AND REQUIREMENTS TO
BE FULFILLED FOR SUCH PERMISSION**

PART II:

DEVELOPMENT PERMISSION, PROCEDURE AND REQUIREMENTS TO BE FULFILLED FOR SUCH PERMISSION

3. DEVELOPMENT PERMISSION / COMMENCEMENT CERTIFICATE

3.1. PERMISSION FROM THE AUTHORITY IS MANDATORY

No person shall erect or re-erect a building or alter any building or carry out any development or redevelopment on any plot or land or cause the same to be done without first obtaining separate development permission in the form of a commencement certificate from the Planning Authority.

3.2. UNAUTHORIZED DEVELOPMENT / LIABILITY FOR OFFENCES AND PENALTIES:

Any person who contravenes any of the provisions of these regulations or any requirements or obligations imposed on him by virtue of these regulations including the maintenance of fire protection services and appliances and lifts in working order or who interferes with or obstructs any person in the discharge of his duties shall be liable to be prosecuted for an offence under section 52, 53, 54 and 55 of the Maharashtra Regional & Town Planning Act, 1966 or any other Act. The Planning Authority may also

- a. Take suitable actions including demolition of unauthorized works under section 53 of the Maharashtra Regional & Town Planning Act or relevant Local Authority Act and
- b. Take suitable action against the licensed technical personnel which may include cancellation of the license and debarring him from further practice for a period extending up to five years.
- c. Suggest for criminal proceedings against the owner / persons engaged in such act of unauthorized work.

3.3. EXEMPTION

No such development permission shall be required for the works listed in the section 43 of the Act and operational constructions of Government Departments; whether temporary or permanent which is necessary for the operation, maintenance, development or execution are exempted from the purview of the Regulations except those relating to floor space index and fire precautions, as elaborated in Appendix – A.

3.4. VALIDITY OF DEVELOPMENT PERMISSION

If development permission has been issued before the date of commencement of these Regulations, but the development is not started within a year from the date of such permission, the said development permission shall be deemed to have lapsed.

3.5. APPLICABILITY TO PARTIALLY COMPLETED WORKS-

For partially completed works, started with due permission before these Regulation have come into force, the Planning Authority may not for reasons to be recorded in writing, necessarily insist on compliance with the provisions of these Regulations for extending the period of the development permission, which shall not exceed the specified period in section 48 of the Maharashtra Regional & Town Planning Act, 1966.

4. PROCEDURE FOR OBTAINING DEVELOPMENT PERMISSION / COMMENCEMENT CERTIFICATE

4.1. NOC FOR NON – AGRICULTURAL (NA) PERMISSION

- 1) ~~Any person who intends to carry out development where NA permission is not obtained shall first obtain NA permission under the Maharashtra Land Revenue code, 1966. He shall, therefore, apply for a No Objection Certificate for seeking NA permission from the Authority by engaging the services of Technical Personal holding qualification and competences as detailed out in Appendix –B.~~
- 2) ~~The application for NOC for NA shall be submitted along with the drawings and documents accompanied by scrutiny fees mentioned in Appendix –C.~~
- 3) ~~The authority shall issue such No Objection Certificate within a period of 30 days from the date of application or from the date of applicant compliances in this respect.~~

4.2. NOTICE OF INTENTION TO CARRYOUT DEVELOPMENT -

Every person who intends to carry out development or erect, re-erect or make alterations in any place in a building or demolish any building shall make an application in the Proforma as prescribed by the Authority along with fees, documents, ~~copy of NA permission (excluding for proposals of amalgamation or sub-division of holding)~~ giving full details of the proposed development, by engaging the services of Technical Personnel holding qualifications and competences as detailed out in Appendix – B.

The application for Development Permission shall be submitted along with the drawings and documents accompanied by scrutiny fees mentioned in Appendix – C.

~~The Planning Authority shall send one set of proposal to the concerned Authority within 30 days from the date of receipt. It shall mean the concerned authority has no objections to the proposal submitted by the applicant.~~

4.3. APPLICATION / PLANS FOR INTENDED DEVELOPMENT

Every application made under regulation – 4.2 shall be accompanied by the following documents namely-

- i Copies of plans and statements and where in respect of any building scheme clearance is require from Competent Fire Authority, such number of copies of such plans and statements as may be required by the Planning Authority.
- ii The Key (location) plan,
- iii The site plan,
- iv Sub-division layout plan/plan for amalgamation where the property comprises of two or more different lands belonging to the owner or different owners.
- v Building plan,
- vi Service plan,
- vii Specification and certificate of supervision, Documents for proving ownership title,
- viii An attested copy of clearance certificate from the Assessment Department of the Authority for payment of tax arrears where applicable.
- ix Appointment of Architects in the prescribed Performa.
- x Appointment of Structural/consulting Engineer in the prescribed Performa.
- xi Payment of development permission fee (True copy challan)

The plans to be sent with the application may be ordinary prints on Ferro paper or of any other type. One set of such plans shall be retained in the office of the Authority for record after the issue development permission or a refusal.

4.3.1. SIZES OF DRAWING SHEETS -

The size of drawing sheets shall be any of these specified in Table 1 as given below:

TABLE 1: DRAWING SHEET SIZES

Sr. No.	Designation	Trimmed size in mm
1	A0	841 x 1189
2	A1	594 x 841
3	A2	420 x 594
4	A3	297 x 420
5	A4	210 x 297
6	A5	148 x 210

4.3.2. COLOURING NOTATIONS FOR PLANS –

The plan shall be ~~colouring~~ coloured as specified in Table No. 2 as given below and prints of plan shall be on one side of paper only.

TABLE 2: COLOURING OF PLANS

Sr. No.	Item	Site Plan	Building Plan
1	Plot lines	Thick black	
2	Existing street	Green	-----
3	Future street	Green dotted	-----
4	Permissible building	Thick dotted black	-----
5	Open space	No colour	
6	Work proposed to be demolished	Yellow hatched	
7	Proposed work	Red filled in	
8	Drainage & sewerage work	Red dotted	
9	Water supply work	Blue dotted thin	
10	Deviations	Red hatched	
11	Recreation ground	Green wash	
12	Roads and setbacks	Burnt sienna	
13	Reservation	Appropriate colour code	

Note: Existing work to be hatched black; for land development / sub-division / lay-out suitable colouring notations shall be used duly indexed shall be used.

4.3.3. DIMENSIONS

All dimensions in drawings shall be in metric system. In addition to above applicants may also submit the above information in computer readable form.

4.4. INFORMATION ACCOMPANYING THE APPLICATION

The application shall be accompanied by the key (location) plan, site plan, sub-division or layout plan, building plan, service plans indicating the requisite dimensions in metric units, specifications, certificate of supervision, payment of building permission fee and ownership title, etc. as prescribed here-in-below.

4.4.1. PLANS AND STATEMENTS

Normally four sets / copies of plans and statements shall be submitted along with the application. In the case of building schemes, where clearances of other agencies are necessary, the number of sets / copies of plans to be submitted shall be as required by the respective Planning Authority ~~Authorities~~.

4.4.2. OWNERSHIP TITLE AND AREA

- 1) The documents for proving ownership title to be sent with the application under regulation 4.2 shall be the following –
 - i attested copy or original sale/lease deed/power of attorney/ enabling ownership document wherever applicable;
 - ii property registers card 7/12 extract mutation entry & gut book sketch of a date not earlier than twelve months of the date of submission of the development proposal;
 - iii Statement of area of the holding by triangulation method from the qualified licensed technical personnel or architect with an affidavit from the owner in regard to the area in the form prescribed by the Planning Authority.
 - iv Certified measurement plan/gut book sketch/city survey sheet of the land or lands under project obtained from the Revenue Authorities.
 - v Any other document prescribed by the Planning Authority.
- 2) In the case of land leased by the Government or local authorities, clearance of Government or such authorities regarding observance of the lease conditions shall be obtained and attached to the application for development permission in respect of such land defined in sub regulation 4.4.2 (2) hereunder also with other authorities prescribed by the Planning Authority on time to time if any.
 - i Exemption order / clearance order/sale/permission/ redevelopment permission obtained from Competent ULC Authority under the provisions of the Urban land (Ceiling and Regulation) Act, 1976 or an affidavit and indemnity bond in case of lands admeasuring less than ceiling limit.
 - ii Latest surveyed plan of the land showing all details of structures, shrubs, trees etc. as per actual survey carried out by the Architect/Engineer or Revenue Authority, mentioning dimensions of all sides of land under project.
 - iii Clearance certificate obtained from tax and assessment department of the Authority, N.O.C's from the various Authorities such as Forest, Railway, Civil Aviation Department, and Directorate of Industries, Maharashtra Pollution Control Board, M.S.E.B., the District Magistrate, Additional Collector, U.L.C., the Inspectorate of Boilers and Smoke Nuisance, Fire Authority and other authorities as may be specified ~~on~~ from time to time by the Planning Authority; if applicable.

4.4.3. KEY PLAN (LOCATION PLAN):

A key plan drawn to a scale of not less than 1:10000 shall be submitted as per regulation 4.4.2 along with the application for building permission and commencement certificate, showing the boundary locations of the site with respect to neighborhood land-marks.

4.4.4. SITE PLAN:

The site plan to be sent with the application under regulation 4.4.2 shall be drawn to a scale of 1:500 or 1:600 and shall show.

- a. The boundaries of the site and of any contiguous land belonging to the owner thereof
- b. The position of the site in relation to neighboring street
- c. The name of the street in which the building is proposed to be situated, if any;
- d. All existing buildings standing on over or under the site;
- e. The position of the building and of all other buildings (if any) which the applicant intends to erect upon his contiguous land referred to in clause (a) in relation to -
 - i The boundaries of the site and where the site has been partitioned the boundaries of the portion owned by the applicant and also of the portions owned by others
 - ii All adjacent streets buildings (with number of story's and height) and premises within a distance of 12m. of the site and of the contiguous land (if any) referred to in clause (a) and

- iii If there is no street within a distance of 12m of the site the nearest existing street;
- a the means of access from the street to the building (if any) which the applicant intends to erect upon his contiguous land referred to in clause (a):
- b space to be left around the building to secure a free circulation of air, admission of light and access for scavenging purposes;
- c the width of the street (if any) in front and of the street (if any) at the side or near the building;
- d the direction of north line relative to the plan of the buildings;
- e any existing physical features, such as wells, drains, and trees;
- f the ground area of the whole property and the breakup of covered area on each floor with the calculations for percentage covered in each floor in terms of the total area of the plot as required under these regulations governing the coverage of area,
- g overhead, electric supply line, water supply and drainage line;
- h such other particulars as may be prescribed time to time by the Planning Authority.

4.5. PLANS

4.5.1. PROPOSAL FOR SITE DEVELOPMENT OR / AND SUB DIVISION

- 1) In case of the properties comprising of two or more different holdings belonging to the same or different owners, provided the developer is same then the plans for amalgamation of the holdings shall be got approved from the Authority.
- 2) The application shall be accompanied by the sub-division, layout or amalgamation plan if any, which shall be drawn to a scale of 1:500, containing the following:-
 - a) Measurement plan / City Survey Map duly authenticated by the Taluka / District Inspector of Land Records / City Survey Officer.
 - b) Scale used and the North point;
 - c) The location of all proposed and existing roads with their names, existing / proposed / prescribed width within the land;
 - d) The location of drains, sewers, public facilities and services and electric lines etc.;
 - e) Location and areas of reservations / designations, proposed in the development plan, if any, the regular lines of street prescribed under the relevant sets, if any, the public amenity sites prescribed under Regulation 7.3.1(c)(ii), if any, and the recreational open spaces prescribed under Regulation 7.3.1(c)(i) if any.
 - f) A statement indicating the total area of the holding, the plot wise areas of various uses / occupancies, total area under roads and various reservation / designations, proposed in the development plan, if any, the regular lines of street prescribed under the relevant Act, if any, the public amenity sites and the recreational open spaces prescribed if any under regulations 7.3.1 (c) along with their percentage with reference to the total area of the site proposed to be subdivided.
 - g) Dimensions of all plots sub-plots, if any, proposed to be carved out broad use / occupancy proposed therein, along with building lines, the set-backs with dimensions within each plot. In the case of composite development involving no sub-division of the property, dimensions of all buildings showing setbacks and distances between the buildings, light receiving planes and height of various parts of the buildings and the open marginal spaces ;
 - h) The FSI, DRs, and / or TDRs, if any, assigned to each sub plot;
 - i) In the case of plots in built-up areas, in addition to the above, the means of access to the holding from existing streets.

4.5.2. BUILDING PLAN, WHERE CONSTRUCTION OF BUILDINGS IS ENVISAGED.

The plans of the building and elevations and section to be sent with the application under regulation 4.14.2 shall be drawn to a scale of 1:100. The building plan shall -

- a) include floor plans of all floors together with the covered areas clearly indicating the sizes of rooms, the position and width of staircases, ramps and other exit ways, which shall show :-
 - (i) Lift wells, lift machine room and lift pit details;
 - (ii) Ground and all other floor plan details including those of basement;
 - (iii) Electric sub-station and meter room details (if any);
 - (iv) Details of parking spaces, loading and unloading spaces provided around and within building, access ways and appurtenant open spaces with projections in dotted lines;
 - (v) Distance from any building existing on the plot in figured dimensions along with accessory building. These plans will also contain further details as in Proforma prescribed by Planning Authority on time to time.
- b) Show the use or occupancy of all parts of the building;
- c) Show exact location of essential services, e.g. WC, sink, bath and the like;
- d) Includes sectional drawings showing clearly the size of the footings, thickness of basement wall, wall constructed size and spacing of framing members, floors slabs, roofs slabs with the materials. The section shall indicate the height of building and rooms and also the height of the parapet; and the drainage and the slope of the roof. At least one section should be taken through the staircase provided further that the structural plan giving details of all structural elements and materials used along with structural calculations shall be submitted separately but in any circumstances before the issue of the building permit or commencement certificate;
- e) Show all street elevations;
- f) Indicate details of basket privy (served privy) if any;
- g) Give dimensions of the projected portion beyond the permissible building line;
- h) Include terrace plan indicating the drainage and the slope of the roof;
- i) Give indication of the north line relative to the plan;
- j) Give dimensions and details of doors, windows and ventilators;
- k) Give such other particulars as may be prescribed by the Planning Authority.

4.5.3. BUILDING PLANS FOR MULTI-STOREYED OR SPECIAL BUILDINGS:

For multi-storeyed buildings which are more than ~~16-24~~ m. in height above plinth and for special buildings like assembly, institutional, industrial, storage and hazardous and mixed occupancies with any of the aforesaid occupancies ~~housing with area more than 150sq600 sq.m.~~ the following additional information as specifically mentioned in Appendix 'O' shall be furnished in the building plans in addition to the items (a) to (k) of regulation 4.5.2 namely -

- a. Access to fire appliances/vehicles with details of vehicular turning circle and clear, motor able access way around the building
- b. Size (width) of main and alternate staircases along with balcony approach, corridor ventilated lobby approach;
- c. Location and details of lift enclosures;
- d. Location and size of fire lift;
- e. Smoke stop lobby/door where provided;
- f. Refuse chutes refuse chamber and service duct,
- g. Vehicular parking spaces and loading and unloading spaces;
- h. Refuge area, if any, as per National Building Code of India, 2005;
- i. details of building services i.e. air-conditioning system with position of fire dampers, mechanical ventilation system, electrical services, boilers, gas pipes and such other devices;
- j. Details of exits including provision of ramps for hospitals and special risks;

- k. Location of generator, transformer and switch gear room,
- l. Smoke exhaustor system, if any;
- m. Details of fire alarm system net work;
- n. Location of centralized control connecting all fire alarm systems built in fire protection arrangements and public address systems;
- o. Location and dimensions of static water storage tank and pump room along with fire service inlets for mobile pump and water storage tank;
- p. Location and details of fixed fire protections installations such as sprinklers, wet risers hose cells, drenches and CO2 installation and;
- q. Location and details of first aid firefighting equipment/installations.

4.5.4. RECEIPT OF CAPITATION FEE FOR FIRE PROTECTION TO BE SENT WITH BUILDING PLAN IN CERTAIN CASES

In the case of buildings more than ~~16~~24 m in height, the receipt showing payment of capitation fees for fire protection as provided in regulation 4.19 shall be sent along with the building plan referred to in regulation 4.5.3.

4.5.5. DESIGN BRIEF

~~Development proposals of lands exceeding 2500 sq.m. in area from Residential, Commercial Zone and Industrial zone envisaging development of not less than 1/5th portion of the zone shall be accompanied by Design Brief formulated in accordance with the guidelines issued by the Planning Authority from time to time.~~

4.6. SERVICE PLAN

Plans and sectional elevations of private water supply, sewage disposal system and details of building services, where required by the Planning Authority, shall be made available on a scale not less than 1:100 before undertaking development.

4.7. SPECIFICATIONS

The specifications of the proposed construction, giving the type and grade of materials to be used, to be sent with the application under regulation 4.2 shall be duly signed by a Licensed Architect/Engineer/Structural Engineer /Supervisor as the case may be.

4.8. CERTIFICATE OF SUPERVISION:

The certificate of supervision to be sent with the application under regulation 4.2 shall be in the form prescribed by the Authority and shall be duly signed by the licensed Architect/Engineer /Structural Engineer /Supervisor, as the case may be. In the event of the said licensed technical personnel ceasing to be employed for the development work, the further development work shall stand suspended till a new licensed technical personnel is appointed and his certificate of supervision along with a certificate for the previous work erected is accepted by Planning Authority.

4.9. DEVELOPMENT PERMISSION SCRUTINY FEE RECEIPT:

The application under regulation 4.2 shall be accompanied by an attested copy of receipt of payment of ~~development permission applications~~scrutiny fee. The rate of fees for scrutiny of development proposal shall be as mentioned in Appendix C. The Planning Authority may revise the rates of fees as deemed appropriate. The total plinth area on all floors shall be taken as the basis for calculation of fees including the basement floor and accessory buildings

4.9.1. EXEMPTIONS FROM PAYMENT OF DEVELOPMENT PERMISSION FEES

For special housing schemes for economically weaker sections, low income group and slum clearance redevelopment schemes undertaken by public agencies or subsidized by State

Government with carpet area of a tenement as prescribed by Government from time to time ~~of not more than 21 sq.m.~~ no development permission fee is chargeable.

4.9.2. REFUND OF FEES IN CASE OF REJECTION

~~In case a proposal is rejected, 10% of the development permission fee shall be retained and the balance shall be refunded to the applicant within one month of the rejection.~~

4.10. SECURITY DEPOSIT

To ensure compliance with these Regulations and the directions given in the sanctioned plan and other conditions, a security deposit ~~which may be in the form of an irrevocable nationalized bank guarantee,~~ shall be ~~charged~~ paid by the owner at rates specified by the Planning Authority. It shall be returned to the owner one year ~~after the issue of the full occupancy certificate~~ after the Planning Authority is satisfied with the compliance with various conditions stipulated in the ~~said full occupancy certificate~~ development permission.

4.11. ENVIRONMENTAL IMPACT ASSESSMENT AND COASTAL ZONE REGULATIONS

Any person who intends to carry out any development of the type listed in the Environment Impact Assessment Notification S.O. No. 1533 dated 14th September 2006 and the Coastal Regulation Zone Notification dated ~~19th February 1994~~ 06th January 2011 as amended from time to time by the MOEF, Govt. of India, shall obtain due permission from the Authority, only in the manner and to the extent as may be allowed under the relevant Regulations of MOEF.

4.12. EXCAVATION AND RESTORATION PLAN FOR QUARRYING

In case of application for quarrying an excavation and restoration plan prepared in accordance with the guide-lines given in Appendix AC prescribed by Planning Authority or other additional guidelines amended ~~on~~ from time to time by competent authority, shall be submitted along with an undertaking to observe all necessary care and precaution during quarrying operating ~~as required by these~~ as required under Appendix- AC.

4.13. SIGNING THE PLANS

All the plans shall be duly signed by the owner or constituted Attorney of the owner and the Architect/ licensed ~~surveyors~~ Supervisor/Engineer/Structural Engineer as the case may be and shall indicate their names, addresses and license numbers if any, allotted by the Planning Authority as per Proforma prescribed by the Authority on time to time. In the case of Architects covered by registration under the Council of Architecture as per Architects Act 1972, requiring no licensing by the Planning Authority, the registration number allotted by the Council of ~~Architects~~ Architecture shall be indicated.

4.14. QUALIFICATIONS & COMPETENCE OF THE ARCHITECTS/ ENGINEERS/ LICENSED SUPERVISORS/ STRUCTURAL ENGINEERS ~~LICENSED ENGINEER / SURVEYOR / STRUCTURAL ENGINEER~~

Architects/Engineers/licensed Supervisors/Structural Engineers ~~Surveyor, Engineers, Structural Engineers and Supervisors~~ referred to under Regulation 4.13, shall be licensed by the Planning Authority as competent to do the various works as given in Appendix ~~GB~~. The qualifications and procedure for licensing these technical personnel ~~engineer, structural engineer and supervisor~~ shall be as given in Appendix ~~GB~~.

4.15. DEVELOPMENT CHARGES

The applicant shall have to pay Development charges on development and / or construction as levied by the Planning Authority in accordance with the provisions of Section **124B of the MR & TP (Amendment) Act 2010**. ~~for the purpose of information the~~ The rates of the development charge presently being levied are indicated in Appendix 'C'.

4.16. GRANT OF PERMISSION OR REFUSAL

The Planning Authority may either sanction or refuse to sanction the plans and specifications or may sanction them with such modifications or directions as he may deem necessary. The sanction or refusal shall be communicated to the applicant in the form prescribed by the Planning Authority on time to time.

4.17. DEEMED PERMISSION

If the Authority does not communicate its decision either to grant or to refuse permission to the applicant within 60 days from the date of receipt of his application or from the date of receipt of the reply from the applicant in respect of any requisition made by the Authority, whichever is later, such permissions shall be deemed to have been granted on the date immediately following the date of expiry of the 60 days, provided that the development proposal for which the permission was applied for, is strictly in conformity with these Regulations and the scrutiny fees, development charges as well as premiums, deposits or other fees etc. prescribed under these Regulations, are paid to the Planning Authority prior to commencement of work as in the case of proposal granted by the Authority.

Provided that, nothing in this regulation shall be construed to authorize any person to do anything on the site, any work in contravention of or against the terms of lease of or titles in the lands, the development plan or these regulations, or against any law in force.

4.18. APPLICANT TO MODIFY PLANS IN CERTAIN CASES:

If the plan has been scrutinized and objections thereof have been pointed out, the applicant shall modify the plan, comply with the objections raised and resubmit it. ~~No new objection shall generally be raised when they are re-submitted after compliance of earlier objections. The Planning Authority shall scrutinize the re-submitted plan and if there be further objections, the plan shall be rejected.~~

4.19. PLANS OF BUILDINGS HAVING MORE THAN 16 M. IN HEIGHT TO BE SCRUTINIZED ALSO BY COMPETENT FIRE AUTHORITY:

~~Plans regarding of buildings having 16-24 m and above height/Special Buildings shall be scrutinized also by the Competent Fire Authority and no such plans shall be sanctioned by the Planning Authority unless a clearance is given by the Competent Fire Authority.~~

4.20. EXTENSION OF PERIOD OF PERMISSION TO BE SUBJECT TO DEVELOPMENT PLAN PROVISIONS, BUILDING REGULATIONS, ETC.:

~~Any extension of the period of permission shall be granted in accordance with sought for under section 48 of the MR & TP Act, 1966, shall be subject to development plan provisions and these regulations as in force on the date on which such extension is applied for.~~

4.21. REVOCATION OF PERMISSION

Without prejudice to the power of revocation conferred by section 51 of the MR & TP Act, 1966; the Planning Authority may revoke any development permission issued under the provisions of these Regulations, wherever there has been any false statement or any misrepresentation of material fact in the application on which the development permission was based, and in such case the whole work shall be treated as un-authorized. In the case of revocation of permission based on false statements or any material misrepresentation of fact in the application, no compensation shall be payable.

4.21.1. OWNER / ARCHITECT / DEVELOPER / STRUCTURAL ENGINEER NOT ABSOLVED FROM RESPONSIBILITY BECAUSE OF GRANTING DEVELOPMENT PERMISSION, ETC.:

Neither the granting of the development permission nor the approval of the drawings and specifications, nor the inspections, made by the Planning Authority during erection of the building

shall, in any way, relieve the Owner/Architect/Structural Engineer/Developer of such building from full responsibility for carrying out the work in accordance with the requirements of these regulations.

4.22. COMMENCEMENT CERTIFICATE (C.C.):

4.22.1 The Planning Authority shall, within 60 days from the date of application or from the date of applicant making compliances, by an order in writing, either –

- i) Grant the permission, unconditionally or subject to certain general and special conditions, in the form of a commencement Certificate (hereinafter referred to as “C.C”) and approve the plans or
- ii) Refuse the permission if the proposal ~~is~~ not in conformity with these Regulations and / or any other Law / Regulations as may be applicable.

4.22.2 The Commencement Certificate will be granted building wise and will be issued only after the development charges and the scrutiny fees for the entire land under the layout and for those buildings for which such certificates are asked for, and balance of scrutiny deposit, subdivision / layout fees and other charges, if any, are paid to the Planning Authority.

4.22.3 The Commencement certificate / development permission shall remain valid for four years in the aggregate, but shall have to be renewed before the expiry of one year from the date of its issue. The application for renewal shall be made before expiry of one year, if the work has not already commenced. Such renewal can be done for three consecutive terms of one year each, after which proposals shall have to be submitted to obtain development permission afresh. Application for the revalidation shall be accompanied with the fees prescribed in Appendix – C.

4.22.4 For the purpose of this Regulation, ‘Commencement’ shall mean as under:-

	Type of Development	Commencement Stage
a)	For a building work including additions and alterations	Upto <u>Basement Level / a Plinth level/Stilt level/Podium level</u>
b)	For bridges and overhead tanks	Foundation and construction work up to the base floor
c)	For underground works	Foundation and construction work up to underground floor.
d)	For lay-out, sub-division and amalgamation proposals	Final demarcation and provision of infrastructure and services up to the following stages i)Roads: Water bound macadam complete ii)Sewerage, Drainage and Water supply (excavation and base concreting complete)

5. PROCEDURE DURING CONSTRUCTION

5.1. INTIMATION FOR COMMENCEMENT OF WORK

4) The owner shall within one year from the date of issue of building permission / commencement certificate, commence the work for which the building permission/commencement certificate has been issued. The owner shall mark ~~the~~ building site ~~the line-out of the proposed development work along with DP reservations/ New roads/road widening, if any.i.e. centre lines of all external walls / columns proposed on ground floor of the structure.~~ He shall then give notice to Planning Authority, along with copy of Non-Agricultural Permission, of the intention to start work on the building site in the Proforma prescribed by the Planning Authority ~~on~~ from time to time. The Planning Authority within 7 days of the receipt of such notice shall check the lineout. The owner may anytime after seven days have elapsed from the date of service of such notice to the Planning Authority or earlier if permitted by the Planning Authority commence the work

2) ~~Neither the granting of permission nor approval of the drawings and specifications, nor inspections made by the Planning Authority during erection of the building, shall in any way relieve the owner of such building from full responsibility of carrying out the work in accordance with the requirements of these Regulations.~~

5.2. DOCUMENTS AT SITE

5.2.1. RESULTS OF TESTS OF MATERIALS

Where tests of any materials are made to ensure conformity with the requirements of these Regulations, records of the test data shall be kept available for inspection during the construction of the building and for such a period thereafter as required by the Planning Authority.

5.2.2. APPROVED PLANS

The person to whom development permission is issued shall, during construction, keep in a conspicuous place on the site in respect of which the permission has been issued, a copy of the commencement certificate along with copies of the approved plans and specifications.

5.2.3. SAFETY MEASURES AT SITE

Proper care to avoid risk and injury to persons working on site and passers-by shall be taken by owner / applicant.

5.3. PLINTH AND STILT COMPLETION CERTIFICATE:

- 1) The Owner shall give notice in the form to the Planning Authority after the completion of work up to plinth level and where there is no plinth, construction above general ground level upto 0.60 m. with a view to enabling the Planning Authority to ensure that the work is carried out in accordance with the sanctioned plans. The Planning Authority within ~~seven~~ fifteen days from the receipt of such notice shall carry out inspection and give approval to the work up to plinth level and permission for carrying out further construction work as per sanctioned plans if N.A. permission is produced and compliance of CC in the form prescribed by the Planning Authority ~~on~~ from time to time.
Provided that, before giving such approval and permission the Planning Authority shall required the applicant to fix a metal, wooden or plastic board of the size of 1.5 m x 1m at the conspicuous place at the site indicating there on the following particulars and no such approval and permission shall be given unless the board so fixed is inspected by the Planning Authority.
- 2) Particulars to be shown on the board –
 - a. Name of the Owner of the land and his address;
 - b. Name of the licensed Architect/Surveyor and their address;
 - c. License No. of the licensed Architect/Surveyor;
 - d. Name of the developer and his address, where the developer is a firm, the name of the firm and its address;
 - e. C.S.No./C.T.S.No./S.No. and Name of the Village;
 - f. Number and date of development permission and commencement certificate granted by the Planning Authority;
 - g. Area under building project, F.S.I. consumed;
 - h. Number and date of U.L.C. Clearance Certificate, if required.
3. If within the statutory period, the permission is not refused, the permission shall be deemed to have been given provided the applicant fixes a board as provided in sub-regulation (1) except that instead of giving number and date of development permission or commencement certificate, indication shall be given on the board that the permission is deemed to have been given under this regulation, but the construction shall be strictly as per development control regulations.
- 4 Development charges and / or other balance charges as may be due shall also be paid before seeking plinth / stilt completion certificate.

5.4. DEVIATIONS DURING CONSTRUCTIONS:

If during the construction of a building any departure from the sanctioned plan is intended to be made by way of internal alternations or external additions which violate any provisions regarding

general building requirements, structural stability or fire safety requirements of these regulations, sanction of the Planning Authority shall be obtained. Any work carried out in contravention of the sanctioned plan, without prior approval of the Planning Authority shall be deemed to be unauthorized. The Planning Authority shall take appropriate action u/s 52 to 54 of the M.R. & T.P. Act, 1966 in such cases.

5.5. COMPLETION CERTIFICATE/ACCEPTANCE OF THE COMPLETION CERTIFICATE

1) The owner through the licensed Architect, Engineer, Structural Engineer, or Supervisor, as the case may be, who has supervised the construction shall give notice to the Planning Authority regarding completion of work described in the development permission. The completion certificate shall be submitted in the form prescribed by the Planning Authority ~~on from~~ time to time, and shall be accompanied by ~~six sets of completion plan, one of which shall be cloth mounted.~~

~~The six sets mentioned above are for following purposes-~~

- ~~i— Cloth mounted for office record~~
- ~~ii— D.M.C. of the concerned zone~~
- ~~iii— Ex. Engineer (Water works), Planning Authority~~
- ~~iv— Assessment Department, Planning Authority.~~
- ~~v— Collector of the District~~
- ~~vi— Owner~~

2) The Planning Authority shall inspect the work and after satisfying ~~him~~ that there is no deviation from the approved plans issued a certificate of acceptance of the completion of work in the form prescribed by the Planning Authority.

5.6. OCCUPANCY CERTIFICATE:

The Planning Authority, on acceptance of the completion certificate, shall sanction an occupation certificate, in the form prescribed by the Planning Authority within 21 days from the date of receipt of the completion certificate, after which period it shall be deemed to have been approved by the Planning Authority for occupation, provided the building has been constructed as per the sanctioned plans. Where the occupation certificate is refused, the reasons for such refusal shall be communicated to the Owner.

5.7. PART OCCUPANCY CERTIFICATE:

Upon the request of the holder of the development permission, the Planning Authority may issue a part occupation certificate for a building or part thereof, before completion of the entire work as per development permission provided sufficient precautionary measures are taken by the holder of the development permission to ensure public safety and health safety. The part occupation certificate shall be given by the Planning Authority subject to the Owner indemnifying the Authority by giving an indemnity in the form prescribed by the Planning Authority.

5.8. OCCUPANCY CERTIFICATE FOR SPECIAL BUILDINGS:

The work of construction of a building having more than ~~46-24~~ m. height/Special Building shall be subject to ~~inspection also of the Planning Authority; and unless a clearance regarding completion of the work from the fire protection point of view is given by him the Competent Fire Authority.~~ no occupation Occupation Certificate shall be granted thereafter issued by the Planning Authority in respect of such building.

5.9. REFUND OF SECURITY DEPOSIT

~~Security deposit paid by the applicant while obtaining development permission shall be returned without interest after the applicant obtains occupancy certificate for the entire development work. The original challan shall be submitted by the applicant to the Authority to process the claim.~~

5.10. DEMOLITION OF DILAPIDATED AND UNSAFE BUILDINGS:

All unsafe buildings shall be considered to constitute a danger to public safety, hygiene and sanitation and shall be restored by repairs or demolished or dealt with as otherwise directed by the Planning Authority. The Provisions of section 264 of the B.P.M.C. Act 1949 shall apply for procedure of action to be taken by the Planning Authority in respect of such buildings.

5.11. REPAIRS TO STRUCTURES AFFECTED BY DP RESERVATIONS

In case of permission for carrying out repairs only for the maintenance of the authorised structures affected by DP road proposals or reservations, the Planning authority may grant such repair permission on certain condition on case to case basis as deemed fit.

5.12. INSPECTION

5.12.1. INSPECTION AT VARIOUS STAGES-

The Planning Authority may at any time during erection of a building or the execution of any work or development make an inspection thereof without giving previous notice of his intention so to do.

5.12.2. INSPECTION BY FIRE DEPARTMENT-

~~For all storied, high-rise and special buildings and the authority shall issue the occupancy certificate only after clearance.~~

5.13. PERMISSION FOR TEMPORARY STRUCTURES.

- 1) The Planning Authority may grant permission for temporary construction for the following purposes for a period not exceeding six months at a time but not exceeding a period of three years in the aggregate:
 - i) Structures for protection from the rain or covering of the terraces during the monsoons only;
 - ii) Pandals for fairs, ceremonies, religious functions, sale of crackers, seasonal goods etc.;
 - iii) Structures for exhibitions/circuses etc.
 - iv) Structures for ancillary works for quarrying operations in conforming zones;
 - v) Structures for godowns/storage of construction materials within the site;
 - vi) Temporary site office and watchmen chowkies within the site only during the phase of construction of the main building;
 - vii) Structures for storage of machinery, before installation, for factories in Industrial lands within the site;
 - viii) Transit accommodation for persons to be rehabilitated in the new construction;
 - ix) Structures for educational and medical facilities within the site of the proposed building during the phase of planning and constructing the said permanent buildings;
 - x) Structures for Ready Mix Concrete in or adjacent to building site;
 - xi) Asphalt mixing plant for a period not exceeding 15 days at a stretch subject to a maximum limit of 60 days in a calendar year;
 - xii) MAFCO stalls, milk booths and telephone booths within building site.
- 2) Provided that temporary constructions for structures mentioned in (v) to (x) may be permitted to be continued temporarily by the Planning Authority but in any case not beyond completion of construction of the main structure or building.
- 3) Applications of permissions for temporary constructions need not be submitted through Technical Person. A Scrutiny fee shall be paid as specified in Appendix – C along with the application.

PART - III

LAND USE ZONES AND PERMISSIBLE USES

PART - III

LAND USE ZONES AND PERMISSIBLE USES

6. LAND USE ZONES

6.1. DEVELOPMENT TO BE IN CONFORMITY OF THE USE ZONES

In the development plan the areas within the Planning Authority's jurisdiction are categorized into various land use zones. These zones are depicted distinctly by different colors and notations on the Development Plan.

Development of any plot or premises shall necessarily be in conformity with the use Zone in which it is situated or the specific use / occupancy assigned to it in the development plan.

Provided that, any lawful use of premises existing prior to the date of enforcement of these Regulations may be allowed to be continued, unless in the opinion of the Planning Authority the activity poses danger to public safety and/or life, and/or the Government in the Environment Department or organization under its control, for reasons to be recorded in writing, requires discontinuance of such activity. With additional safeguards prescribed by the Planning Authority and/or Government in the Environment Department or the Competent Authority under its control so empowered by the State Government on its behalf, the activity can be continued for a specified time or permanently.

Further provided that, a non-conforming industrial use specially identified as such in the development plan, if any, shall be discontinued within a period of five years from the date from which development plan comes in force.

6.2. LAND USE CLASSIFICATION

The various land use classification shall be in the following zones as follows:

- 1) Residential Zone (R)
- 2) Commercial Zone (C)
- 3) Industrial Zone (I)
- 4) Public & Semi Public
- 5) No Development Zone (NDZ)
- 6) Forest
- 7) Transportation

6.2.1. MICRO ZONES RESIDENTIAL ZONE

Residential Zone is further classified into two ~~micro zones~~ categories viz. R1, R2. The parameters applied for the sub-classification are as under:

1) **RESIDENTIAL ZONE (R1)**

Residential Zone (R1) consists of all plots situated on roads having existing or prescribed width of less than 24-18 m. and the plots situated on roads on which shop line is not marked in the development plan.

2) **RESIDENTIAL ZONE (R2)**

Residential Zone (R2) consists of all plots along roads on which a shop line is marked in the development plan and/or plots situated on roads having existing or prescribed width of 24-18 m. and above.

Apart from residential use, the commercial uses shall be permitted up to the extent of G + 1 floors in buildings.

6.3. USES PERMITTED IN DIFFERENT ZONES:

The uses to be permitted in the various zones shall be as given in Appendix D.

6.4. CHANGE IN USE OF BUILDING NOT PERMITTED:

No building or premises shall be changed or converted to a use not in conformity with the provision of regulation 6.3.

6.5. USE TO BE AS SPECIFICALLY DESIGNATED IN DEVELOPMENT PLAN:

- i) Where the use of a site is specifically designated in the Development Plan it shall be used only for the purpose so designated.
- ii) combination of public purpose uses in reserved sites - where the Planning Authority proposes to use land/building/premises reserved for one specific public purpose/purposes, for different public purpose/purposes it may do so, with the previous approval of the Government, provided that the combination of such second user conforms to these Regulation and the permissible use in the zone in which the site falls Provided that this shall not apply;
 - (a) To any site being developed for an educational or medical purpose or club / gymkhana wherein a branch of a bank ~~any~~ may be allowed,
 - (b) To any site being developed for medical purposes wherein shops of pharmacists or chemists may be permitted and
 - (c) To any site encumbered by another non-educational user and being redeveloped for educational purposes, in which case the existing non-educational uses may be allowed to continue without any increase in the net floor area covered by them and
 - (d) To any site being developed for recreational use, such as garden, playground, recreation ground, park, etc. each measuring not less than 400 sq.m. at one place wherein electric sub-station which may utilize not more than 10 percent of the site in which they are located is proposed.
- iii) Where the use of plots is especially designated for open markets, the Planning Authority may in particular cases, permit development work on upper floors which shall be in conformity with the zone in which the plot falls.
- iv) Construction of multi-storeyed garages may be permitted on parking lots.
- v) Land uses & manner of development as per Appendix - E.

6.6. SHIFTING AND/OR INTERCHANGING THE PURPOSE OF DESIGNATIONS / RESERVATIONS:

In the case of specific designations/reservations in the Development plan, the Planning Authority with the consent of interested persons may shift, interchange the designation/reservations in the same or/on adjoining lands/buildings to which an access is available or has to be provided and the same is not encumbered provided that the area of such designation/reservation is not reduced.

6.7. USES TO BE IN CONFORMITY WITH ZONE:

Where the use of the buildings or premises is not specifically designated in the development plan it shall be in conformity with the zones in which they fall; provided that, any lawful use of premises, existing prior to the date of commencement of these regulations shall continue; provided further that, a non-conforming use shall not be extended or enlarged except as provided in regulations 6.9 and 6.10 and that when a building containing non-conforming use is pulled down or has fallen down, the use of the new building shall be in conformity with these regulations. Provided further a non-conforming industrial use for which permission is not obtained under the development control regulations, existing prior to the date of the publication of the revised draft development plan in M.

G. G. but the same is fitting in the requirements of the D.C. Regulations of the revised development plan and is non polluting shall be allowed to continue subject to the payment of premium as will be decided by the Planning Authority.

6.8. WIDTH OF ROADS IN THE DEVELOPMENT PLAN:

Notwithstanding anything contained in the development plan or in these regulations the Planning Authority may, from time to time, prescribe regular lines of streets of widths more than those shown in the development plan.

6.9. NON-CONFORMING USER FOR INDUSTRIES:

Where a non-conforming industry has been granted a written permission without a condition for its shifting to a conforming zone at the end of specified period, additions thereto for the manufacture of new articles or for starting new process may be permitted by the Planning Authority, when-

- i Such schemes form an integral part of, and are directly connected with, the process carried on in the existing unit;
- ii Such scheme of additions does not envisage appreciable increase in the employment and undue increase in traffic loads;
- iii Such additions are for preventing undue loss or for improving the working efficiency or the condition of existing unit or for balancing the existing production units of the industry.
- iv Open spaces of 6 m are maintained from the boundaries of the plot as well as between two buildings;
- v Satisfactory means of access as required under these regulations for industrial zones is provided and maintained and
- vi Parking and loading and unloading spaces are provided according to these regulations.

Provided that before permitting any such additions, the Planning Authority shall first satisfy himself itself that the degree of nuisance from the existing unit will in no way be increased by such additions.

Provided further that when an existing industrial unit is to be developed for other user permissible in the Zone, it shall be mandatory for owner to obtain NOC from Director of Industries or Development Commissioner and Labour Commissioner, as applicable.

6.10. NON CONFORMING USERS OTHER THAN FOR INDUSTRIES:

Where non-conforming user existing prior to the date of commencement of these regulations is allowed to be continued in the development plan any additions to such non-conforming use (other than those provided in regulations 6.9) not exceeding the permissible floor area ratio or total permissible built-up area for the zone or normal floor space index for the non-conformity user whichever is less, any be permitted subject to the following terms and conditions, namely: -

- i The whole building is owned and occupied by one establishment only;
- ii The proposed additions are for preventing undue loss or for improving working efficiency or conditions of existing user;
- iii The additions and alterations are means for the existing user and not proposed to be let out;
- iv Open spaces and parking spaces required under these regulations shall be provided and;
- v The change in ownership of the establishment shall be permissible provided there is no change of user.

6.11. DEVELOPMENT OF LANDS RESERVED / DESIGNATED / ALLOCATED FOR PUBLIC PURPOSES

Where land is specially reserved, designated or allocated for a public purpose in the development plan or is set aside as public amenity site or recreational open space in Regulation 7.3.1(c)(i), or Regulation 7.3.1(c)(ii), it shall be used for the said purpose subject to the provisions of Appendix E. The development plan, development proposal / layout submitted by the owner for Planning Authority's approval may indicate the broad nature of the public purpose. The Planning Authority, while considering the application for grant of development permission or for development of site, shall decide the nature of the public amenity in the plot in accordance with the Appendix E. **The Development of reservations in the SEZ shall be as per Appendix X.**

6.12. DEVELOPMENT FOR MEGA CITY PROJECT:

For developing an area within the jurisdiction of the Planning Authority socially and economically, Mega City Projects would be permitted in Residential and Commercial Zones in a contiguous, unbroken and uninterrupted holding admeasuring minimum of 100 hectare of area in one place having frontage on road of atleast 24 m. wide (existing or proposed) and situated outside the CRZ. Such Mega City shall be permitted as per the Development Control Regulation No. 15.4.3 of the Mumbai Metropolitan Region as sanctioned vide Urban Development Department Notification No. TPS-1208/1570/CR-161(B)/09/UD-12 dated 28th August 2009 and as amended from time to time and subject to following:

- a) The Layout of the Mega City project shall be approved by the Planning Authority/MMRDA.
- b) The developer shall take cognizance of the Development Plan proposals in a layout of the Mega City project.
- c) All the Reservations and Roads proposed in the Development Plan as well as amenities, utilities, services and internal roads of the layout shall be developed to the satisfaction of the Planning Authority and maintained by the developer. However, the roads proposed in the development plan and other sites of utilities and services will have to be handed over to the Planning Authority/Local Authority free of cost whenever called for.
- d) The development of Layout of the Mega City project and the Building activity therein shall be carried out strictly in accordance with these Regulations except the scale of FSI which shall be as mentioned in the Notification dated 28th August 2009.
- e) Notwithstanding anything stated in these Regulations, in case of any conflict between these Regulations and those in the said Mega City notification, the decision of the Metropolitan Commissioner, MMRDA shall be final.

6.13. DEVELOPMENT OF SPECIAL TOWNSHIP:

For developing an area within the jurisdiction of the Planning Authority socially and economically, Special Township Projects would be permitted in Residential and Commercial Zones in a contiguous, unbroken and uninterrupted holding admeasuring minimum of 40 hectare of area in one place having frontage on road of at least 18 m wide and situated outside the CRZ. Such Special Township Project shall be permitted as per the provisions as detailed in Appendix AB.

6.14. DEVELOPMENT OF RENTAL HOUSING:

The Rental Housing projects within the limits of the 'Notified Area' for which MMRDA is the PIA (Project Implementation Agency) shall be a project for vital public purpose and the Metropolitan Commissioner, MMRDA shall be Chief Executive Officer of such projects, which shall be regulated

as per regulations Government of Maharashtra Notifications, issued from time to time in respect of Appendix Y to AA.

The Rental Housing Project in Residential/Commercial/Industrial zones shall be permitted subject to following conditions and Appendix Y, Z and AA as may be amended from time to time.

- i. In the areas specifically marked in the Residential zone for Rental Housing Projects, development of land only for these projects shall be permitted.
- ii. The MMRDA shall be the Project Implementation Authority (PIA) and the Metropolitan Commissioner, MMRDA is the Chief Executive Officer (CEO).
- iii. Minimum area for these projects shall be as given in respective Appendices.
- iv. Such projects shall front on existing or proposed public road having width of 18m and above.
- v. In addition to the provisions of Appendix Y, Z and AA, the development shall conform to these Regulations.
- vi. The buildings having height more than 24m shall be permissible subject to NOC from competent Fire Authority.

6.15. DEVELOPMENT OF AREA UNDER HERITAGE STRUCTURES/SITES/PRECINCTS:

The Regulations for development of Heritage Structures/ Sites/Precincts shall be applicable as given in Appendix AD.

6.16. DEVELOPMENT/REDEVELOPMENT OF HOUSING SCHEMES OF MAHARASHTRA HOUSING AND AREA DEVELOPMENT AUTHORITY:

The regulations for Development/Redevelopment of Housing Schemes of Maharashtra Housing and Area Development Authority (MHADA) shall be applicable as given in Appendix AE.

6.17. OTHER DEVELOPMENTS:

1. The Regulations for (i) Reconstruction/Redevelopment; (ii) Re-development/Construction of Accommodation for censused slum dwellers through Owners/Developers/Co-operative Housing Societies of slum dwellers/Authority/MHADA/other Public Authorities and (iii) Sites & Services & for small size tenements for the Housing Schemes under the Urban Land (Ceiling and Regulations) Act 1976 approved by Government from time to time, shall be applicable as given in Appendix H, I and J respectively.
2. In all developable zones i.e. Residential, Commercial, Industrial, etc. zones non-hazardous, non-polluting industries certified by Industries Dept. of Govt. of Maharashtra will be permitted in independent buildings on plots of at least 2000 sq.m. area and located on 18m and more wide roads.

PART - IV

GENERAL PLANNING REQUIREMENTS FOR DEVELOPMENT OF LAND

PART: IV

7. GENERAL PLANNING REQUIREMENTS FOR DEVELOPMENT OF LAND

7.1. REQUIREMENT OF SITE FOR DEVELOPMENT:

7.1.1. NO LAND SHALL BE USED AS A SITE FOR THE CONSTRUCTION OF BUILDING:-

- a If the Planning Authority considers that the site is insanitary or that it is dangerous to construct a building on it;
- b If the site is within a distance of 9 m. from the edge of water mark of a minor water course and 15 m. from the edge of water mark of a major water course and if the owner of the property, channelizes and/or diverts the water course to an alignment and the cross section as determined by & to the satisfaction of the Planning Authority without changing the position of existing inlet and outlet of the water course, then these distances from the width of minor and major water course shall not be less than 3 m. and 5 m. respectively;
- c If the site is adjacent to Nala, 9 m. distance is to be kept free within the site. In flood prone areas, constructions may be allowed on stilt instead of ground;
- d If the site is not drained properly or is incapable of being well drained;
- e If the owner of the building has not taken to the satisfaction of the Planning Authority all the measures required to safeguard the construction from constantly getting damp;
- f If the building is proposed on any area filled up with carcasses, excreta, filthy and offensive matter, till the production of certificates, of the Health Officer and the Engineer of the Authority / Zilla Parishad / Local Authority to the effect that it is fit to be built upon from the health and sanitary point of view;
- g If the use of the site for the purpose which, in the opinion of the Planning Authority, be a source of annoyance to the health and comfort of inhabitants of the neighborhood;
- h If the plot has not been approved as a building site by the Planning Authority;
- i If the level of the site is less than prescribed level depending on topography and drainage aspects.

7.1.2. ADDITIONAL RESTRICTIONS ON CONSTRUCTION/RECONSTRUCTION:

A) DISTANCE OF SITE FROM ELECTRIC LINES.

No portion of building including any projections of building shall be allowed to be erected or re-erected or any additions or alternations made to a building on a site within the distance mentioned in below table, in accordance with the current Indian Electricity Rules or within the distance which may be laid down by the said rules as amended from time to time between the building and any overhead electric supply line. The distances prescribed in the Indian Electricity Rules at present are quoted below in Table No.3.

TABLE 3: DISTANCE OF SITE FROM ELECTRIC LINES

Voltage in the power line (1)	Vertical clearance (m.) (2)	Horizontal clearance (m.) (3)
a) Low and medium voltage lines and service lines	2.5	1.2
b) High voltage line up to and including 33,000 V	3.7	2.0
c) Extra high voltage beyond 33,000 V	3.7 + 0.3 m. for every additional 33,000 V or part thereof	2.0+0.3 m. for every additional 33,000 V or part thereof

EXPLANATION: For the purpose of this regulation the minimum clearance of distance shall be measured from maximum sag for vertical clearance and from maximum deflection due to wind pressure for horizontal clearance.

B) DISTANCE FROM RAILWAY:

Subject to the requirements of set-backs from roads side and rear marginal open spaces under the relevant Regulations, no new construction of a building or reconstruction of an existing building shall be allowed within a distance of 30m from railway boundary ~~without~~ unless the No Objection Certificate is issued by Railway Authorities.

Note: Railway boundary means boundary of land consisting railway tracks.

7.2. MEANS OF ACCESS

- 1) Every building existing or proposed shall have public and / or internal means of access as required in these Regulations.
 - i) Every plot shall be accessible through a paved public means of access like street / road or layout road. Every plot owner has a legitimate right to his plot have access to the Public Street / road or layout road; else the private means of access shall be made accessible to his plot.
 - ii) Such a means of access serving plot upto 500 sq.m. shall not be less than 3.0 m. in width with a length not more than 30 m. from a public street / road or layout road. However, in the case of larger plot, width of such means of access shall be consistent with the internal road to which it connects.
- 2) Every person who erects a building shall not, at any time, erect or cause or permit erection or re-erection of any building, which in any way encroaches upon or diminishes the area set apart as means of access.
- 3) The means of access shall be clear of marginal open space by at least 3 m. from the existing building line.
- 4) The length of main means of access shall be determined by the distance from the farthest plot or building and ~~to~~ the public street. The length of the (subsidiary access) way shall be measured from the point of its origin to the next wider road on which it meets.
- 5) In the interest of general development of an area the Planning Authority for the reasons to be recorded in writing may require the means of access to be of larger width than that required under these Regulations.
- 6) Means of access shall be leveled, metalled, flagged, paved, severed, drained, channeled, lighted, laid with water supply line and provided with trees for shade to the satisfaction of the Planning Authority, free of encroachment by any structure or fixture so as not to reduce its width below the minimum prescribed under Regulation 7.57.2.1 and shall be maintained in a condition to the satisfaction of the Planning Authority.
- 7) **CUL-DE-SAC.** Cul-de-sacs would be permissible only on straight roads and cul-de-sac ends shall be higher in level than the level of starting point.
- 8) In case of a plot surrounded on all sides by other plots i.e. a land locked plot which has no access to any street or road, the Planning Authority may require access through an adjoining plot or plots which shall, as far as possible be nearest to the street or road to land locked plot, at the cost of owner of the land locked plot at Ready Reckoner land rate or in lieu of equivalent FSI and such other conditions as Planning Authority may specify.

7.2.1. WIDTH OF MEANS OF ACCESS

1. **RESIDENTIAL AND COMMERCIAL ZONE** – The plots shall abut on a public means of access like street or road. Plots which do not abut on a street or road shall abut or front on a means of access the width and other requirements of which shall be as given in Table No. 4 as given hereunder: -

TABLE 4: WIDTH OF ACCESS FOR RESIDENTIAL & COMMERCIAL ZONES

Length of Means of Access in meters (m ₂)	Area Served (sq. m.)				
	Less than 1,500	1,500 – 4,000	4000 – 10,000	Over 10,000	Additional Restrictions / Concessions
	Minimum width of Access in meters (m)				
(1)	(2)	(3)	(4)	(5)	(6)
Below 75	6	7.5	9	12	Cul-de-sac allowed
Above 75 to 150	7.5	7.5	9	12	Cul-de-sac allowed
Above 150 to 300	9	9	9	12	Cul-de-sac with additional turning space of 81 sq.m. with minimum dimension of 9 m. allowed.
Above 300	12	12	12	12	Cul-de-sac not allowed

Provided that in residential layouts, straight cul-de-sacs up to 150m. long roads are permissible. An additional length upto 125 m. will be permissible, if an additional turning space is provided at 150m. The dead end shall be at a level higher than the main road from where the cul-de sac road takes off. The turning space, in each case, should not be less than 81 sq.m. in area no dimension being less than 9m.

- 2 (A) The Planning Authority shall permit access from streets having width of not less than 6 m. through land over which the public have a customary right of access or have used it or passed over it uninterruptedly for a period of 20 years.
- 2 (B) In gaathan/congested area, width of the right of way may be permitted to be reduced to 4.5 m up to a length of 150 m provided that permission may be granted on plots facing on proposed D.P. Road provided owner undertakes responsibility to construct partial D.P. Road and/or alternative means of access.

3 WIDTH OF ACCESS FOR INDUSTRIAL ZONE & SPECIAL TYPE OF BUILDING:

TABLE 5: WIDTH OF ACCESS FOR INDUSTRIAL ZONE & SPECIAL TYPE OF BUILDING

Access Length in Meters (m ₂)	Width of Means of access in Meters (m ₂)
up to 100	9
Above 100 up to 300	12
Above 300	15

4. Access for residential, commercial & industrial zones as in Tables 4 and 5 above.
- Shall be clear of marginal open spaces but not less than 3 m. from the building line;
 - May be reduced by 1 m. in their prescribed widths if the plots are on only one side of the access;
 - Shall be measured in length from the point of its origin to the next wider public street if meets.
5. In the interest of the general development of any area, the Planning Authority may require the means of access to be of larger width than that required under these Regulations.
6. Notwithstanding the above, in partially built-up plots where the area still to be built upon does not exceed 5,000 sq.m. Access of 3.6 m. width may be considered adequate. If such an access is through a built over arch, this access shall have a height of not less than 4.5 m. If such access is at least 3 m. in width, it shall be considered as adequate means of access for areas to be built upon not exceeding 5,000 sq.mts, any development on 3m. access shall be on stilts.
7. ~~In the case of a plot, surrounded on all sides by other plots i.e. a land locked plot which has no access to any street or road, the Planning Authority may require access through an adjoining plot or plots which shall, as far as possible be nearest to the street or road to the land locked plot, at~~

~~the cost of owner of the land locked plot and such other conditions as the Planning Authority may specify.~~

8. Notwithstanding the provisions regarding access in these regulations, an access provided in Town Planning Schemes if any shall be deemed to be adequate.
9. In no case shall the means of access be lesser in width than the internal access ways in layouts and sub-division;
10. The approach to every building from roads, street or internal means of access shall be through paved pathway of width not less than 1.5 m. provided its length is not more than 20m from the main or internal means of access;
11. In case of special housing schemes for low income groups and economically weaker sections of society developed upto two Storey Row Housing Scheme, the pathway width shall be 3m. which shall not serve more than 50 m length and 8 plots on each side of pathway.
12. The length of the means of access shall be determined by the distance from the farthest plot (building) to the public street. The length of the subsidiary access way shall be measured from the point of its origin to the next wider road on which it meets.
13. Where a private passage is unrestrictedly used by the public for more than 20 years as a means of access to a number of plots and the width of such means of access is not less than 9 m. the Planning Authority may improve the passage at public cost and thereafter take steps under the Act to declare it to be public street, subject to the provisions of applicable local authority act, if any.
14. ~~In congested areas or Gaathan, in the case of plots facing street or means of access less than 4.5 in width the plot boundary shall be shifted to be away by 2.25 m. from the central line of the street or means of access way to give rise to a street or means of access way width of 4.5 m.~~
15. Means of access shall be free of encroachment by ~~any~~ any structure ~~of or~~ fixtures so as not to reduce its width below the minimum required under sub-regulation (1) and shall be maintained in a condition to the satisfaction of the Planning Authority.
16. Private Street- If any private street or other means of access is not constructed or maintained as specified in sub-regulation (1) above or if structures or fixtures arise thereon in contravention of that sub-rule, the Planning Authority may by written notice direct the owner or owners of the several premises fronting or adjoining the said street or other means of access or abutting thereon or to which access is obtained through such street or other means of access or which shall benefit by works executed, to carry out any or all of the aforesaid requirements in such manner and within such time as ~~he~~ it shall direct. If the owner or owners fail to comply with ~~his~~ its direction, the Planning Authority may arrange for its execution and recover the expenses incurred from the owner or owners.
17. ~~If any structure or fixture is set upon a means of access so as to reduce its width below the minimum required, the Planning Authority may remove the same and recover the expenses so incurred from the owner;~~

7.2.2. WIDTH OF PATHWAYS (FOR RESIDENTIAL ZONE ONLY)

Where a building is not directly situated within 20 m. from the main/ internal means of access of adequate width as specified in Regulation ~~7.57.2.1~~, it shall have approach through a pathway of the following prescriptions:

TABLE 6: WIDTH OF PATHWAYS (FOR RESIDENTIAL ZONES)

Dimension of the Pathway Max. Length permitted (i.e. distance from the building plot to the main / internal means of access) and minimum width			
General Housing Scheme		Special Housing Scheme for L.I.G. and E.W.S. Housing	
Length	Width	Length	Width
20 m.	1.5 m.	Upto 20 m.	1.5 m.
		30 m.	2.0 m.
		40 m.	2.5 m.
		50 m.	3.0 m.

7.2.3. ACCESS FROM HIGHWAYS & WIDER ROADS:

- 1 No site excepting one proposed to be used for highway amenities like petrol pumps or motels shall have direct access from a highway or specified road 30 m. or more in width and the portion of these roads in which such amenity sites may have direct access will be identified in the draft development plan. The access points / service roads shall be subject to the provision of State Highway Act, 1955 and National Highway Act, 1956.
- 2 For this purpose, the Planning Authority shall specify such roads from time to time with the approval of the Authority. ~~He-It~~ shall also maintain a register of such specified roads which shall be open to public inspection.
- 3 Provided that, in suitable cases, the Planning Authority may suspend the operation of this Regulation till service roads are provided.
- 4 Provided that this shall not apply to any lawful development along the highways and other specified roads which have existed before these Regulations have come into force and alternative measures are provided for their continuance.

7.2.4. ADDITIONAL PROVISIONS REGARDING MEANS OF ACCESS: ~~TO APPLY TO SPECIAL BUILDINGS:~~

The following additional provisions regarding means of access shall apply to buildings referred to in sub regulation 4.5.3.

- a The width of the main street on which the building abuts shall not be less than 12 meters and one end of this street shall join another street of width not less than 12 m. in width
- b The approach to the building and open spaces on all of its sides including 6 m. width minimum and the layout for the same shall be done in consultation with the Planning Authority and the same shall be on hard surface capable of taking the weight of fire engine weighing up to 18 tones. The said open space shall be kept free of obstructions and shall be motorable.

7.3. DEVELOPMENT PROPOSAL

7.3.1. CONTENT:

Every development proposal shall contain:

- a) Reservations / designations / allocations, if any, proposed in the development plan.
- b) Regular lines of street, if any, prescribed,
- c) (i) In any layout or sub-division of vacant land in a residential and Commercial Zone, Recreational / amenity open spaces shall be provided as under: -

TABLE 7: PROVISION OF OPEN SPACES IN LAYOUT OR SUB - DIVISION

Sr.No	Plot Area (sq.m.)	Land to be kept as Open Space
1	1000 and below	Nil
2	1001 – 10,000	15 % of net plot area
3	2501 – 10000	20 % of net plot area
4	10001 and above	20-25 % of net plot area

- c) (ii) In any layout having an area of 2 ha and above upto 5 ha and ~~layout exceeding above 5 ha~~ in residential and commercial zones, ~~respectively 5% and 10%~~ 5% of total area shall be designated/reserved as amenity space for provision for primary schools, sub post offices, police posts etc. as directed and approved by ~~special planning authority~~ Planning Authority and such amenity or facilities shall be deemed to be designations or reservations in the development plan. TDR of such amenity will be available after handing over this amenity space free of cost to ~~special planning authority~~ Planning Authority. In deciding the requirements for additional amenities the ~~Special Planning Authority~~ Planning Authority will be guided by Table No. 8 given below.

- c) (iii) ~~For layouts exceeding 5 Ha. area, the regulations for Special Township shall be applicable which are as mentioned in Appendix – BB.~~

- d) Internal means of access and/or pathways leading to each of the buildings/sub plots proposed.
- e) Sub plots proposed, if any;
- f) All the existing structures proposed to be retained;
- g) Where no sub plots are being carved out and a building / group of buildings is proposed to be constructed, all the proposed structures.

7.3.2. SHIFTING OF AND / OR INTERCHANGING OF RESERVATION / DESIGNATIONS; ~~RECREATIONAL OPEN SPACES AND PUBLIC AMENITY SITES, ETC.~~

~~Within a given zone, reservations / designations proposed in the development plan, public amenity sites proposed under Regulation 7.3.1 (c) (ii) and the recreational open spaces as required under Regulation 7.3.1 (c) (i), in their entirety may be allowed to be relocated by the Planning Authority within the boundaries of the same holding or over the adjoining land with the consent of the interested persons and the person interested in the adjoining land. The site of relocation shall, however, be vacant, free of all encumbrances and shall bear tenure of exactly similar nature as that of the plot from where the public amenity is being shifted.~~

If the land proposed to be laid out is affected by any reservations or public purposes, the Authority may agree to adjust the location of such reservation to suit development without altering the area of such reservation. Provided that no such shifting of the reservations shall be permitted-

- a. beyond 200 m. of the location in the Development Plan;
- b. beyond the same holding of the owner in which such reservation is located;
- c. unless the alternative location and size is at least similar to the location and size of the Development plan as regards access, levels, etc. and
- d. unless the relocation is within area covered by the layout or development permission under sanction.

All such relocation of the reservations / alignment of roads shall be carried out in consultation with the Dy. Director of Town Planning, Konkan Division and shall be reported by the Planning Authority to the Government at the time of sanctioning the layout.

7.3.3. NATURE OF THE PUBLIC AMENITY UNDER REGULATION 7.3.1 (c) (ii)

The nature of the amenity shall be decided by the Planning Authority according to the provisions of the Regulation 6.11 and Table No.8.

7.3.4. REQUIREMENTS OF PUBLIC AMENITY SITES PROPOSED UNDER REGULATION 7.3.1 (c) (ii)

- 1) Each public amenity site shall as far as possible be of regular shapes and size so that it is buildable, the width to length ratio not being less than 1 : 1 ½ and at location as specified by the Planning Authority.
- 2) The public amenity site shall be accessible by a public means of access.

TABLE 8: COMMUNITY FACILITIES, AMENITIES AND OTHER SUB-DIVISION REQUIREMENTS
(Sub Regulation no 7.3.1 c (ii))

Sr. No.	Facilities-Amenities Required		Scale of Provision (No. Required)	Minimum area required and Remarks
	Main Type	Sub Type		
1	2	3	4	5
1	Educational facilities	Nursery School (+ 3 to 5 age group)	1 for 4,000 population	0.1 Ha.
		Primary School (+5 to 11 age group)	1 for 4,000 population	0.6 Ha for density upto 250 P/Ha. 0.5Ha for 251 to 500 P/Ha 0.4 Ha for 501_P/Ha and above
		High School (+11 to 16 age group)	1 for 16, 000 population	2.0 Ha for density upto 250p/Ha 1.8 Ha for 251 to 500_P/Ha 1.6 Ha for 501_P/Ha and above
		Degree College	1 for 80,000 to 1,00,000 population	4to 6 Ha
		Health Centre General Hospital	1 for every 16,000 population 1 for every 80,000 to 1,00,000	1.0 Ha with residential staff quarters 4.0Ha for 200 beds with Ancillaries and staff quarters
3	Commercial facilities including shopping facilities	Convenience shopping centre	upto 10 shops for 4,000	0.05 to 1.0 Ha
		Local shopping centre	upto 20 shops for 16,000	0.4 Ha.
		Zonal shopping centre	upto 80 to 100 shops for 80,000	2.5 Ha.
4	Communication facilities and essential services	Sub-Post Office	1 for every 10,000	40 sq. m.
		Post and Telegraph-cum-Delivery and Booking including Telephone Exchange of 10,000 lines. Electric Sub-Station	1 for every 1,00,000	1.0 Ha
		Police station with staff quarters. Police Post with staff quarters	1 in all shopping centre 1 for every 50,000 1 for every 20,000	12m x 12m 0.8Ha. 0.4 Ha
		Fire station with staff quarters	1 for every 5km radial distance	0.8 Ha.

5	Social and Cultural facilities	<p>Religious building</p> <p>Community Hall and Library</p> <p>Cinemas</p>	<p>1 for every 15,000</p> <p>1 for every 15,000</p> <p>1 for every 25,000</p>	<p>0.8 Ha location not at intersection of roads and 60m away from junctions</p> <p>0.30 Ha</p> <p>0.30 Ha with parking location in Zonal Shopping Centre business and commercial area not in residential zone.</p>
6	Facilities for Industrial Zone	<p>Labour Welfare Centre</p> <p>Convenience Shops</p> <p>Bus station,</p> <p>Health Centre,</p> <p>Post Office,</p> <p>Telephone Exchange,</p> <p>Banks</p> <p>Petrol pump-cum-service station</p> <p>Police Station with staff quarters</p> <p>Fire station with staff quarters</p>	<p>1 for every 40 Ha.</p> <p>for every 200 Ha</p>	<p>0.2 Ha</p> <p>5 shops of 10 sq.m. each</p> <p>0.2 Ha.</p> <p>0.6 Ha.</p> <p>0.04 Ha.</p> <p>0.04 Ha.</p> <p>200 sq.m.</p> <p>30 x 45m</p> <p>0.4 Ha</p> <p>0.8 Ha</p>

**7.3.5. REQUIREMENTS OF RECREATIONAL AMENITIES / OPEN SPACES PROPOSED UNDER REGULATION
7.3.1(C) (I)**

1) OPEN SPACES IN RESIDENTIAL AND COMMERCIAL ZONE.

- a) **EXTENT-** In any layout of sub-division of vacant land in a residential and commercial zone open spaces shall be provided as defined by sub regulations 7.3.1 (c) (i).

These open spaces shall be exclusive of area of access internal roads/designations or reservations, development plan roads and area for road-widening and shall as far as possible be provided in one place including open to sky podium as given in Reg. 8.41. Where however the area of the layout or sub-division is more than 5000 sq.m. open spaces any be provided in more than one place, but at least one of such places shall be not less than 750 sq.m. in size. Such recreational spaces will not be necessary in the case of land used for educational institutions with attached independent playgrounds. Admissibility of F.S.I. shall be as indicated in Reg. 7.5.

- b) **MINIMUM AREA** – No such recreational space shall measure less than 125 sq.m. and at least 50% of the recreational open spaces shall be 250 sq.m. or more in area.
- c) **MINIMUM DIMENSIONS** – The minimum dimension of such recreational space shall not be less than 7.5m. and if the average width of such recreational space is less than 16.6m. length there of shall not exceed 2.5 times the average width. The Planning Authority may relax minimum dimensions prescribed taking into consideration, plot size, area and site conditions on a case to case basis if required.
- d) **ACCESS** –Every plot mean for a recreational space shall have independent means of access, unless it is approachable directly from every building in the layout. The building line shall be at least 3 m. away from the boundary of recreational open space.
- e) **OWNERSHIP** - The ownership of such recreational space shall vest, by provision in a deed of conveyance in all the property owners on account of whose holdings the recreational space is assigned.
- f) **TREE GROWTH** - Excepting for the area covered by the structures permissible under (g) below, the recreational space shall be kept permanently open to the sky and accessible to all owners and occupants as a garden or a playground etc. and trees shall be grown as under:
- i) at the rate of 5 trees per 100sq.m. or part thereof to be grown in a plot.
- ii) at the rate of 1 tree per 80sq.m. or part thereof to be grown in a plot for which a sub-division or layout is not necessary.

g) STRUCTURES/USES PERMITTED IN RECREATIONAL OPEN SPACES.

- i) In a recreational open space exceeding ~~250~~ 400 sq.m. in area (in one piece), elevated/underground water reservoirs, electric sub-stations, pump houses may be built not utilizing more than 10% of the open space in which they are located and shall be single storeyed.
- ii) In a recreational open space or playground of 1000 sq.m. or more in area (in one piece and in one place), structures for pavilions, gymnasias, crèche, club houses, meditation centre and other structures for the purpose of sports and recreation activities may be permitted with built up area not exceeding 15% of the total recreational open spaces ~~in~~ at one place. The area of the plinth of such structures shall be restricted to 10% of the ~~areas of the total~~ recreational open space in which they are located. The height of any such structure which may be single storey shall not exceed 8 m. A swimming pool ~~any~~ may also ~~is~~ be permitted in such a recreational open space and shall be free of F.S.I. Structures for such sports and recreation, crèche activities shall conform to the following requirements:
- a) The ownership of such structures and other appurtenant users shall vest, by provision in a deed of conveyance, in all the owners on account of whose cumulative holdings, the recreational open space is required to be kept as recreational open space or ground in the layout or sub-division of the land.

- b) The proposal for construction of such structure should come as a proposal from the owner/owners/society / societies or federation of societies without any profit motive and shall be meant for the beneficial use of the owner/owners/members of such society/societies/ federation of societies.
- c) Such structures shall not be used for any other purpose, except for recreational activities for which a security deposit as decided by the Planning Authority will have to be paid to the Planning Authority.
- d) The remaining area of the recreational open space or playground shall be kept open to sky and properly accessible to all members as a place of recreation, garden or a playground.
- e) The owner/owners or society or societies or federation of the societies shall submit to the Planning Authority a registered undertaking agreeing to the conditions in (a) to (d) in (g) (ii) above.
- iii) No detached toiled block shall be permitted.

2) OPEN SPACES IN INDUSTRIAL PLOTS/LAYOUT OF INDUSTRIAL PLOTS.

- a) In any industrial plot admeasuring 3000 sq.m. or more in area 10% of the total area shall be provided as an amenity open space subject to a maximum of 2500 sq.m and
- such open space shall have proper means of access and shall be so located that it can be conveniently utilized by the persons working in the industry,
 - the parking and loading and unloading spaces as required under these regulations shall be clearly shown on the plans,
 - Such open space shall be kept permanently open to sky and accessible to all the owners and occupants and trees shall be grown thereon at the rate of 5 trees for every 100 sq.m. of the said open space to be grown within the entire plot or at the rate of 1 tree for every 80 sq.m. to be grown in a plot for which a sub-division layout is not necessary.
- b) In case of sub-division of land admeasuring 8000 sq.m. or more in area in an industrial zone, 5% of the total area in addition to 10% in (a) above shall be reserved as amenities open space which shall also serve as general parking space. When the additional amenity open space exceeds 1500 sq.m. the excess area may be used for construction of buildings for banks, canteens, welfare centers, offices, crèches and other common purposes, considered necessary for industrial uses as approved by the Planning Authority.

7.3.6. INTERNAL MEANS OF ACCESS TO EACH PLOT

They shall conform to the requirements of Regulation 7.2.

7.4. SUB PLOTS MINIMUM PLOT AREA

Minimum plot areas for various uses, the minimum width of roads along which they can be sited and the nature of development permitted in the sub plots shall be as shown in following Table no. 9 as given below.

TABLE 9: MINIMUM PLOT AREAS FOR VARIOUS USES

Sr. No.	Land use / use occupancy	Plot area (sq.m.)	Required Minimum Width of Road	Type of Development. (either single residential / commercial / industrial unit or a building comprising multiple units)
(1)	(2)	(3)	(4)	(5)
1	Residential & Commercial (except those in 2, 3 & 4 below)	i) 25 & above but less than 40	As required by Regulation No.7.2.	Row
		ii) 40 and above but less than 125		Row/Semi-detached

		iii) 125 and above with no dimension less than 9m.		Row/Semidetached/ Detached
2	Plot in Public Housing/ High Density Housing /Sites & Services/Slum upgradation/ Reconstruction Scheme	21 with minimum width of 3m.	As required by Regulation No.7.2.	Row
3	Petrol filling Station -			
	i) without service bay	545 (with one dimension not less than 16.0 m.).	18 m.	Detached
	ii) with service bay	1100 (with one dimension not less than 30.5 m.).	18 m.	Detached.
4	Cinema Theatre, Assembly buildings.	3 sq. m. per seat (including parking requirements.)	18 m.	Detached.
5	Marriage Hall	1000	18 m.	Detached.
6	3 Star Hotel when in independent plot.	1000	18 m.	Detached
7	4 and 5 Star Hotel in independent plot.	2500	18 m.	Detached
8	Industry	300 (With minimum width of 15m)	18 m.	Detached
9	Activities in No Development Zone	2000	18 m.	Detached

Note: The stipulations for minimum plot area or minimum width of road shall be made applicable for new development proposals of sub-division / layout / amalgamation. In case plot size / road width is already committed in the past while approving a layout / sub-division etc. or is in existence prior to the date of enforcement of these Regulations, the wider road width or larger plot sizes under these Regulations may not be insisted upon.

7.4.1. SIZE OF PLOTS FOR SPECIAL HOUSING SCHEME

For special housing schemes, undertaken by public agencies for low income group, economically weaker section of society and slum clearance schemes, the minimum plot size shall be 25 sq. m. with a minimum width of 3.5 m.

7.4.2. SIZE OF PLOT IN INDUSTRIAL ZONE

The width of plot shall not be less than 15 m. and size of plot shall not be less than 300 sq.m.

7.4.3. PROVISION FOR SHOPPING CENTER

- i) In the case of layouts or sub-divisions of area in excess of 2 Ha. In residential and commercial Zones, plots shall be provided for shopping centers. Such area may have an area up to 5 % of the area of the plot. In industrial zones, the provision of sub-regulation (2) of regulation 7.3.5 shall apply.
- ii) The shopping center area of 5% may be distributed within the layout for making it available within accessible distances from the different part of the layout.
- iii) These shops shall not abut on roads more than 18m. in width

iv) ~~Within a layout, the shopping center shall be provided on ground floor and upper floor may be utilized for residential purpose and conveniences like banks, places for doctors and medical practitioners.~~

v) ~~Only convenient shops as defined under sub regulation 26 of Reg. No. 2.2.~~

7.4.4. PROVISIONS FOR ELECTRIC SUB-STATION

In every case of development/redevelopment of any land building or premises provisions for electric sub-stations may be permitted subject to the requirements of the Power Supply Authority. Regulations under Electricity Act.

7.4.5. INTERSECTIONS OF ROADS:

- 1) At the junctions of roads meeting at right angles, the rounding off of inter-section shall be done. Unless otherwise directed by the Planning Authority, with the tangent length from the point of intersection to the curve being $\frac{1}{2}$ the road width across the direction of tangent as hereinafter provided.
- 2) For junctions of roads meeting at other than right angles, the rounding off or cut off or similar treatment shall be done to the approval of the Planning Authority depending upon the widths of roads, the traffic generated and sighting angle.

7.4.6. BUILDING LINE

~~Building line shall be set back subject to stipulations in Regulation 7.6 and Table No.28 & 29 of Appendix F.~~

7.5. FLOOR SPACE INDEX AND DEVELOPMENT RIGHTS (FSI & DR)

7.5.1. FLOOR SPACE INDEX (FSI)

1) ~~In any net plots situated in Residential, Commercial, or Industrial, No Development zones the owner shall be entitled to construct floor space equivalent to the product of net buildable plot area with and the admissible FSI prescribed under Regulation 7.5.2. Floor space for any additional FSI/DR/TDR shall also be calculated considering the buildable plot area. For this purpose,~~

- a) ~~The net plot area shall be arrived at after deducting the following from the gross area.~~
 - i) ~~The area under reservation/designation proposed in the development plan, if any.~~
 - ii) ~~The area of Development Plan roads and road widening;~~
 - iii) ~~Area under regular line of street, if any.~~

b) ~~The buildable plot area shall be as under:~~

<u>Sr. no.</u>	<u>Net plot area (Sq.m.)</u>	<u>Buildable plot area</u>
<u>1.</u>	<u>Upto 1000</u>	<u>net plot area</u>
<u>2.</u>	<u>1001 — 2500</u>	<u>net plot area subject to 2125 sq.m.</u>
<u>3.</u>	<u>2501 – 20000</u>	<u>85% of net plot area</u>
<u>4.</u>	<u>20001 and above</u>	<u>80% of net plot area</u>

2) ~~The area under recreational open space if any, prescribed under regulation 7.3.1 (c) (i) and the area under public amenities if any, prescribed under regulation 7.3.1 (c) (ii) shall not be deducted for deriving net plot area.~~

3) ~~The total floor space admissible in a net plot / sub plot viz. from as per the FSI of the buildable plot and that from DRs should be recorded on the copy of layout or on the block plan in the case of construction of a single building. The owner may utilize this FSI in phases.~~

7.5.2. VALUES OF FSI

Every part of a holding assigned a separate zone in the Development Plan shall be considered as an independent entity for computing FSI / DRs. The value of FSI assigned to a plot shall depend on -

- (i) The size of the holding under development of which the plot forms a part and;
- (ii) The width of road on which the plot abuts,
- (iii) The user assigned to the plot in the development plan.

The value of FSI and DRs for various land uses are prescribed in the following Table No. ~~s-10, 11, 12 13 and 14~~ hereunder.

1) FSI FOR RESIDENTIAL LAND USE (R1, R2-ZONE), COMMERCIAL, INDUSTRIAL AND OTHER LAND USES/ZONES:

The permissible FSI in the Residential, Commercial, Industrial and other land uses/Zones is as per the following table no ~~10 13~~.

- i) The basic FSI for any plot is 1.0 and any additional FSI ~~above beyond~~ 1.0 will be ~~purchased as premium FSI 50% by premium FSI and 50% by TDR~~. The premium to be charged for additional FSI by Planning Authority shall be as per the prevailing rate of land stipulated in the Stamp Duty Ready Reckoner of Govt. of Maharashtra for the ~~relevant prevailing~~ year of development permission.
- ii) ~~The additional FSI to be made available on payment of premium by the Planning Authority shall be granted without any condonation in the requirement of marginal open spaces, parking, fire fighting provisions, structural safety, health safety etc.~~
- iii) The maximum FSI allowed in plotted Housing Schemes and Group Housing Scheme is 1.5 irrespective of the plot size and the right of way. The maximum FSI allowed in the Group Housing Schemes fronting on roads above 24 m. width will be 2.0.

The maximum FSI allowed in Gaothan/Congested area is 1.5 subject to other conditions specified by Planning Authority ~~on from~~ time to time.

- iv) Maximum FSI allowed for Rental/Affordable Housing ~~shall be is~~ 4.0 in accordance with the provisions of Government Notifications in force Appendix Y,Z, and AA. The provisions of Govt. Notification No. TPS ~~1208 / MMR / CR 393 / 08 / UD 12~~ dated 4th November 2008 in respect of Rental Housing projects in the jurisdiction of KDMC, AKBSNA, TMC, BNMC, VVNA etc. shall be made applicable in the Draft DCRs.

TABLE 10: MAXIMUM ALLOWED FSI IN RESIDENTIAL LAND USE (R 1, R 2 ZONE)

Plot Size	Proposed ROW of Adjacent Road	
	9 M – 24 M.	Above 24 M.
Upto 2000 sq mts	1.0	1.5
Above 2000 sq mts	1.5	2.0

Note:

- a) Common Parking is free of FSI calculation, whether above or below the ground.
- b) Balconies are also free of FSI. If they are more than each 10% built up of the floor then they should be calculated in FSI as 100% of their additional area.

2). FSI FOR COMMERCIAL LAND USE

(A) FSI FOR COMMERCIAL LAND USE – OTHER THAN GROWTH CENTRE / CBD.

The permissible FSI in the Commercial Zone ~~other than Growth Centre / CBD~~ is as per the following Table No.11.

- i) The basic FSI for any plot is 1.0 and any additional FSI above 1.0 will be either in the form of DR or purchased as premium FSI. The premium to be charged for additional FSI by Planning Authority shall be

as per the rate of land stipulated in the Stamp Duty Ready Reckoner of Govt. of Maharashtra for the relevant year of development permission.

ii) The additional FSI to be made available on payment of premium by the Planning Authority shall be granted without any condemnation in the requirement of marginal open spaces, fire fighting provisions, structural safety, health safety etc.

iii) In the Commercial zone (as specified by the Development Plan), the maximum permissible FSI is 2.0.

TABLE 11: MAXIMUM PERMISSIBLE FSI IN COMMERCIAL LAND USE – OTHER THAN GROWTH CENTRE / CBD.

Plot Size	Proposed ROW of Adjacent Road	
	9 M – 24 M	Above 24 M.
Upto 2000 sq mts	1.0	1.5
Above 2000 sq mts	1.5	2.0

(B) FSI FOR COMMERCIAL LAND USE IN GROWTH CENTRE / CBD. (AS SPECIFIED IN DEVELOPMENT PLAN)

i) The basic FSI for any plot is 1.0 and any additional FSI above 1.0 will be either in the form of DR or purchased as premium FSI. The premium to be charged for additional FSI by Planning Authority shall be as per the rate of land stipulated in the Stamp Duty Ready Reckoner of Govt. of Maharashtra for the relevant year of development permission.

ii) The additional FSI to be made available on payment of premium by the Planning Authority shall be granted without any condemnation in the requirement of marginal open spaces, fire fighting provisions, structural safety, health safety etc.

iii) In the Commercial zone of Growth Centre / CBD (as specified by the Development Plan), the maximum permissible FSI is 2.0.

iv) The commercial use throughout the Growth Center and CBD can avail FSI of 2.0, irrespective of the width of abutting road, provided that the plot larger than 2000 sq.m. Similarly, the plots upto 2000 sq.m. shall be allowed 1.5 FSI, irrespective of width of abutting road with the payment of premium and other conditions stipulated by planning authority on time to time.

TABLE 12: MAXIMUM PERMISSIBLE FSI IN COMMERCIAL LAND USE IN GROWTH CENTRE / CBD.

Plot Size	Maximum Permissible FSI
Upto 2000 sq mts	1.5
Above 2000 sq mts	2.0

3) FSI FOR OTHER LAND USE

The maximum permissible FSI of the Other Land use Zones as described in below Table No 13.

TABLE 13: MAXIMUM PERMISSIBLE FSI IN OTHER VARIOUS LAND USES/ZONES

Land use categories	Base FSI	Maximum Permissible FSI
Public & semi public (amenities, utilities, religious, institutional)	1.0	1.0
Industrial	1.0	1.5
No Development Zone	0.1	0.1

Use/Zone	Base FSI on buildable plot	Maximum FSI by way of DR/ TDR utilization on net plot area	Maximum FSI by way of Premium on net plot area	Maximum permissible FSI
Residential Zone (plots fronting on less than 18 m. wide roads)	1.00	0.25 (for only DR in situ FSI)	--	1.25
Residential & Commercial Zone (plots fronting on 18 m. and less than 24 m. wide roads)	1.00	0.25	0.25	1.50
Residential & Commercial Zone (plots fronting on 24m. and wider roads)	1.00	0.50	0.50	2.00
Industrial Zone (plots fronting on less than 24m. wide roads)	1.00	--	--	1.00
Industrial Zone (plots fronting on 24m. and wider roads)	1.00	0.25	0.25	1.50
Gaothan and Congested area	1.50	--	--	1.50
No Development Zone	0.10 (or as mentioned in Appendix V; whichever is applicable)			

4) APPLICABILITY OF ADDITIONAL FSI IN RESIDENTIAL AND COMMERCIAL ZONE (OTHER THAN GROWTH CENTER/ CBD) AS PER TABLE NO 14.

- i) ~~The lands adjacent to Roads only shall be considered for application of respective maximum allowed FSI. The lands falling within distance of 150 m from at least 18 m wide existing or proposed road and deriving access therefrom shall be considered for application of respective additional FSI as given in Regulation 7.5.2 (1) (i).~~
- ii) ~~The respective permissible additional FSI shall be calculated for the area falling within the belt width mentioned for respective ROW on which the plot is abutting, although the FSI may be consumed in part of plot which is not falling within the mentioned belt width. Provided that in case of overlapping of two or more different widths of belts, the development for additional FSI will be granted for the category of higher of the reckonable additional FSI in the above table.~~

TABLE 14: LAND AREA TO BE CONSIDERED FOR APPLICATION OF RESPECTIVE MAXIMUM FSI

Available ROW	Width of Belt of which the land area to be considered for application of Respective Maximum allowed FSI
24 m wide	75 M
30 M wide	100 M
45 M wide	150 M
100 M wide	250 M

Note:

- a) Parking is free of FSI calculation, whether above or below the ground.
- b) Balcony and Terraces are also free of FSI. If they are more than 10% built up of the floor than they should be calculated in FSI as 50% of their additional area.
- c) No permanent built structures are allowed in the recreational amenities / open spaces; however temporary structures like kiosk can be built.

5) ADDITIONAL FLOOR SPACE INDEX WHICH MAY BE ALLOWED IN CERTAIN CATEGORIES:

- a) Transfer of Development Rights: In certain circumstances, the development potential of a plot of land may be separated from the land itself and may be made available to the owner of the land in the form of Transferable Development Rights (TDR) as defined under 7.5.7.

b) D.P. Reservations other than Accommodation reservations, Road widening and construction of new roads : The Planning Authority may permit additional floor space index ~~on 100 per cent of 1.25~~ for the area required for such D.P. reservations, road widening or for construction of new roads proposed under the development plan or those proposed under the Local Authority Act, if any, excluding areas of internal means of access, if the owner (including the lessee) of such land surrenders such land for such D.P. reservations, road widening or new road construction without claiming any compensation in lieu thereof and hand over the same to the Planning Authority free of encumbrances to the satisfaction of the Planning Authority. Such 400 per cent of the 1.25 FSI on land so surrendered to the Planning Authority may be utilized on the remainder of the land upto a limit of 40 per cent maximum permissible FSI as given in Table 13 of the area of the plot remaining after such surrender and the balance FSI remaining thereafter shall be allowed to be utilized as a Development Right in accordance with the regulations governing Transfer of Development Rights (TDR) in 7.5.7.or the full F.S.I. on the land surrendered to the Planning Authority may be allowed to be used as Development right in accordance with the regulation governing Transfer of Development rights (TDR) in 7.5.8. Thereafter the such D.P. reservations/road land shall be transferred in the revenue records in the name of the Planning Authority and shall vest in it becoming part of a public amenity/street. The Planning Authority shall permit in addition to the above, equivalent built up area to the built up portion demolished and surrendered free of cost and free of encumbrances for road widening or for new road with the condition that it will apply to the authorized buildings.

c) Building of Educational and Medical Institutions, Institutional Buildings:

The Planning Authority may permit the maximum permissible FSI to be exceeded by 50 percent in respect of buildings in independent plots of educational and medical institutions registered under Public Charitable Trusts Act and institutional buildings of Government or Public Authorities subject to also other terms and conditions as it may specify from time to time.

Terms and Conditions:

- i. Out of the total additional FSI allowed, 50% may be availed by utilizing Transferable Development Rights (without payment of premium) and 50% on payment of premium provided that the utilization of premium FSI will be allowed only after availing FSI by way of TDR.
- ii. Such additional FSI (except the TDR Component) will be permissible subject to the payment of premium at 50% rate prescribed for payment of stamp duty by Govt. in respect of such land.
- iii. The additional built-up area over and above the permissible FSI shall be utilized for bonafide purposes only.

d) Buildings of Government or Semi Government and Public Sector Undertakings:

The Planning Authority may permit 50% additional floor space index over and above the maximum permissible FSI without charging premium in the case of buildings of Government and semi government offices and public sector undertakings.

e) Buildings of Star category / MTDC approved Residential Hotels:

Subject to such other terms and conditions as may be prescribed by the Planning Authority, the maximum permissible FSI may be permitted to be exceeded by the Planning Authority in the case of buildings of all Star category Residential Hotels under one establishment as approved by the Department of Tourism situated in independent plots without other commercial or business users by a maximum FSI of 100 per cent by way of premium and 50 percent by way of TDR over the permissible base floor space index without granting any condonation in the required setbacks, marginal open spaces (except where demonstrable hardship is seen and after recording it in writing), parking and other requirements as in these Regulations. Such additional FSI shall be subject to the payment of premium to the Planning

Authority at the Ready Reckoner land value prescribed for payment of Stamp Duty of the prevailing year.

Further, subject to such other terms and conditions as may be prescribed by the Planning Authority the maximum permissible FSI may be permitted to be exceeded by the Planning Authority in the case of buildings of Residential Hotels with boarding and/or other tourist facilities as approved by the Department of Tourism or by the Maharashtra Tourism Development Corporation, situated in independent plots, without other commercial or business users by a maximum FSI of 100 per cent by way of premium and 50 percent by way of TDR over the permissible base floor space index without granting any condonation in the required set backs and marginal open spaces (except where demonstrable hardship is seen in marginal open spaces and after recording it in writing), parking and other requirements as in these Regulations. Such additional FSI shall be subject to the payment of premium to the Planning Authority at the Ready Reckoner land value prescribed for payment of Stamp Duty of the prevailing year.

f) Development of Low-cost housing schemes of the Maharashtra Housing and Area Development Authority:

The floor space index for low cost housing schemes for economically weaker sections and low income groups of the Maharashtra Housing and Area Development Authority, having at least 60 percent of the tenements under Economically Weaker Section (EWS) and Low Income Group (LIG) categories, shall be allowed to be increased by 20 percent over and above the maximum permissible FSI. For the purpose of calculating the FSI, the entire area of the layout shall be considered and under utilized FSI of the economically weaker section and low income scheme area may be permitted to be utilized for Higher Income Group (HIG), Middle Income Group (MIG) and other amenities in the scheme, sub-division of plots will be permissible on the basis of compulsory open spaces as in these Regulations. This FSI will be subject to the Regulations in Appendix G hereto.

g) Construction for resettlement and rehabilitation of Project Affected People (PAP):

Subject to approval of location, for Development of sites reserved for resettlement and rehabilitation for the purpose of accommodating Project Affected People (PAP) the FSI shall be allowed upto 2.5.

The normally permissible FSI on the plot may be used for the purpose for which it is designated in the Development Plan. Out of the total additional FSI, 40% FSI to be used for tenements for PAP and the remaining FSI for free sale component.

Only after the above mentioned percentage of PAP tenements are handed over free of cost to the Planning Authority after getting Occupation Certificate, Water connection, Power connection to PAP tenements, plans for remaining additional FSI shall be approved.

The additional FSI shall be permitted also in cases where construction has already taken place consuming full or part of the normally permissible FSI provided in the separate buildings.

Provided further that, Planning Authority shall be empowered to allot large size tenement having multiple rooms in cases where the affected persons are residing in bungalow or buildings having tenements of two or more rooms. However, total carpet area shall not be more than that earlier occupied by the affected persons.

h) Reconstruction of structurally unsafe buildings / dilapidated buildings/ unhygienic buildings:

In the case of proposals involving reconstruction of dilapidated /unsafe /unhygienic buildings declared under provisions of Local Authority Act, wholly or in part, the maximum permissible

FSI shall be equal to the FSI already consumed by the occupants to be rehoused plus the FSI otherwise permissible under these Regulations.

The reconstruction of such old buildings may be permitted by the Planning Authority so as to make possible the re-housing of the old tenements subject to following conditions:

- i. The structure shall be authorizedly constructed and shall be at least 30 years old on the date of application. The documents required shall be as per the discretionary powers of the Corporation.
- ii. FSI equal to the built-up area that was already under the use of old occupants who are to be re-housed plus the permissible FSI as per these Regulations subject to maximum limit of FSI of 2.50.
- iii. All such occupants shall be rehoused in the reconstructed buildings with the consent of atleast 70% occupants.
- iv. The development shall conform to Development Plan and provisions of these Regulations.

i) Reconstruction of damaged/destroyed/collapsed buildings due to natural calamity:

In the case of proposals involving reconstruction of any building or part of a building which has ceased to exist or damaged or collapsed due to accidental fire, earthquake or similar natural calamities beyond the human control or any other genuine reasons, the reconstruction of such old buildings may be permitted by the Planning Authority with an FSI in the new building not exceeding that of the original building and the FSI permissible under this regulation subject to maximum limit of FSI of 2.50. All such occupants shall be rehoused in the reconstructed buildings and development shall conform to Development Plan and provisions of these Regulations.

j) Development Of Information Technology Establishments:

Development for the Information Technology Establishments shall be permitted upto 100% FSI additional over and above the maximum permissible FSI subject to the provisions of Appendix P.

k) Development Of Bio-Technology Units/Parks:

Development for the Bio-Technology Units/Parks shall be permitted upto 100% FSI additional over and above the maximum permissible FSI subject to the provisions of Appendix Q.

l) Construction of buildings of Police, Municipal Council/Corporation, Jail, Home Guard, Fire Brigade etc. including their Staff Quarters:

Development for these users shall be permitted upto 2.50 FSI subject to the provisions of Appendix R.

m) Construction of Religious Buildings:

The Planning Authority may permit the floor space indices to be exceeded in respect of buildings in independent plots for religious purpose of registered Public Trust by 0.50 FSI and an additional FSI of 0.50 on payment of premium, subject to following terms & conditions:

- i. The religious building shall be on independent plot.
- ii. No objection certificate shall be obtained from concerned Police Authority and District Magistrate before applying for permission as per directives of the Government.

- iii. Additional FSI shall be used for religious purpose only. Ancillary residential user may be permissible within 10% of total area. No commercial use shall be permissible, provided that petty shops catering to the needs of Religious activity to the extent of 5% may be permitted.
- iv. The additional FSI shall be permissible to existing authorized religious user subject to structural stability.
- v. No condonation in the required marginal open spaces and parking shall be allowed in case of grant to such additional FSI. However, in cases where the additional FSI will be loaded on existing authorized structures, condonation in the required marginal open spaces and parking may be allowed in cases of demonstrable hardship.
- vi. The additional FSI shall be permissible subject to payment of premium of 25% of the Ready Reckoner value of respective year. The premium shall be shared equally by the Govt. and the Planning Authority.
- vii. The minimum area of plot shall be 250 sq.m.
- viii. The proposal shall be consistent with the Development Plan Proposals.

n) Development of Multi Storeyed /Parking Lots:

With previous approval of Govt., for Development of multi-storeyed/parking lots on any plot abutting the roads and/or stretches of road, additional FSI, as specified below on built up parking area, created and handed over to Planning Authority free of cost, shall be allowed on the land belonging to the private owners, which is not reserved for any public purposes.

This will be subject to following conditions:

- i. The minimum area of plot shall be 2000 sq.m. The minimum number of Motor Vehicle public parking spaces provided shall not be less than 50 subject to minimum parking space of 700 sq.m. The location of parking spaces can be in basement ground floor or upper floors, with access through ramps / lift or combination of both subject to clearance from Competent Fire Authority with special emphasis on fire hazard.
- ii. A Committee under the Chairmanship of Metropolitan Commissioner, MMRDA shall earmark/ select the plots for public parking. On the basis of their suitability and seek Government's approval for it. The Committee shall comprise of (i)Joint Commissioner of Police (Traffic) or it's representative (ii)Assistant Director of Town Planning, Thane (iii)Chief Engineer, MMRDA. (Member Secretary).
- iii. The incentive FSI given on this account will be over and above the FSI permissible under any other provisions of DCR. This incentive FSI shall be allowed to be used on the same plot in conformity with DCR/DP, within the overall cap/limit of total maximum permissible FSI as given (vii)below.
- iv. The proposed development shall be further subject to such conditions as mentioned/ prescribed by the Planning Authority.
- v. Concerned land owner/ development/society/company shall not be allowed to operate the public parking.
- vi. Area covered under parking shall not be counted towards FSI consumption.
- vii. Additional FSI on built up parking area and total permissible FSI including additional FSI shall be as follows.

TABLE 14(A): PERMISSIBLE ADDITIONAL FSI ON BUILT UP PARKING AREA

Sr. No.	Location	Permissible additional FSI on built up parking area	Total maximum permissible FSI including additional FSI
1	<u>Within the area of 500 mt. from precincts of Railway Stations, S.T. Bus Depots, Metro Stations, Water jetties and existing Govt., Semi Govt. and Corporation Offices, Tourist places identified by Tourism Department, Important Religious places of worship (registered under charity Act), etc. having inadequate public parking facilities.</u>	50%	3.00 <u>Independent as well as composite buildings for public parking</u>
2	<u>Remaining area</u>	40%	For Public Parking- <u>Independent Building = 3.00</u> <u>Composite Building = 2.50</u>

Area covered under parking shall not be counted towards FSI consumption.

FSI of 1.00, out of the total additional FSI, shall be with premium at the Ready Reckoner rate for payment of Stamp Duty for prevailing year.

o) Tenements/ Plots for EWS/LIG in Layout/Sub Division of Private Land:

i. For the sub-division of land admeasuring 2000 sq.m. and more, minimum 20% area shall be provided in the form of 30 to 50 sq.m. developed plots for EWS/LIG (affordable plots).

ii. For the layout of land admeasuring 2000 sq.m. and more, minimum 20% of the built-up area shall be provided for EWS/LIG housing (27.88 to 45 sq.m.) (affordable tenements).

The following conditions shall be applicable:

I. The developer shall sell the affordable tenements to MHADA/Planning Authority on priority in lieu of the cost of construction of such tenements. The FSI of such affordable tenements may be allowed to be utilized in the same layout over and above the maximum permissible FSI limits including TDR loading. If MHADA/Planning Authority declines to purchase the affordable tenements within a reasonable time of three months, he can sell the affordable tenements in the open market, in such case additional FSI of affordable tenements shall not be eligible.

II. The developer shall sell the affordable plots to MHADA/Planning Authority in lieu of equivalent FSI to be utilized in the remaining plots. If MHADA/Planning Authority declines to purchase the same within a reasonable time of three months, he can sell the affordable plots in the open market, in such case additional FSI of affordable plots shall not be eligible.

III. Amalgamation of affordable plots/ affordable tenements shall not be allowed.

p) Construction of Housing for the Dishoused:

For the construction of buildings by the Planning Authority/Local Authority in the category of housing for the dishoused for the purpose of housing those who are displaced by the projects undertaken by the Planning Authority/Local Authority for implementation of proposals of the Development Plan, the maximum permissible FSI shall be allowed to be exceeded by 50%.

q) Commercial use of lands in the possession of the Maharashtra State Road Transport Corporation (MSRTC) shall be allowed to be developed for commercial use to the extent of 50% of the admissible Floor Space Index (FSI) as given in Appendix S.

7.5.3. DEVELOPMENT RIGHTS (DR)

1) DEVELOPMENT RIGHTS (DRS) DUE TO SURRENDERING OF LAND FOR ~~PUBLIC AMENITIES / RECREATIONAL OPEN SPACE RESERVATIONS/ROADS~~ TO THE PLANNING AUTHORITY

The owner shall be entitled to utilize Development Rights (DRs) earned by surrendering the part of his holding earmarked in the Development Plan as Reservation/Road public amenity and recreational open space under Regulations 7.3.1(c) and that fall under regular line of street and that under reservation / designation proposed in his holding free of encumbrance and free of cost to the Planning Authority.

2) DEVELOPMENT RIGHTS (DRS) FOR DEVELOPING PUBLIC AMENITY

Where the owner develops a public amenity i.e. either a structure permissible in a plot reserved / designated anywhere in the development plan, or in a plot set aside for public amenity under Regulation 7.3.1(c) (ii) or develops recreational open space reserved / designated in the development plan or constructs a public road within regular line of street at his cost and hands it over to the Planning Authority free of cost and free of rent he shall be entitled for additional DRs subject to the extent prescribed in Regulation 7.5.4 and conditions mentioned in Regulation 7.5.7.

7.5.4. VALUE OF DR

- 1) The Value of DRs would be equivalent to 1.252 (two) times the area of land surrendered to the Planning Authority and subject to the conditions stipulated in Regulation 7.5.7.
- 2) DRs towards expenditure incurred for developing amenities shall be at the scale laid down below in Table No. 15 and as per the design and specifications prescribed by the Planning Authority.

TABLE 15: VALUE OF DR TOWARDS EXPENDITURE INCURRED FOR DEVELOPING AMENITIES

No	Type of Development	Value of DRs
1	For constructing a building and developing the site.	DRs equivalent to the constructed built up area (excluding architectural features).
2	For constructing road.	DRs equivalent 25% of the area covered by the Road (length X right of way).
3	For Development of recreational opens spaces designated in the Development Plan.	DRs equivalent to 15% of the area developed.
4	Construction of ancillary buildings in Recreational open spaces referred to above.	DRs equivalent to the constructed built up area (excluding architectural features).

7.5.5. CEILING ON CONSUMPTION OF FSI / DR IN A HOLDING.

- 1) In no case, the total FSI consumed in a plot shall exceed the maximum permissible FSI of the subject plot. The maximum permissible FSI varies based on land use zones, ~~plot size~~ and the width of road on which the plot abuts.
- 2) Residual FSI / DRs which cannot be consumed in the holding / adjoining plot in view of the aforesaid ceiling shall be allowed to be carried to and utilised on other plots in the form of Transferable Development Rights (TDR) subject to the provisions of Regulation 7.5.8.
- 3) DRs granted against developing amenities shall be free of FSI.
- 4) In case where maximum permissible FSI is 1.5, it is mandatory to consume ~~0.25~~ 50% of additional FSI by means of TDRs for attaining the maximum permissible FSI limits. While, in case where maximum permissible FSI is 2.0, it is mandatory to consume ~~0.50~~ 50% of additional FSI by means of TDRs for attaining the maximum permissible FSI limits.
- 5) Residual FSI / DRs which cannot be consumed in the holding / adjoining plot in view of the aforesaid ceiling shall be allowed to be carried to and utilised on other plots in the form of Transferable Development Rights (TDR).

7.5.6. EXCLUSIONS FROM FSI COMPUTATION

The following shall not be counted towards FSI or DRs:-

~~Areas covered by~~

- 1) Area covered by features permitted in Regulation 7.6.9 and 7.6.10;
- 2) Area covered by staircase rooms for stair flights of width 0.75m and above in case of row housing, pent houses and duplexes; 1.20 m and above in case of Residential/Commercial buildings and 2m and above in case of assembly halls, area of staircase flights, mid-landing and floor landings, staircase passages irrespective of width of staircase subject to payment of premium to be decided by the Planning Authority and without any premium for Government, Semi government buildings, Educational and Hospital buildings of Charitable Trusts. Architectural features, Chimneys and elevated tanks of permissible area, area of fire escape stairways and lifts with cantilevered fire escape passages according to the Planning Authority's requirements, Lift room, Lift wells, Lift lobbies subject to premium as decided by Planning Authority;
- 3) Area of staircase wells, ~~light-lift~~ wells, ramps, staircase/lift rooms on top most storey;
- 4) ~~passages to staircases, lifts ;~~
- 5) Area of fire escape stairways and fire escape passages; which do not provide access to any habitable area;
- 6) Area of basements used for parking, air-conditioning plants and other machines used for services & utilities of the building, electric sub-stations (which will conform to required safety requirements);
- 7) Area of Stilts;
- 8) Area of covered parking spaces in the side and rear marginal open spaces;
- 9) ~~Area of one office room of Area co-operative housing society of apartment owners association.~~

Supported or projected double height terraces:

(a) Supported or projected double height terraces (open terraces with railing having minimum height equal to two floors) within the building line, not exceeding 10% of the built up area.

(b) Such terraces in excess of 10% of built up area shall be calculated in FSI.

- 10) Area of the sanitary block consisting of ~~Area~~ bath-room and water closet at each floor midlanding level of prescribed dimensions for the use of domestic servants engaged on the premises;
- 11) Refuge area;
- 12) Area covered by-
 - a Lofts
 - b Meter Rooms
 - c Air-conditioning plant rooms
 - d Porches
 - e Canopies
 - f ~~Service floor of height not exceeding 1.5 m with the special permission of the Planning Authority,~~
 - g Video room of size 5 sq.m.
 - h Watchman's cabin of size ~~5.00~~ 3.00 sq.m.
- 13) Area of balconies as per regulation 7.6.9 (iii)
- 14) Area of structures for an effluent treatment plant as required to be provided by industries as per the requirements of the Maharashtra pollution control board or other relevant authorities.

- Provided, however, in case of an existing industry, if no vacant land is available, the Planning Authority may permit structure for such effluent treatment plant on 10% amenity open space;
- 15) Area covered by service ducts, pump room, electric substations, passages and additional amenity of lift and/or staircase beyond those required under the rules with the permission of the Planning Authority;
 - 16) Area covered by new additional lifts and staircases, including passages to be provided in a Area-building with the permission of Planning Authority;
 - 17) Service floor of height not exceeding 2.00 m. (floor to floor) where main user of the building requires such floor for providing better sanitary, electrical and other services. If actual height exceeds 2.00 m., the entire floor area will have to be computed in F.S.I. below the soffit of the beams not exceeding 1.5m, with special permission of the Planning Authority;
 - 18) Area of one milk booth ~~under the public distribution system~~ with the permission of the Planning Authority;
 - 19) Area of one public telephone booth and one telephone exchange (PBX) per building with the permission of the Planning Authority.
 - 20) Area of one room for installation of telephone concentrators as per requirements of Telephone companies authorized in that behalf, but not exceeding 20 sq.m. per building, with the permission of the Planning Authority ;
 - 21) Area of a separate letter box on the ground floor of residential and commercial buildings with five or more story's-storeyes to the satisfaction of the Planning Authority ;
 - 22) ~~Area covered by new lift & passage thereto in an existing building with Area height up to 16 m.~~
 - 23) Area of a covered passage of clear width not more than 1.52m. (5 ft) leading from a lift exit at terrace level to the existing staircase so as to enable decent to lower floors in a building to reach tenements not having direct access to a new lift in a building without an existing lift ;
 - 24) Entrance foyer - a) The area between external face of the building upto staircase/lift (b) the width of foyer shall not be more than lift & stair width.
 - 25) Over hanging cupboards and shelves upto 2.4 m. in width and 0.6025 m. in depth restricted to one cupboard per living room. However, cupboards may be permitted on ground floor within the building line.
 - 26) Covered antenna/dish antenna communication tower will be allowed to be erected free of FSI if used for Telecom (basic cellular or satellite telephone) or ITE purposes, which shall includes the equipment relating to earth station, V-Sat., Routes, Transponders and similar Information Technology related structures or equipment.
 - 27) An office room upto 12 sq.m., if the number of tenements in the building does not exceed 20 and to 20 sq.m. otherwise, for the use of a co-operative housing society or an apartment owners' association.
 - 28) In every residential building constructed or proposed to be constructed for the use of a Co-Operative Housing Society or an Apartment Owners Association a fitness center room will be permitted. The area of the room shall be limited to 2 (two) percent of the total built up area of ~~building~~ or 20 Sq.Mt.-sq.m. whichever is more. It shall not be used for any other purpose, except for fitness activities and its ownership shall vest to Society or Association.
 - 29) Sewerage Treatment Plant, Septic Tank etc.

Note for Regulation 7.5.6: This Rule shall not be applicable for the building proposals where occupancy certificates have been granted prior to issue of these regulations. Provided further that where a permissible FSI has not been exhausted in the case of existing building and cases decided by the Planning Authority prior to coming in ~~to~~-force of these modified regulations, provision about the exclusion from FSI computation as in these regulations will be available for construction of remaining balance FSI on site. Provided further that this rule shall not be

applicable for the change in occupancy in existing building after issue of this regulation. Also provided further that the extent of exemption for free of premium area excluding minimum required parking area under this rule shall not in any case be exceed 30% of permissible FSI.

7.5.7. CONDITIONS GOVERNING AWARD OF DEVELOPMENT RIGHTS (DRS)

- 1) ~~Development Rights shall be equivalent to 1.25 (one point twenty five) times the total floor space which could be constructed in the originating plot, considering the permissible base FSI for plots of equivalent area from the surrounding zone.~~
- 2) The quantum of DRs to which the owner is eligible due to surrender of land under reservation / designation in the development plan or that under regular lines of street, land from his holding and surrender of constructed amenity (as given in Table no. 15) ~~public amenity / recreational open space site from the holding~~ shall be separately recorded on the plans while granting permission for development of site or / and sub-division, where development permission / construction of buildings is directly being sought the value of DRs be recorded at the time of approval of the building plans.
- 3) The Development Rights on the net plot area shall be used anywhere in the 'Notified Area' except over Recreational open spaces and in any zone excepting No Development Zone, Forest land, CRZ area, if applicable—any, under CRZ notification, Heritage structures/Sites/Precincts and Gaothan area.
- 4) Development Rights would be allowed to be utilised only after the requisite land is handed over to the Planning Authority in vacant state, free of all encumbrances, free of cost.
- 5) Once the development proposal recording the DRs is approved, the DRs could be utilised in phases, any time in the future, subject to compliance of other requirements.
- 6) For lands which are either retainable under the provisions of the Urban Land (Ceiling & Regulation) Act, 1976 or for lands which do not attract provisions of the aforesaid Act, Development Rights would be to the extent of loss of the permissible floor space due to surrender of the land to the Planning Authority due to reservation. For non-retainable plot the Development Rights shall be to the extent and subject to such conditions as the Government in Housing & Special Assistance Department may specify.
- 7) Where the plot being surrendered is held on leasehold basis, the Development Rights shall be apportioned between the lessor and the lessee on the principle of apportionment of compensation under Land Acquisition Act, 1894.
- 8) The surrendered plot / constructed space for which DRs have been awarded shall, by virtue of the provisions of sub section (1) of Section 126 of Maharashtra Regional & Town Planning Act, vest in the Planning Authority. The Revenue authorities on intimation shall take appropriate entry in the City Survey Records / Revenue Records to transfer its ownership in the name of the Planning Authority. Where the Planning Authority is not the Appropriate Authority, the surrendered land / built up space so transferred to the Planning Authority, will be leased out by it in favor of the Appropriate Authority on suitable terms as may be decided by the State Government.

7.5.8. CONDITIONS GOVERNING AWARD OF DEVELOPMENT RIGHTS CERTIFICATE (DRC)

In addition to the provisions in Regulation ~~7-6~~ 7.5.7 the TDRs will be regulated as -

- 1) DRCs will be issued for any land reserved or designated in the development plan. Similarly where due to ceiling limit as per the sub regulations ~~7.4.57.5.5~~, the DRs generated under Regulation ~~7.4.37.5.3~~ cannot be utilised in the remaining part of the holding, the owner shall be entitled for DRCs.
- 1A) Development Right of the owner/lessee of any Heritage buildings who suffers loss of Development Rights due to any restrictions imposed by the Commissioner or Government, under Regulation 6.15, shall be eligible for award of Transferable Development Rights (TDR) in the form of Floor Space Index (FSI) to the extent and on the conditions stipulated in these Regulations. Such award will entitle the owner of the Heritage Building to FSI in the form of a

Development Rights Certificate (DRC) which he may use himself or transfer to any other person.

- 1B) ~~All the Such~~ DRCs could be utilised anywhere within the “Notified Area” for compatible user in receiving zone except over Recreational open spaces, No Development Zone, Forest land, CRZ area, if any, under CRZ notification, Heritage structures/Sites/Precincts and Gaothan. in which DRs originate in Residential, Commercial or Industrial Zone Provided that the overall FSI of receiving plot after consumption of TDR does not exceed the respective limits.
- 2) Transferable Development Rights (TDR) certificates will be issued by the Metropolitan Commissioner himself. They will state, in figures and words the floor space credit in square meters, to which the land owner is entitled.
- 3) Where the TDRs emanate from land being surrendered for public amenity, DRC shall be issued on compliance of the requirements of Regulation 7.5.7.
- 4) Where the TDRs emanate from construction of a building for public amenity / development of site for recreational open space the DRC shall be issued after completion certificate for the building / development works has been obtained by the owner.

7.5.9. CONDITIONS GOVERNING UTILIZATION OF DR / TDR

- 1) A holder of a TDR certificate who desires to use the FSI credit certified therein on a particular plot of land shall attach to his application for development permission valid TDR certificate to the extent required. On plots where DRs are generated, the TDRs may be utilised only after ensuring that the DRs are fully utilised.
- 2) The user that will be permitted for utilisation of the DRs on account of TDR will be as under:-

Predominant zone proposed in D.P. in which reserved site is situated	Land user to be permitted on in receiving area
(1) Residential	Only Residential users in Residential zone. <u>Compatible user of receiving zone will be permitted.</u>
(2) Commercial	Only Commercial users in Commercial zone and Only Residential users in Residential zone. <u>Compatible user of receiving zone will be permitted.</u>
(3) Industrial	Only Residential users in Residential zone. <u>Compatible user of receiving zone will be permitted.</u>
(4) Public- Semipublic	Only Residential users in Residential zone. <u>Compatible user of receiving zone will be permitted.</u>

- 3) With an application for development permission, when an owner seeks utilisation of TDRs, he shall submit the DRC to the Planning Authority who shall endorse thereon in writing, in figures and words, in square meters the quantum of the TDRs proposed to be utilised, before granting development permission and when the development is complete, the Planning Authority shall endorse on the DRC in writing, in figures and words, the quantum of DRs actually utilised and the balance remaining thereafter, if any, before issue of occupation certificate.
- 4) A DRC shall be issued by the Planning Authority ~~himself~~ as a certificate printed on a bond paper in an appropriate ~~form~~ form approved by the State Government. Such a certificate, after due authentication by the Planning Authority will be a transferable “negotiable instrument”. The Planning Authority shall maintain a register in the form prescribed by the State Government of all transactions regulating to issue ~~and of~~ and of DRCs and utilization thereof.
- 5) If a holder of a Development Rights Certificate (DRC) intends to transfer it to any other person, he shall submit the DRC to the Planning Authority for endorsement of the new holder’s name, i.e. transferee on the said Certificate. Without such an endorsement by the Planning Authority himself, the transfer shall not be valid and the Certificate will be available for use only by the earlier original holder.

7.6. MARGINAL OPEN SPACES

4) Open spaces shall be left around building(s) within a plot for maintaining proper building line along roads, ensuring sufficient light and ventilation to the inhabitants and efficient movement of vehicles including fire engines around the building(s). Every open space whether interior or exterior shall be kept free from any erection thereon and shall remain open to sky excepting the features covered by Regulation 7.6.9 and 7.6.10.

7.6.1. MARGINAL OPEN SPACES SEPARATE FOR EACH BUILDING OR WING.

The open spaces required under these Regulations shall be separate or distinct for each building and where a building has two or more wings, each wing shall have separate or distinct open spaces according to these Regulations for the purpose of light and ventilation of the wings.

7.6.2. SETBACKS & OPEN SPACES WITHIN BUILDING PLOTS (EXTERIOR OPEN SPACE)

- 1) The provision for open spaces at the front, side and rear of the buildings, shall depend upon the occupancy, plot sizes, nature of development, width of the road fronting the plot, height of the building etc. The same shall be as given in Appendix F.
- 2) When different open spaces/widths are prescribed under these regulations, the largest of them shall prevail, except when specifically provided otherwise. The general conditions governing open spaces shall be as under:
 - i) **BUILDING ABUTTING MORE THAN ONE STREET:** when a building abuts two or more streets, the setbacks from each of them shall be such as if the building were fronting each such street
 - ii) **Open space separate for each building or wing:** The open spaces required under these Regulations shall be separate or distinct for each building and where a building has two or more wings, each wing shall have separate or distinct open spaces as required under these Regulations. Provided that if one of the wings does not depend for light and ventilation on the open space between the two wings, the said open space shall be the one required for the higher wing.
 - iii) **OPEN SPACES TO BE PROVIDED FOR THE FULL CONSUMPTION OF FSI -** The open spaces to be left at the sides and rear shall relate to the height necessary to consume the full FSI permissible for the occupancy in the zone.
 - iv) **MANNER OF COMPUTING FRONT OPEN SPACE/SETBACK WHERE THE STREET IS TO BE WIDENED -** If the building plot abuts any road which is proposed to be widened under the draft development plan or because of the prescription of regular lines of streets, the front open space/road-side setback shall be measured from the resulting road widening line or the centre line of the widened road as the case may be. Where there is any conflict between the width provided in the draft development plan and the width resulting from the prescription of a regular line of a street, the larger of the two shall prevail.
 - v) The building shall be at least 3 m. away from the boundary of recreational open space. However, in case of multi storied buildings, such minimum margin shall be 6 m.
 - vi) For developments in plots abutting classified roads prevailing Rules under Highway Ribbon Development Rules shall be observed.
 - vii) Construction ofotta, railings, and barricades shall not be allowed in front marginal space

7.6.3. OPEN SPACE REQUIREMENTS:

- i) The open space requirements shall be as per Appendix – F. However for residential and commercial zone following provisions shall be observed in addition.
 - a) Building having length/depth up to 40m -the open spaces on all sides except the front side of a building shall be of width not less than one third of the height of that building 3.00m. above the ground level, rounded to the nearest decimeter subject to a maximum of 20 m., the minimum being 3.00 for a residential building without any projection thereon and 4.5m. for a commercial building .

- b) Building with length/depth exceeding 40 m. if the length or depth of a building exceeds 40 m. an additional width of 10 % of the dimension in excess of 40m shall be required on the side or rear open spaces as the case may be:

Provided that no such increase in additional open space shall be necessary if (a) it is a front open margin space, or (b) when only store rooms and stair-ways derive light and ventilation from the open space.

Provided further that-

- I) the open space for separation between any building and single storied accessory building need not exceed 1.5 m.
 - II) the minimum distance between any two ground floor structures in public housing/high density housing shall be 4.5 m. if habitable rooms derive light and ventilation from the intervening space, if not the distance may be reduced to 1.5 m.
 - III) except where the plot size is less than 2500 sq.m., the marginal open space in a plot abutting amenity/recreational open space in the same layout shall not be less than 3 m.
 - IV) where the amenity open space being accessible from all the layout plots does not have an exclusive means of access, the rear marginal open space shall not less than 3m.
- c) Building existing on ~~1st February 1964~~ 16th October 1973, the date of coming in force of the Regional Plan for Mumbai Metropolitan Region these regulations and those constructed thereafter (i) in respect of building existing on 16th October 1973 on 1st February 1964, upper floors may be permitted with set-back at upper level in the case of new development to make up for deficiencies in the open spaces as required under these regulations (ii) with the permission of the Planning Authority , set-backs as in clause (i) above may be allowed for the buildings constructed after ~~1st February 1964~~ 16th October 1973 to avail of additional FSI that may become available due to road set-back, transfer of Development Rights, FSI in lieu of staircase, staircase room /lift wells or any change in the regulations whereby additional FSI may become available.
- d) **SETBACK AT UPPER LEVEL** : The Planning Authority may permit smaller set backs at upper levels and also permit additional floor area up to a limit of 10 sq. m. over the permissible FSI to avoid structural difficulties or hardship but so as not to affect adversely the light and ventilation of an adjoining building or part thereof.
- e) **TOWER LIKE STRUCTURES**: Notwithstanding any provision to the contrary, a tower-like structure may be permitted only with 6 m. open space at the ground level and one set back at the upper levels provided that the total height does not exceed 25 m. If it exceed 25 m. but does not exceed 28 m. the minimum open space at ground level shall be 9 m. Beyond 28 m. the minimum open space at ground levels shall be 12 m. with two set backs at upper levels. The terrace created by the set back shall be accessible through the common passage and/or common staircase only.
- f) Where a room does not derive light and ventilation from an exterior open space, the width of the ~~extend exterior~~ or open space as given in this regulation may be reduced to 3 m. up to a height of 24 m. and 6 m. to a height above 24 m.
- g) ~~The open spaces for the above purposes would be deemed to be sufficient if their widths are not less than one-fourth of each dimension of the site of the building and the percentage of the building area does not exceed 25 % of the area of the site, when the least dimension of the site is not less than 18m for the base FSI.~~

7.6.4. CONCESSION IN MARGINAL OPEN SPACES IN CASE OF WIDER PLOTS

The open space for the above purpose would be deemed to be sufficient for deriving light and ventilation if its width is not less than one fourth dimension of the plot in the direction perpendicular to the light receiving plane and the percentage of maximum built up area on any floor does not exceed 25 percent of the area of the site. For this purpose the minimum dimension of the site in the direction perpendicular to the light receiving plane shall be 18 m.

7.6.5. REVAS PROJECTION

- i) A revas projection 1.20 m. in width may be permitted in the front open space when it faces a street 12.20 m. or more in width. To facilitate the construction of a staircase, such revas projection may be permitted in the side or rear open space provided that such an open space is at least 4.5 m. and the revas projection is limited to a width of 0.75 m. and the length of the staircase landing no revas projection shall be at a height less than 2.1 m above the ground level.
- ii) A revas projection shall not be permissible in the side or rear open spaces of a tower like structure.
- iii) The areas of all revas projection shall be taken into account for the computation of F.S.I.

7.6.6. RELAXATION IN OPEN SPACES IN NARROW PLOTS (GAOTHAN & OTHER THAN GAOTHAN)

Narrow plots are those of which width and depth is less than 15 m, such plots will be permitted the relaxation shown subject to the restrictions as mentioned in Appendix F.

7.6.7. INTERIOR OPEN SPACES (CHOWKS)

1) INNER CHOWK:-

- i) Unless it abuts on a front, rear or side open space, the whole of one side of every room other than a habitable room shall abut on an interior open space, courtyard or chowk, whose minimum width shall be 3 m. such interior space courtyard or chowk shall be accessible at least on one side at ground floor level through a common passage or space. Further the inner chowk shall have an area at all its level of not less than the square of one fifth of the height of the highest wall abutting the chowk.
- ii) Provided that when any room (excluding the stairway bay, the bathroom and water closet) depends for its light and ventilation on an inner chowk, the dimension shall be such as is required for each wing of the building.
- iii) The building where the provision for air circulation is provided for bathrooms/ W.C. through the interior open space (Chowk), the area of chowk shall not be less than the 1/5th of the square of the height of adjacent wall to the chowk also shall be in line with the provisions for ventilation shaft as in Regulation 7.6.8. The minimum width of this chowk shall be at least 1.2m.
- iv) Where a staircase is dependent on light and ventilation through an inner chowk, the dimension of the chowk shall be 3 m. X 3 m. irrespective of the height of the building.

2) OUTER CHOWK

The minimum width of the outer chowk (as distinguished from its depth) shall be 2.4 m. but if the depth exceeds the width the open space between the wings shall be regulated by clause of sub-regulation of this regulation when any habitable room depends on light and ventilation on such outer chowk. A recess less than 2.4 m. wide shall be treated as notch and not as a chowk.

7.6.8. VENTILATION SHAFT shall meet requirements as specified in regulation 8.20. in such ventilation shafts, mechanical ventilation shall be installed. Further, such ventilation shaft shall be adequately accessible for maintenance.

~~For ventilating the spaces for water closet and bath-room, if not opening on the front side, rear and interior open spaces, shall open on to the ventilation shaft, the size of which shall not be less than the values given below Table No 16.~~

TABLE 16: Minimum Area for Ventilation Shaft

Height of Buildings in m.	Size of Ventilation Shaft in sq.	Minimum side of Shaft in m.
upto 12	2.8	1.2
18	4.0	1.5
24	5.4	1.8
30	8.0	2.4

7.6.9. FEATURES PERMITTED IN THE SIDE OR REAR MARGINAL OPEN SPACES

Notwithstanding the Regulation 7.6 (1), certain features may be permitted in the prescribed marginal open spaces as enumerated below -

- i) Projection into open spaces -Every open space provided either interior or exterior shall be kept free from any erection thereon and shall be open to the sky and no cornice, chajja, roof or weather shed more than 0.75 m. wide shall overhang or project over the said open space so as to reduce the width to less than the minimum required. However, sloping chajja provided over balcony/gallery etc. may be permitted to project 0.3 m beyond balcony projections at an angle of 30 degree from horizontal level.
- ii) A Canopy not exceeding 5.5 m. in length in the form of cantilever and unenclosed over the main entrance providing a minimum clear height of 2.2 m. below the canopy. The canopy shall not have access from upper floor (above floors), for using as a sitting out place there shall be a minimum clearance of 1.5 m. between the plot boundaries and canopy. Canopies of larger size in public or special buildings may, however, be permitted under Regulation 1.7.
- iii) Balcony - In any residential zone (R-1) and residential zone with shop line (R-2) or in a purely residential building in any other zone, balconies may be permitted free of FSI at each floor, excluding the grounds and the terrace floors, of an area not more than 10 percent of the area of the floor which such balcony projects subject to the following conditions –
 - a) No balcony shall reduce the minimum marginal open space to less than 3 m. the rear and sides and 1.5m in the front. The width of the balcony will be measured perpendicular to the building line and reckoned from that line to the balcony's outermost edge.
 - b) Balconies may be allowed to be enclosed subject to payment of premium. When balconies are enclosed one-third of the area of their faces shall have louvers glass shutters or grills on the top and the rest of the area except the parapet shall have glazed shutters.
- ~~iv) Where the facilities in an existing building are inadequate, a sanitary block~~
 - ~~(1) — not exceeding 3 m. in height and 4 sq.m. in carpet area,~~
 - ~~(2) — at least 7.5 from the road line or the front boundary and 1.5 m. from other boundaries, and~~
 - ~~(3) at least 1.5 m. away from the main building.~~
- ~~b) Un enclosed covered parking spaces at least 7.5 m. from any access road, subject to Regulation 9.5.6.~~
- ~~eiiv) Suction tank, pump room, electric meter room or sub-station, garbage shaft, space required for fire hydrants, electrical and water fittings, water tank, dust-bin, inverter room upto 10 sq.m. etc.~~
- ~~dy) Ramps to basements provided they do not reduce the width of the open space to less than ½ 4.5 m. of the requirements.~~

7.6.10. OTHER FEATURES / ACCESSORY BUILDINGS PERMITTED IN FRONT, SIDE AND REAR MARGINAL OPEN SPACES

The following accessory buildings / features may be permitted in the marginal open spaces:-

- i) In existing building, sanitary block of one storey in height, in the rear and side open space at a distance of 7.5m from the road line or the front boundary and 1.5 m. front other boundaries may be permitted, where facilities are not adequate, provided that, the Planning Authority may reduce the 1.5 m margin in rare cases to avoid hardship.
- ii) Parking lock-up garages not exceeding 2.4 m. height shall be permitted in the side or rear open spaces at a distance of 7.5 m. from any road line or the front boundary of the plot Packing lock-up garages when located within the main building shall be 7.5 m. away from the road line and shall be of such construction as will give fire resistance of 2 hours. The area of sanitary block and parking lock-up garages shall be taken into account for the calculations of F.S.I. and covered area calculations, subject to the provisions of regulation 7.5.6-83.

- ~~iii) An unenclosed porch open to three sides, not more than 5.5 m. in length parallel to the main building in front of common entrance only and except rear open space. No part of such porch shall be less than 1.5 m. from the boundary.~~
- iii) A rockery, well and well structures, plant nursery, water pool, or fountain, swimming pool (if uncovered and only beyond the required open space as required under these Regulations), platform around a tree, tank, bench, gate, slide, swing, ramp, compound wall;
- ~~iv) A cantilevered and un-enclosed canopy over common entrance and each common staircase not more than 5.5 m. long and at least 2.2 m. above ground level. The outer edge of the canopy shall be at least 1.5 m. from the plot boundary. Canopies of larger size in public or special buildings may, however, be permitted.~~
- v) An un-enclosed porch opens on three sides, not more than 5.5 m. in length parallel to the main building in front of common entrance only and except rear open space. No part of such porch shall be less than 1.5 m. from the plot boundary;
- ~~vi) A balcony for a residential or commercial building, if it does not reduce the width or the clear required marginal open space to less than 3 m. at the rear and sides and 1.5 m. in the front. The width of a balcony will be measured perpendicular to the building line and reckoned from that line to the balcony's outer most edge;~~
- ~~vii) A chajja, cornice weather shade, sun breaker and other ornamental projection projecting not more than 1.2 m. from the face of the building. No chajja, cornice, weather shade, sun breaker or other ornamental projection etc. shall be permissible, which will reduce the width of the required open space, to less than 2.5 m.~~
- ~~viii) A chajja, cornice, weather shade and sun breaker over a balcony or gallery, its projection not exceeding from the balcony or gallery face with level difference of 0.3 m. in relation to the floor level. However an ornamental projection over a balcony or gallery may be allowed to project upto 0.75 m.~~
- ix) Over hanging cupboards and shelves upto 2.4 m. in width and ~~0.25~~ 0.60 m. in depth restricted to one cupboard per living room.
- x) Watchman's booth not over 3 sq.m. in area.

7.7. HEIGHT OF BUILDING:

THERE ARE NO DIRECT LIMITS OR CEILING TO THE HEIGHT OF THE BUILDING IN DRAFT DEVELOPMENT PLAN WITH SUBJECT TO NO CONDONATION IN PARKING REQUIREMENTS, MARGINAL OPEN SPACES, FIRE FIGHTING PROVISIONS, HEALTH AND STRUCTURAL SAFETY REQUIREMENTS.

HOWEVER, THE TOTAL BUILT UP AREA OF ANY BUILDING WILL DEPEND ON THE PERMISSIBLE FSI AS PER THE PLAN, ALSO WITH THE CONFORMITY TO THE BELOW REGULATIONS I TO III.

- i If a building abuts on two or more streets of different widths, the building shall be deemed to face upon the street that has the greater width and the height of the building shall be regulated by the width of the street and may be permitted to this height to a depth of 24m. along the narrower street subject to conformity of regulation 7.6.2.
- ii For buildings in the vicinity of aerodromes, the maximum height of buildings shall be subject to values framed by the Civil Aviation Authorities.
- iii Industrial Chimneys coming near airport zone shall be of such height and character as prescribed by civil Aviation Authorities and all Industrial chimney shall be of such character as prescribed by the Chief inspector of steam Boiler and Smoke Nuisance.

7.7.1. HEIGHT EXEMPTIONS

The following appurtenant structures shall not be included in the height of buildings-Roof tanks and their support, ventilating, air-conditioning plant, lift room and similar service equipment, roof structures other than barsatis, stair cover (~~Menti_mumpty~~), chimneys, parapet wall and architectural feature not exceeding ~~4.00~~ 1.50 m. in height.

Television antenna, booster antenna and wireless transmitting and receiving towers shall not be included in height of the building, ~~so far as Regulation 8 is concerned.~~

7.8. PARKING, LOADING & UNLOADING SPACES

PARKING SPACES

Where a property is developed or redeveloped, parking spaces at the scale laid down in these regulations shall be provided. The additions are made to an existing building the new parking requirements will be reckoned with reference to the additional space only and not to the whole of building but this concession shall not apply where the use is changed.

7.8.1. GENERAL SPACE REQUIREMENTS

- Types - The parking spaces mentioned below include parking spaces in basements or on a floor supported by stills, or on upper floors, covered or uncovered spaces in the plot and lock-up garages
- Size of parking space - the minimum sizes of parking spaces to be provided shall be as shown below -

TABLE 17: SIZE OF PARKING SPACES

Type of Vehicle	Minimum size / Area of parking space
Motor Vehicle	2.5m x 5.5m
Scooter, Motor-cycle	3.3 sq.m.
Bicycle	1.4 sq.m.
Transport Vehicle	3.75 m. x 7.5m

Note: In the case of parking spaces for motor vehicles, upto 50 percent of the prescribed space may be of the size of 2.3 m x 4.5 m.

- Marking of Parking spaces - parking spaces shall be paved and clearly marked for different types of vehicles.
- Maneuvering and other ancillary space - Off-street parking space must have adequate vehicular access to a street, and the area shall be exclusive of drives, aisles and such other provisions required for adequate maneuvering of vehicles.
- Ramps for Basement Parking- Ramps for parking in basements should conform to the requirements of Regulation ~~8.28.68.13.2.~~
- ~~Parking spaces to be paved: Parking spaces shall be paved and clearly marked for different type of vehicles.~~

7.8.2. QUANTITATIVE REQUIREMENTS -

For wheeled auto-vehicles -Parking spaces for four wheeled auto vehicles shall be provided as in Table ~~17-18~~ below, any fractional space of more than half resulting from the ratio in column (3) thereof being rounded off upward to the nearest integer.

TABLE 18: OFF-STREET PARKING SPACES

Sr.No	Occupancy	Parking Space for Every	Four-wheelers	Two-wheelers
(1)	(2)	(3)	(4)	(5)
4.	Residential 1) Multifamily residential	a) 2 tenements having floor area 81 sq.m. and above.	3	4
		b) 1 tenement having floor area between 41 sq.m. to 80 sq.m.	1	2
		c) 1 tenement having floor area between 20 sq.m. to 40 sq.m.	-	1
		In addition to the parking spaces specified in (a), (b) & (C) above		

Sr.No	Occupancy	Parking Space for Every	Four-wheelers	Two-wheelers
(1)	(2)	(3)	(4)	(5)
		parking spaces for visitors parking shall be provided to the extent of 10 percent of the number stipulated above subject to minimum of one.		
	ii) Lodging establishments, tourist homes and hotels with lodging accommodation	Five guest rooms	4	2
	iii) Restaurants.	d) for grade 1 hotel eating houses, 80 sq.m. of area of restaurant including kitchen, pantry hall, dining room etc.	2	2
		e) for grade II & III hotels eating houses, etc. for an area of 80 sq.m. or part thereof.	-	4
2.	Institutional (Hospital, Medical Institutions).	Every 20 Beds or 300 sq.m. floor area which ever is more	4	2
3.	Assembly buildings, Assembly Halls including those in Colleges & Hostels & Auditoriums for Educational buildings	40 Seats or 100 sq.m. floor area or fraction there of where there are no fixed seats.	4	5
4.	Educational, Office & Public Buildings, Mercantile & Storage (Markets, Departmental stores, Shops & other commercial user), Wholesale establishments, Hazardous Bldg.	100 Sq.m. or fraction thereof of the floor area for meant for administration use or as public service areas.	4	2
5.	Industrial, Storage	Every 300 sq.m. of floor area or fraction thereof	4	2

Sr. No.	Occupancy	Parking Space required
1	(i) Residential	<p>One parking space for every-</p> <p>a) 4 tenements having carpet area upto 35 sq.m. each.</p> <p>b) 2 tenements with carpet area exceeding 35 sq.m. but not exceeding 45 sq.m. each.</p> <p>c) 1 tenement with carpet area exceeding 45 sq.m. but not exceeding 70 sq.m.</p> <p>d) ½ tenement with carpet area exceeding 70 sq.m.</p> <p>In addition to the parking spaces specified in (a), (b), (c) & (d) above, parking for visitors shall be provided to the extent of atleast 25 per cent of the number stipulated above, subject to minimum of one.</p> <p>For the redevelopment under these Regulations, the parking shall be as follows:</p> <p>One parking space for every-</p> <p>a) 8 tenements having carpet area upto 35 sq.m. each.</p> <p>b) 4 tenements with carpet area exceeding 35 sq.m. but not exceeding 45 sq.m. each.</p> <p>c) 2 tenements with carpet area exceeding 45 sq.m. but not exceeding 70 sq.m. each.</p> <p>d) 1 tenement with carpet area exceeding 70 sq.m.</p> <p>In addition to the parking spaces specified in (a), (b), (c) & (d) above, parking for visitors shall be provided to the extent of</p>

		<u>atleast 25 per cent of the number stipulated above, subject to minimum of one.</u>
	<u>(ii) For all starred category hotels</u>	<u>One parking space for every 60 sq.m. of total floor area.</u>
	<u>(iii) For lodging establishments</u>	<u>One parking space for every 120 sq.m. of total floor area.</u>
	<u>(iv) For Grade I, II and III Hotels</u>	<u>For Grade I hotels and eating houses, one parking space for every 12.5 sq.m. of area of restaurant including hall, dining room, pantry and bar.</u> <u>For Grade II and III hotels and eating houses, one parking space for every 40 sq.m. of restaurant including hall, dining room, pantry & bar.</u>
<u>2</u>	<u>Educational</u>	<u>One parking space for 35 sq.m. carpet area of the administrative office area and public service area.</u>
<u>3</u>	<u>Assembly and assembly halls or auditorium (including those educational uses and hostels)</u>	<u>One parking space for 12 seats / persons.</u> <u>Without fixed seats, one parking space for every 15 sq.m. of floor area.</u> <u>For canteen, bar and restaurant additional parking required under these Regulations for other permissible users as per provisions made herein for such purposes shall be provided.</u>
<u>4</u>	<u>Government or semi-public or private office business buildings</u>	<u>One parking space for every 37.5 sq.m. of office space upto 1500 sq.m. and for every 75 sq.m. of additional space for areas exceeding 1500 sq.m. in other areas.</u>
<u>5</u>	<u>Mercantile (Markets, Departmental stores, shops and other commercial users) (I.T. Parks)</u>	<u>One parking space for every 40 sq.m. of floor area upto 800 sq.m. and one parking space for every 80 sq.m. of space for areas exceeding 800 sq.m. Provided that no parking space need to be provided for floor area upto 50 sq.m.</u>
<u>6</u>	<u>Industrial</u>	<u>One parking space for every 150 sq.m. thereof subject to minimum of two spaces.</u>
<u>7</u>	<u>Storage</u>	<u>One parking space for every 150 sq.m. thereof subject to minimum of two spaces.</u>
<u>8</u>	<u>Hospitals and Medical Institutions</u>	<u>One parking space for every 150 sq.m. of total floor area, except that it would be one parking space for every 600 sq.m. of the total floor area in the case of Govt. and Municipal Hospitals and Medical Institutions. In addition, one parking space for ambulance parking measuring 10 m. x 4 m. for Hospitals or Medical Institutions with bed strength of 100 or more.</u>
<u>9</u>	<u>Cinemas and Theaters</u>	<u>Parking spaces equivalent to eight per cent of the total number of seats with additional parking as otherwise also required for other permissible users in conjunction with that of cinema/theatre.</u>
<u>10</u>	<u>Shopping (not included under Mercantile Occupancy)</u>	<u>One parking space for 150 sq.m. of total floor area, in the case of shopping user with each shops upto 20 sq.m. in area (i.e. in convenience shopping) and one parking space for 50 sq.m. of total floor area for shops each over 20/30 sq.m. area.</u>
<u>11</u>	<u>Stadia and Clubs (not included under Assembly Occupancy)</u>	<u>One parking space for every 100 seats plus additional parking as in these Regulations for occupancies like those of restaurants, etc. with such stadia or clubs.</u>

Note: In reconstruction schemes under the Maharashtra Housing and Area Development Act, 1976, not involving change of use in the gaathan areas/congested areas, on narrow plots upto 9m. in width, the requirement of parking spaces shall not be insisted upon.

7.8.3. OTHER VEHICLES

For all non-residential assembly and non-assembly occupancies 10 percent additional parking spaces, subject to a minimum of two spaces shall be provided in addition to what is prescribed in these regulations.

7.8.4. TRANSPORT VEHICLES

In addition to the parking spaces provided for mercantile (commercial) buildings like offices, markets, department stores and for industrial and storage buildings, parking spaces for transport vehicles shall be provided at the rate of one space for each 2000 sq.m. of floor areas or fraction thereof exceeding the first 400 sq.m. of floor area. The space shall not be less than 3.75m x 7.5m in size and more than 6 spaces need not be insisted upon.

7.8.5. ACCESS AISLES AND DRIVEWAYS

Off street parking space shall be provided with adequate access to a street, and the area of drives, aisles and such other provisions required for adequate maneuvering of vehicle shall be exclusive of the parking space stipulated in these Regulations.

7.8.6. COMMON PARKING LOT BY A GROUP OF PROPERTY OWNERS

If the total parking space required by these Regulations is provided by a group of property owners for their natural benefit, such use of this space may be constructed as meeting the off-street parking requirement under these Regulations subject to the approval of the Planning Authority. In such cases, the details of requirements for total development should be submitted, if a common parking space is proposed for the group of buildings, and the owners of such buildings shall submit the layout showing such reservation of parking space and also a registered undertaking that the area earmarked for the parking space will be exclusively developed as a parking lot.

7.8.7. PARKING SPACES – WHERE TO BE ACCOMMODATED.

The parking spaces may be provided-

- a) Underneath the building, in basements, within its stilted portion or on upper floors.
- b) In the side and rear open spaces but not in the amenity open spaces if –
 - i) They are unenclosed but uncovered except as provided in (d) below.
 - ii) They do not consume more than 50 percent of the marginal open space.
 - iii) A minimum distance of 3.0 m around the building is kept free of parking for proper maneuverability of vehicles.
 - iv) They are at least 7.5 m from the road boundary in case of detached covered garages.
 - v) The parking layouts meet the requirements of the chief fire officer in the case of multistoried high-rise and special building.
- c) in a residential zone, beyond the compulsory side and rear open spaces stipulated in Regulation 7.6.3, if other conditions under sub rule (b) above are satisfied. Here the parking space may be an unenclosed covered space.
- d) in a residential zone and a residential zone and a residential zone with shop line, with covered parking spaces garages of a size of 2.5 m x 5.5 m. with a height of 2.75 m. above ground level, at the rate of one covered garage for every 400 sq.m. of plot area, in side or rear open space, at a distance of 7.5 m from any street line or the front boundary of the plot.

Provided that the same is 1.5 m. from the building and the condition in 7.8.7 (b) above is complied with.

7.8.8. CINEMAS, THEATERS AND ASSEMBLY HALLS

~~Subject to the provisions of sub-regulation 7.8.7 above, in sites of cinemas, theatres auditoria and assembly halls, one row of uncovered parking may be allowed in the front margin space of 12m. or more, if the clear vehicular access way is not reduce to less than 6 m. The parking spaces in cinemas, theatres and places of public assembly shall be provided as given below Table No19.~~

TABLE 19: PARKING SPACE FOR ASSEMBLY BUILDING SUCH AS CINEMA ETC.

Sr.No	Type of vehicle	Number of vehicles for which parking space shall be provided with respect to % of Seating capacity
1	Cars	2.5 %
2	Scooters	10 %
3	Cycles	25 %

7.8.9. PARKING LOCK-UP GARAGES TO BE INCLUDED IN CALCULATION FOR FLOOR SPACE

Parking lock-up garages shall be included in the calculation for floor space for FSI calculations unless they are provided in the basement of a building or under a building constructed on stilts with no external wall.

7.8.10. PARKING SPACES TO BE LEFT OUT IN ADDITION TO OPEN SPACE FOR LIGHTING AND VENTILATION:

The spaces to be left out for parking as provided in regulations 7.8 both inclusive shall be in addition to the open space left out for lighting and ventilation purposes as provided in Regulations 7.5, 7.6 and 7.8, both inclusive and subject to Regulations 7.8.12. Provided that, one row of car parking may be provided in the front and marginal open spaces of 12 m. without reducing the clear vehicular access way to less than 6 m.

7.8.11. CERTAIN OPEN SPACES ALLOWED TO BE USED FOR PARKING OR LOADING AND UNLOADING:

Further 50 % of the open space required under Regulations 7.6 (both inclusive) around buildings except those in front and the recreational or amenity open space required under Regulations 7.3.5 may be allowed to be utilized for parking or loading or unloading spaces, provided a minimum distance of ~~3.6~~ 3.0 m. around the building is kept free from any parking loading unloading spaces.

7.8.12. PROVISION FOR LOADING AND UNLOADING IN CERTAIN CASES:

~~In the case of buildings of mercantile (commercial) nature like office markets, departmental stores and industrial and storage building spaces for loading and unloading shall be provided at the rate of one space for each 1000 sq.m. of floor area of fraction thereof exceeding the first 200 sq.m. floor area in addition to the parking spaces provided as laid down in these Regulations. The spaces for loading and unloading shall not be less than 3.6 x 7.5 m.~~

7.8.13. VEHICULAR RAMPS

In the case of parking spaces provided in basements or on upper stilts, at least two ramps of width not less than 4.5 m or a single ramp of width not less than 6 m and with 1:10 slope shall be provided, located preferably at opposite ends. Alternatively vehicular lifts shall be permitted in place ~~or~~ of ramps.

PART - V
SPECIFICATION OF PARTS OF BUILDING

PART - V

SPECIFICATION OF PARTS OF BUILDING

8. SPECIFICATION OF PARTS OF BUILDING

This part sets out the standard space requirements of various parts of building and house of light and ventilation, the building services, fire safety, etc. The following parts of a building, wherever present, shall conform to the specifications given herein:

8.1. PLINTH

- i The height of plinth shall not be less than 45 cm above the surrounding ground level. In areas subjected to flooding, the height of the plinth shall be at least 60 cm. above the high flood level or greater than 60 cm. as may be decided by the Planning Authority in deserving cases.
- ii Interior Courtyards, Covered parking spaces and garages -these shall be raised at least 15 cm. above the surrounding ground level shall be satisfactory drained. Shops plinth height may be 30 cm.
- iii In the case of special housing schemes put up by public agencies for low income group and economically weaker section of society, the minimum height of plinth shall be not less than 30 cm.

8.2. HABITABLE ROOM

8.2.1. SIZE AND DIMENSION OF HABITABLE ROOMS

Internal dimensions & size of rooms meant for various uses, occupancies and those of lofts / mezzanines / basements stairways etc. shall be as in Table No20 below.

TABLE 20: MINIMUM SIZE AND DIMENSION OF HABITABLE ROOM

No	Occupancy	Minimum Area in sq.m.	Minimum width in m.	Remarks
(1)	(2)	(3)	(4)	(5)
1	Any Habitable room in residential building / room from any other occupancy like hostels, residential hotel, lodging & boarding/housing etc except kitchen	9.5	2.4	
2	Room in a single-room tenement in High density Housing / Housing scheme for EWS	12.5	2.4	
3	Rooms in a two-room tenements-			
	a) one of the rooms	9.6	2.4	
	b) other room	7.5	2.4	
4	Rooms in a two-room tenement of site and services project -			
	a) One of the rooms	9.3	2.4	
	b) Other rooms	5.6	2.3	
5	Kitchen			
	a) one room – kitchen tenement	7.5	1.8	
	b) Two room – kitchen tenement	5.5	2.1	
	c) Kitchen in alcove with direct access from the main room without inter communicating door	2.4	1.2	

No	Occupancy	Minimum Area in sq.m.	Minimum width in m.	Remarks
(1)	(2)	(3)	(4)	(5)
	d) Kitchen cum Dining	9.5	2.4	
	e) Loft over kitchen	-	-	25% of the carpet area of the kitchen.
6	Single bedded room in a hostel of a recognized educational institutions	7.5	2.4	
7	Shop in R 1 zone	6	1.8	
	Shop in other than R 1 zones	10	2.0	
8	Class room in an educational buildings	5.538	385.5	or area at 0.8 sq.m. per student whichever is more
9	Institutional building			
	a) Special room	9.5	3	
	b) General Ward	40	5.5	
10	Cinema Hall, auditorium assembly hall etc.	Inconformity with the Maharashtra cinema Rules		

Provided that in sites and services projects, a room of 5.00 sq. m. with a toilet arrangement may be allowed in the first phase and in the second phase, another room of 9.3 sq.m. may be added provided further that an additional bed room for occupancy of a single person with a size of 5.5 sq.m. with a minimum width of 1.8 m. may be permitted.

8.2.2. HEIGHT OF HABITABLE ROOMS:

The minimum and maximum height of a habitable room shall be given in Table 21 hereunder:

TABLE 21: HEIGHT OF HABITABLE ROOMS

No.	Occupancy	Minimum Height (m)	Maximum Height (m)
(1)	(2)	(3)	(4)
1	Flat roof -		
	a) Any habitable room	2.75	4.2
	b) Habitable room in High Density Housing	2.6	4.2
	c) Air-conditioned habitable room	2.4	4.2
	d) Assembly halls, residential hotels of 3 star category and above, rooms in Institutional, Educational, Industrial, hazardous or storage occupancies, department stores departmental stores and assembly halls entrance halls & lobbies to departmental stores & assembly halls	3.6 written permission of the Planning Authority greater height may be permitted	4.2 Subject to written permission of the Planning Authority greater height may be permitted
2	Pitched roof-		
	a) Any habitable room	2.75	4.2
	b) Habitable room in High Density Housing	2.6 (average with 2.0 m. at the lowest point)	4.2 (average with 3.2 m. at the lowest point)

Provided that –

- the minimum head-way under any beam shall be 2.4 m.
- in all occupancies, except those included in serial no. 1 (d) in the Table above, any height in excess of 4.2 m. shall be deemed to have consumed an additional FSI of 50 percent of the relevant floor area.

- iii) Other requirements -One full side of habitable room must abut or ~~enters~~the open space as provided in Regulation 7.6.7.
- iv) The above restriction as stated in table no. ~~8-21~~ for any telemetric-telematic equipment, storage, erection facility can have a height as required for effective functioning of that system.

8.3. KITCHEN:

8.3.1. SIZE OF KITCHEN:

- i) The area of the kitchen shall be not less than 5.5 sq.m. with a minimum width of 1.8m but in a two room tenement the minimum area of the room to be used as a kitchen shall be 7.5 sq.m. with minimum width of 2.1 m.
- ii) In case of special housing scheme, put up by public agencies for low income group and economically weaker section of the society, no provision for kitchen shall be necessary. In case of double room tenements, the size of a kitchen shall be not less than 4.0 sq.m. with a minimum width of 1.5 m.

8.3.2. HEIGHT OF KITCHEN:

The room height of a kitchen measured from the surface of the floor, the lowest point in the ceiling (bottom of slab) shall not be less than 2.75 m. subject to provisions of regulation 8.2.2.

8.3.3. OTHER REQUIREMENT OF KITCHEN

Every room to be as a kitchen shall have:

- i) unless separately provided in pantry, means for the washing of kitchen utensils which shall lead directly or through a sink to grated and trapped connection to the waste pipe;
- ii) an impermeable floor;
- iii) a chimney not less than 500 sq.m. in area after pargetting if fire wood, coal or like material is used which will generate smoke.
- iv) window of not less than 1 sq.m. in area, opening directly on to an interior or exterior open space, but not into a shaft and
- v) in the case of multi-storied residential buildings more than 15 m. in height, refuse chutes.

8.3.4. REQUIREMENTS REGARDING PANTRIES:

A pantry shall have –

- i) A floor area of not less than 3 sq.m. with the smaller side not less than 1.4 m.
- ii) A sink for the cleaning of kitchen's utensils which shall drain through a grated and trapped connection to the waste water pipe where water borne sewerage system is not available and the grated connection shall be made to the pucca surface drain leading to soak pit. or other approved system of disposal; and
- iii) An impermeable floor and an impermeable dado 0.9 m. high.

8.4. BATH-ROOMS AND WATER-CLOSETS:

8.4.1. SIZE OF BATH-ROOMS AND WATER-CLOSETS:

- i) The size of a bathroom shall be not less than 1.8 sq.m. with a minimum width 1.2 m. The size of a water closet shall be not less than 1.10 sq.m with a minimum width of 0.9m. The minimum area of a combined bathroom and water-closet shall be 2.6 sq. m. with a minimum width of 1.2 m.
- ii) In the case of special housing scheme the sizes of bathroom and water-closets shall be as follows
- | | |
|------------------------------|-------------------------------|
| a) Independent water-closet; | 1.1 <u>m</u> x 0.9 m. |
| b) Independent bathroom; | 1.3 <u>m</u> x 1.1 <u>m</u> . |

- c Combined bathroom and water closet: 2.0 sq.m. with minimum width of 1.2 m.

8.4.2. HEIGHT OF BATH-ROOM AND WATER-CLOSET:

The height of a bathroom or water closet measured from the surface of the floor to the lowest point in the ceiling (bottom of slab) shall be not less than 2.2 m.

8.4.3. OTHER REQUIREMENTS OF BATH-ROOM AND WATER-CLOSETS:

Every bathroom or water-closet shall –

- i Be so situated that at least one of its walls shall open to external air,
- ii Not be directly over or under any room other than another water-closet, washing place, bath or terrace, unless it has a water-tight floor,
- iii Have platform or seat made of water-tight non-absorbent material;
- iv be enclosed by walls or partitions and the surface of every such wall or partition shall be finished with a smooth impervious material to a height of not less than 1 m. above the floor of such a room
- v Every water closet and/or a set of urinals shall have a flushing cistern of adequate capacity attached to it. In High Density housing, however, no such flushing cistern need be provided,
- vi Be provided with an impervious floor covering sloping towards the drain with a suitable grade and not towards verandah or any other room,
- vii In High Density housing, pour flush water seal latrines (NEERI type) may be permitted when the sewerage system is not available and the water table in the area is not high,
- viii All the sewerage outlets shall be connected to the sewerage system. Where no such systems exist a septic tank shall be provided within the plot conforming to the requirements of Regulations No. 8-23-3-8.32.3.

8.4.4. RESTRICTIONS ON USE OF ROOM CONTAINING WATER-CLOSET:

No room containing a water-closet shall be used for any purpose except as a lavatory and no such room shall open directly into any kitchen or cooking space by a door, window or other opening. Every room containing water-closet shall have a door completely closing the entrance to it.

8.5. LOFT

Location and extent - Lofts may be provided over kitchen, habitable rooms, bathrooms, water closets, and corridor within a tenement in residential buildings as mentioned in below Table No 22 over shops and in industrial building, subject to the following restrictions.

- i The clear head room under the loft shall not be less than 2.0 m.
- ii Loft in commercial areas and industrial building shall be located 2 m. away from the entrance.

TABLE 22: PROVISION OF LOFT

Sr. No.	Rooms over which Permitted	Coverage (Percentage to area or room below)
1	Kitchen/Habitable room	25
2	Bathroom, water closet, corridor	100
3	Shops with width up to 3 m.	33 $\frac{1}{3}$
4	Shops with width exceeding 3 m.	50
5	Industrial	33 $\frac{1}{3}$

8.5.1. SIZE OF LEDGE OR TAND :

A ledge or tand in a habitable room shall not cover more than 25 percent of the area of the floor on which it is constructed and shall not interfere with the ventilation of the room under any circumstances.

8.5.2. HEIGHT OF LEDGE OR TAND:

The ledge or tand shall be provided at a minimum height of 2.2 m.

8.5.3. PROJECTIONS OF CUP-BOARDS, ETC :

The projections (cantilever) of cupboards and shelves may be permitted and shall be exempted from covered area calculations. Such projections may project upto 60 cm. in the set-backs for residential buildings provided the width of such cup boards or shelves does not exceed 2.4 m. and there is not more than one such cupboards or shelves in each room. However, cupboards on ground floor may be permitted within the building line. ~~Provided that, continues~~ Continuous cupboard or shelves with 60 cm. projection may be permitted provided the same is ~~60cm. projection may be permitted provided the same is~~ constructed underneath the sill portion of the window (not exceeding 90 cm. from the floor) and over the lintel of windows (at heights above 2.00 m. above floor level).

8.6. MEZZANINE FLOOR

8.6.1. SIZE OF MEZZANINE FLOOR

The aggregate area of a mezzanine floor in any room shall not exceed 50 % of the built up area of that room. The size of Mezzanine floor shall not be less than 9.5 sq.m. if it is used as a living room, the area of mezzanine floor shall be counted towards F.S.I.

8.6.2. HEIGHT OF MEZZANINE FLOOR:

The minimum height of a mezzanine floor shall be 2.2 m The head room under mezzanine floor shall not be less than 2.2 m

8.6.3. OTHER REQUIREMENT OF MEZZANINE FLOOR:

A mezzanine floor may be permitted over a room or a compartment provided –

- i) it conforms to the standards of living rooms as regards lighting and ventilation in case the size of mezzanine floor is 9.5 sq.m. or more.
- ii) it is so constructed as not to interfere, under any circumstances, with the ventilation of the space over & under it.
- iii) such mezzanine floor or any part thereof will not be used as a kitchen.
- iv) the mezzanine floor is not closed so as to make it possible to be converted into unventilated compartment.
- v) it is atleast 1.8 m. away from front wall of such rooms.
- vi) no objection certificate from the Director of Industries is obtained for additional floor area in case such mezzanine floor is constructed in industrial zone.
- vii) access to the mezzanine floor is from within the respective room only.

8.7. STORE ROOM

8.7.1. SIZE OF STORE ROOM:

The area of a store room if provided in a residential building shall not be more than 3 sq.m.

8.7.2. HEIGHT OF STORE ROOM:

The height of a store room shall not be less than 2.2 m.

8.8. GARAGE

8.8.1. SIZE OF PRIVATE GARAGE:

The size of a private garage in residential building shall not be less than 2.5 m x 5.5 m. or 2.3 m x 4.5 m. as provided in clause II of the note under it in sub-regulation (ii) of regulation 7.6.10.

The garage, if located in the side open space, shall not be constructed within 3.0 m. from the main building, but at least 7.5 m. away from the any access road.

8.8.2. SIZE OF PUBLIC GARAGE:

The size of a public garage shall be calculated based on the number of vehicles to be parked as specified in Regulation-86 7.8.

8.8.3. HEIGHT OF GARAGE

The minimum head room in a garage shall be 2.4 m.

8.8.4. PLINTH OF GARAGE:

The plinth of garage located at ground level shall not be less than 15 cm. above the surrounding ground level.

8.8.5. SET-BACK OF GARAGE:

The garage shall be set-back behind the building line for a street or road on which the plot abuts and shall not be located affecting the access ways to the building. If the garage is not set-back is aforesaid, the Planning Authority may require the owner or occupier of the garage to discontinue use, of premises or to take such other measures as the Planning Authority may consider necessary in order to prevent danger or obstruction to traffic along the street.

8.9. CORNER SITE:

When the site fronts on two streets, the frontage shall be as on the street having the larger width. In cases where two streets are of the same width, then the larger depth of the site will decide the frontage and open spaces. In such case, the location of a garage in a corner plot is provided within the open spaces, shall be located diagonally opposite the point of inter-sections.

8.10. ROOFS:

The roof of a building shall be so constructed or framed as to permit effectual drainage of the rainwater there from by means of sufficient rainwater pipes of adequate size wherever required, so arranged, jointed and fixed as to ensure that the rain-water is carried away from the building without causing dampness in any part of the walls or foundations of the building or those of an adjacent buildings.

8.11. RAIN WATER PIPES:

The Planning Authority may require rainwater pipes to be connected to a drain or sewer through a covered channel formed beneath the public foot path to connect the rainwater pipe to the road gutter or in any other approved manner,

Rainwater pipes shall be affixed to the outside of the walls of the buildings or in recesses or chases cut or formed in such walls or in such other manner as may be approved by the Planning Authority.

8.12. BASEMENT:

- i) ~~The One or more basements~~ shall be put only to the following uses and shall be constructed within the prescribed set-back, except front margin and prescribed building lines and subject to

maximum coverage on floor 1 (entrance floor) and subject to payment of premium for the uses other than (c) and (d) below, prescribed by the Planning Authority.

- a) storage of household or other goods or ordinarily non-combustible material;
- b) strong rooms, bank lockers, safe deposit vaults. etc.
- c) air-conditioning equipments and other machines used for services and utilities of the building;
- d) parking spaces;
- e) D.G. set room, meter room and Electric sub station (which will conform to required safety requirements);
- f) Effluent Treatment Plant, suction tank, pump room;
- g) users strictly ancillary to the Principal user.

Provided that the users mentioned at (a) & (b) above shall be permitted in the 1st basement only by counting in F.S.I. subject to the following conditions :

- 1) All requirements regarding access, safety (including fire safety), ventilations, etc. shall be complied with.
- 2) All the planning standards (particularly as regarding parking) should be strictly adhered to.

ii) The basement shall not be used for residential purpose.

iii) The basement shall have the following requirements -

- a) every basement shall be in every part at least 2.4 m. in height from the floor to the underside of the roof slab or ceiling;
- b) adequate ventilation shall be provided for the basement. The standard of ventilation shall be the same as required by the particular occupancy according to these regulations. Any deficiency may be met by providing adequate mechanical ventilation in the form of blowers exhaust fans or air-conditioning systems;
- c) the minimum height of the ceiling of any basement shall be 0.9 m. and the maximum shall be 1.2 m. above the average surrounding ground level;
- c1) Extended basement projected beyond building line only in side and rear open spaces should be flushed with ground level subject to provision of mechanical lighting and ventilation;
- d) adequate arrangements shall be made so as to ensure that surface drainage does not enter the basement;
- e) the walls and floors of the basements shall be water-tight and be so designed that the effect of the surrounding solid and moisture if any is taken into account in design and adequate damp proofing treatment is given and;
- f) the access to the basement shall be separate from the main and alternate staircase providing access and exit from higher floors. Where the staircase is continuous the same shall be enclosed type serving as a fire separation from the basement floor and higher floors. Open ramps shall be permitted if they are constructed within the building line subject to the provision of clause (d) above.

8.13. RAMPS

8.13.1. RAMPS FOR PEDESTRIANS

All the requirements of stairways in Regulation ~~24.5.58.28~~ shall apply mutatis mutandis to non-vehicular ramp. In addition, the following requirement shall be complied with.

- a) Ramps with a slope of not ~~more steeper~~ than 1 in 10 may be substituted for and shall comply with all the applicable requirements of required stairways as to enclosure, capacity and limited dimensions. Ramps shall be surfaced with approved non slipping

material. Provided that in the case of public offices, hospitals, assembly halls, etc. the slope of the ramp shall not be more than 1: 12.

- b) The minimum width of the ramps in hospitals shall be 2.25 m.
- c) Handrails shall be provided on both sides of the ramp.
- d) Ramps shall lead directly to outside open space at ground level or courtyards or safe place.
- e) For building above 24 m. in height access to ramps from any floor of the building shall be through smoke stop door.

8.13.2. RAMPS TO BASEMENTS AND UPPER STOREYS FOR VEHICLES

For parking spaces in a basement and upper floors, at least two ramps of ~~adequate~~ minimum 3.6 m. width and slope not more than 1:10 shall be provided preferably at the opposite ends. Such ramps may be permitted in the side and rear marginal open spaces after leaving minimum distance of 4.50 m. sufficient space for movement of fire-fighting vehicles.

8.14. BALCONY

Balconies may be allowed to be enclosed with written permission of the Planning Authority. When balconies are enclosed, one third area of their faces shall have louvers, glass shutters or grills on the top and rest of the area except parapet, shall have glazed shutters. Premium for enclosures shall have to be paid as decided by Planning Authority.

8.15. STILT

A stilt portion shall be permitted on ground floor ~~only~~ on podium, constructed below 1st floor level, the height between ground floor level & ceiling of the stilt portion shall not be more than 2.4 m from the plinth of stilt upto the bottom of beam and at least three sides of the stilt portion shall be open. The stilt portion shall not be used for any purpose other than for vehicles parking or for play field. Plinth of stilt shall not be more than 15 cm. from surrounding ground level. A stilt provided for Primary School/High School buildings may be permitted with more height upto 3.2 m. for using it for open gathering of the students free of FSI.

8.16. CHIMNEYS

Chimneys, where provided, shall conform to the requirements of IS: 1646-1960 Indian Standard Code of Practice for Fire Safety of Building .Provided that the chimney shall be built atleast 0.9 m. above flat roof if the top of the chimney be below the tops of adjacent wall and in the case of sloping roof, the chimney top shall not be less than 0.6 m. above the ridge of the roof in which the chimney penetrates.

8.17. LETTER BOX

A letter box of appropriate dimensions shall be provided on the ground floor of residential and commercial buildings with five and more storeys.

8.18. METER ROOM

An independent and ventilated well lighted meter service room directly accessible from the outside) shall be provided on stilt / ground floor / basement ~~and/or on upper floors~~, according to the requirements of the electric supply undertaking. The door to the room shall have fire resistances of not less than two hours.

8.19. COMMON ANTENNA FOR TELEVISION TRANSMISSION RECEPTION

A common conventional antenna for receipt of television transmission shall be provided for every residential building with more than ten tenements.

8.20. LIGHTING AND VENTILATION OF ROOMS

- i. **ADEQUACY AND MANNER OF PROVISION** - All parts of any room shall be adequately lighted and ventilated. For this purpose every room shall have-
- One or more apertures, excluding doors, with area not less than one-sixth of the floor area of the room, with no part of any habitable room being more than 7.5 m. away from the source of light and ventilation. However, a staircase shall be deemed to be adequately lighted and ventilated, if it has one or more openings then area taken together measuring not less than 1 sq.m. per landing on the external wall.
 - An opening with a minimum area of 1 sq.m. in any habitable room including a kitchen, and 0.30 sq.m. with one dimension of 0.30 m. for any bathroom, water closet or store.
 - All the walls, containing the openings for light and ventilation fully exposed to an exterior open space either directly or through a verandah not exceeding 2.4 m. in width provided that a room meant for non-residential user shall be considered as adequately lighted and ventilated ~~if~~ if, its depth from the side abutting the required open space does not exceed 12 m.
- ii. ~~Artificial~~ Ventilation shaft - A bathroom, water closet, staircase or store may abut on the ventilation shaft, the size of which shall not be less than the values given below :-

Sr.No	Height of Buildings in m.	Cross-section of Ventilation shaft in sq.m.	Side of shaft in m.
(1)	(2)	(3)	(4)
1	upto 12	2.8	1.2
2	upto 18	4	1.5
3	upto 24	5.4	1.8
4	up to 30	8	2.4
5	Above 30	9	3

For buildings above 30m. mechanical ventilation system shall be installed besides the provisions of minimum ventilation shaft. In such ventilations shafts, mechanical ventilation system shall be installed. Further, such ventilation shaft shall be adequately accessible for maintenance.

- iii. Artificial Lightning and Mechanical ventilation - where lighting and ventilation requirements are not met through day-lighting and natural ventilation, they shall be ensured through artificial lighting and ventilation in accordance with the provisions of Part VIII, Building Services- Section 1, Lighting and Ventilation, National Building Code of India, 2005.
- iv. In any residential hotel where toilets are provided with a mechanical ventilation system. The size of the ventilation shaft prescribed in this Regulation may be suitably relaxed by the Planning Authority.

8.20.1. DISTANCE FROM APERTURES MEANT FOR LIGHTING

~~No portion of a room meant for residential use shall be assumed to be lighted if it is more than 7.5 m. from the opening assumed for lighting that portion. For commercial, industrial or other non-residential use the distance of 12 m. for the opening shall be considered as adequate.~~

8.21. OVERHEAD TANKS:

Every overheads water storage tanks shall be maintained in a perfectly mosquito-proof condition by providing a properly fitting hinged cover and every tank more than 1.5 m. in height shall be provided with a permanently fixed iron ladder to enable inspection by anti-malaria staff.

8.22. PARAPET:

Parapet walls and handrails provided on the edges of roof terraces or balcony shall not be less than 1.15 m. above the finished floor level and not more than 1.30m. above the unfinished floor level in height.

8.23. CABIN:

The size of cabins shall not be less than 3.0 sq.m. The clear passages within the divided space of any floor shall not be less than 0.9 m. and the distance from the farthest space in a cabin to any exit shall not be more than 18.5 m. In case the sub-divided cabin does not derive direct lighting and ventilation from any open space or mechanical means, the maximum height of the cabin shall be 2.2 m.

8.24. BOUNDARY WALL / COMPOUND WALL:

- i Unless the special permission of the Planning Authority is obtained, the maximum height of the front compound wall shall be 1.5 m. above the central line of the front street. Compound wall up to 2.4 m. height may be permitted if the top 0.9 m. is of open type construction.
- ii In the case of a corner plot, the height of the boundary wall shall be restricted to 0.75 m. for a length of 10 m. on the front and side of the inter sections and the remaining height of 0.75 m. if required in accordance with sub-regulation (i) may be made up of open type construction (through railings)
- iii The provision of sub-regulations (i) and (ii) shall not be applicable to boundary walls of jails, industrial buildings, electric sub-stations, transformer stations, institutional buildings like sanatoria, hospital, industrial building like workshops, factories and educational buildings like schools, colleges including the hostels and other user of public utility undertakings the height up to 2.4 m. may be permitted by the Planning Authority.

8.25. OFFICE ROOM SOCIETY OFFICE:

In the case of multi-storied multi-family dwelling apartments constructed ~~by for~~ co-operative housing societies or apartment owner's co-operative societies, an office room a Society Office upto 12 sq.m. of dimension of 3.6 m x 3 m. shall be provided on the ground floor or uppermost floor. If the numbers of flats are more than 20 the maximum size of the ~~office rooms~~ Society Office shall be of dimension of 20 sq.m.

8.26. PROVISION OF LIFT:**I PLANNING AND DESIGN -**

At least one lift shall be provided in every building more than 16m in height. In case of buildings more than 24m high at least two lifts shall be provided. However, in the case of a proposal to add one additional floor to an existing building having a lift, it will not be necessary to raise the existing lift to the additional floor. Provided that in the case of an existing building with height of 16m or above one additional floor may be permitted without insisting on a lift in the case of chawl like structures. The same concession would be available for buildings with apartment accommodation provided the additional floor space is limited to 120 sq.m. The total height shall not exceed 16m or ground and five upper floors.

In the case of buildings more than 24m high at least two lifts shall be provided for every dwelling except those situated on the ground and first floor without having to climb or to go down more than one floor.

The planning and design of lifts including their number, type and capacity depending on the occupancy of the building, the population of each floor based on the occupant load and the building height shall be in accordance with Section 5 - Installation of Lifts and Escalators of Part 8- Building Services, of the National Building Code of India, 2005.

II MAINTENANCE-

- a The lift installation should receive regular cleaning, lubrication adjustment and adequate servicing by authorized competent persons at such intervals as the type of equipment and frequency of service demand. In order that the lift installation is maintained at all times in a safe condition, a proper maintenance schedule shall be drawn up in consultation with the lift manufacturer and rigidly followed. A log book to record all items relating to general servicing and inspection shall be maintained. The electrical circuit diagram of the lift with the sequence of operation of different components and parts shall be kept readily available for reference by persons responsible for the maintenance and replacement, where necessary, to the satisfaction of the Planning-Competent Authority i.e. (Lift inspector of the Government of Maharashtra).
- b Any accident arising out of operation or maintenance of the lifts shall be duly reported to the Planning-Competent Authority, i.e. Lift Inspector of the Government of Maharashtra.
- c All the floors shall be accessible for 24 hours by the lifts. The lifts provided in the buildings shall not be considered as a means of escape in case of emergency.
- d ~~Grouping~~ Grounding switch at ground floor level to enable the fire service to ground the lift cars in an emergency shall also be provided.
- e The lift machine rooms shall be separate and no other machinery shall be installed therein.
- vi ~~In the case of an existing buildings, for construction of one additional floor, the existing lift may not be raised to additional floor.~~

8.27. EXITS (PASSAGES, CORRIDORS, VERANDAHS, DOORWAYS, STAIRCASES AND RAMPS):

8.27.1. EXIT REQUIREMENTS

Exits from all the parts of the building, except those not accessible for general public use, shall -

- a) Provide continuous egress to the exterior of the building or to an exterior open space leading to the street;
- b) be so arranged that, except in a residential building, they can be reached without having to cross another occupied unit ;
- c) be free of obstruction ;
- d) be adequately illuminated ;
- e) be clearly visible, with the routes reaching them clearly marked and signs posted to guide any person to the floor concerned ;
- f) be fitted, if necessary, with firefighting equipment suitably located but not as to obstruct the passage, clearly marked and with its location clearly indicated on both sides of the exit way ;
- g) be fitted with a fire alarm device, if it is either a multi storeyed, high use or a special building so as to ensure its prompt evacuation ;
- h) remain unaffected by any alteration of any part of the building so far as their number, width, capacity and protection thereof is concerned ;
 - i) be so located that the travel distance on the floor does not exceed the following limits :-
 - i) Residential, educational, institutional and hazardous occupancies: 22.5 m.
 - ii) Assembly, business mercantile, industrial and storage buildings: 30 m.

Note: The travel distance to an exit from the dead end of a corridor shall not exceed half the distance specified above.

8.27.2. TYPE OF EXITS

An exit may be a doorway, a corridor, a passage or a way to an internal staircase or external staircase, ramp or to a verandah and/or terraces which have eves to the street or to roof of a

building. An exit may also include a horizontal exit leading to an adjoining building at the same level. Lifts and escalators shall not be considered as exits.

8.27.3. ARRANGEMENT OF EXITS:

Exits shall be so located that the travel distance on the floor shall not exceed 22.5 m. for residential, education, institutional and hazardous occupancies and 30 m. for assembly business, mercantile, industrial and storage occupancies. Whenever more than one exit are required for a floor of a building, exits shall be placed at remote from each other as possible. All the exits shall be accessible from the entire floor area at all floor levels.

8.27.4. OCCUPANT LOAD:

The population in rooms areas of floors shall be calculated on the basis of occupation load as given in Table No. 23 below:-

TABLE 23: OCCUPANT LOAD

No	Group of Occupancy	Occupant Load Gross Area in sq.m.per person
(1)	(2)	(3)
1)	Residential	12.5
2)	Educational	4
3)	Institutional	15 (*)
4)	Assembly	
	a) With fixed or loose seat and dance floors	0.6 +
	b) Without seating facilities including dining rooms	1.5 ++
5)	Mercantile	
	a) Street floor & Sales basement	3
	b) Upper sale floors	6
6)	Business and industrial	10
7)	Storage	30
8)	Hazardous	10

Note: * The gross area shall mean plinth area or covered area.

1)± _Occupant load in dormitory portions of homes for the aged, orphanages, insane, asylums etc. where sleeping accommodation provided, shall be calculated at not less than 7.5m. gross area/person 7.5 sq.m. per person.

2)++ The gross area shall include, in addition to the main assembly rooms or space, any occupied connecting room or space in the same storey or in the storeys above or below where entrance is common to such rooms and spaces and they are available for use by the occupants of the assembly place. No deductions shall be made in the area for corridors, closets or other subdivisions, that _One area shall include all space serving the particular assembly occupancy.

8.27.5. CAPACITY OF EXITS

1) The capacity of exits (doors and stairways) indicating the number of persons that could be safely evacuated through an unit exit width of 50 cm. shall be as given in Table No 24 given below -

TABLE 24: OCCUPANTS PER UNIT EXIT WIDTH

Sr._No	Group of Occupancy	Number of Occupants	
		Stairways	Doors
(1)	(2)	(3)	(4)
1	Residential	25	75
2	Educational	25	75

3	Institutional	25	75
4	Assembly	60	90
5	Business	50	75
6	Mercantile	50	75
7	Industrial	50	75
8	Storage	50	75
9	Hazardous	25	10

- 2) For the dormitory portions of homes for the aged, orphanages, mental hospitals, etc. these multipliers will be doubled.
- 3) The plinth or covered area shall include, in addition to the main assembly rooms or space, any occupied connecting room or space in the same storey or in the storey above or below where entrance is common to such rooms and space and they are available for use by the occupants of the assembly place.
- 4) No deductions shall be made in the gross area of the corridors, closets or other sub-divisions; all space serving the particular assembly occupancy shall be reckoned.

8.27.6. PROVISION FOR STAIRCASE:

For all ~~non-residential buildings accepting single and multi-family dwellings below~~ above 16-24 m. in height, there shall be minimum two staircases. One of them shall be an enclosed stairway and the other shall be on the external walls of buildings and shall open directly to the exterior or interior open space or to any place of safety subject to NOC from Competent Fire Authority.

8.27.7. WIDTH PROVISION FOR STAIRCASE:

Notwithstanding anything contained in regulations 8.27.3, 8.27.4 & 8.27.5 the following minimum width provision shall be made for staircases flight/corridor.

i Residential Building -1.2 m.

Note: for row housing with 2 storeys the minimum shall be 0.75 m.

ii Assembly Building likes auditorium, theatres and cinemas - 2.0 m.

iii Institutional Buildings like hospitals up to 10 beds- 1.5 m. More than 10 beds 2.0 m.

iv Educational Building like schools-1.5 m.

v All other Buildings - 1.50 m.

Provided that the width of the mid-landing/quarter landing should not be more than 1.5 times and the floor landing should not be more than two times of the width of the stair flight.

8.28. REQUIREMENT OF INDIVIDUAL EXIT AT EACH FLOOR:

The detailed requirements ~~as-in~~ respect of exits shall be as provided in regulations 8.28.1 to 8.28.7 (both inclusive) given below.

8.28.1. DOORWAYS:

- i Every exit doorway shall open into enclosed stairways a horizontal exit, or a corridor or passageway providing continuous and protected means of egress:
- ii No exit doorway shall be less than 100 cm. in width. Doorway shall be not less than 200 cm. in height. Doorways for the bathrooms, water-closets or stores shall be not less than 75 cm. wide.
- iii Exit doorways of non residential buildings shall open outwards, that is to say, away from the room but shall not obstruct the travel along any exit. No door, when opened shall reduce the required width of stairways or landing to less than 90 cm. Overheads or sliding doors shall not be installed.

- iv Exit door shall not open immediately upon a flight or stair. A landing equal to at least the width of the door shall be provided in the stairway at each doorway. Level of landing shall be the same as that of the floor which it serves.
- v Exit doorway shall be opening able from the side which they serve without the use of a key.

8.28.2. REVOLVING DOORS:

- i Revolving doors shall not be used as required exits except in residential business and mercantile occupancies; they shall not constitute more than half the total required door width.
- ii When revolving doors are considered as required exit way, the following assumptions shall be made -
 - a Each revolving doors shall be credited one-half a unit width and
 - b Revolving doors shall not be located at the foot of stairway. any stairway served by a revolving door shall discharge through a lobby or foyer.

8.28.3. STAIR WAYS:

- i Interior staircase shall be constructed of non-combustible materials throughout.
- ii Interior staircase shall be constructed as a self contained unit with at least one side adjacent to an external wall and shall be completely enclosed. For buildings more than ~~25m~~24 m. in height, all staircases shall be enclosed.
- iii A staircase shall not be arranged around a lift shaft unless the latter is entirely enclosed by a material of fire-resistant rating as that for type of constructions itself. For building more than ~~25~~24 m. in height the staircase location shall be to satisfaction of the Planning Authority.
- iv Hollow combustible construction shall not be permitted.
- v The minimum width of tread without nosing shall be 25 cm. for an internal staircase for residential building. In the case of other buildings, the minimum tread shall be 30 cm. The treads shall be constructed and maintained in a manner to prevent slipping.
- vi The minimum width of an internal staircase shall be 120 cm. subject to provisions of regulations 4448.27.7.
- vii The maximum height of riser shall be 19 cm. in the case of residential buildings and 16 cm. in the case of other buildings. They shall be limited to 12 per flight. In narrow plots and in high density housing single flight staircase may be permitted and also in case of internal staircase the single flight may be allowed.
- viii Handrails shall be provided with a minimum height of 90 cm. from the centre of the tread.
- ix Floor indicator - The number of each floor shall be conspicuously painted in figures at least 15 cm. large on the wall facing the flights of a stairway or at such suitable place as is distinctly visible from the flights.
- x The minimum headroom in a passage under the landing of a staircase shall be 2.2 m.
- xi For building more than 25m. in height higher access to main staircase shall be gained through at least half an hour fire resisting automatic closing doors placed in the enclosing wall of the staircase. It shall be a swing type door opening in the direction of the escape.
- xii No living space, store or other space including fire risk shall open directly into the staircase.
- xiii External exit door of staircase enclosure at ground level shall open directly to the open spaces or should be reached without passing through any door other than a door provided to form a draught lobby.
- xiv In the case of assembly, institutional or residential occupancies or hotels or industrial and hazardous occupancies, the exit sign with arrow indicating the way to the escapes route shall be provided at a height of 0.5 m. from the floor level on the wall and shall be illuminated by electric light connected to corridor circuits. All exit way marking signs should be flushed with the wall and so designed that no mechanical damage shall occur to them due to moving of furniture or other heavy equipments. Further all landing of floor shall have floor indication boards

indicating the number of floor. The floor indication board shall be placed on the wall immediately facing the flight of stairs and nearest to the landing. It shall be of the size not less than 0.5 x 0.5 m.

xv In case of a single staircase, it shall terminate at the ground floor level and the access to the basement shall be by a separate staircase. Whenever the building is served by more than one staircase one of the staircases may lead to basement level provided the same is separated at ground level by either a ventilated lobby or a cut-off screen wall without opening, having a fire resistance of not less than 2 hours with discharge point at two different ends or through enclosures. It shall also be cut-off from the basement areas at various basement levels by a protected and ventilated lobby or lobbies.

xvi The staircase shall be lighted and ventilated and the minimum size of openings on walls abutting to open space shall be 1.5 sq.m per landing.

8.28.4. FIRE ESCAPE OR EXTERNAL STAIRS:

Multistoried, High-rise and special Building shall be provided with fire escape stairs which will be free of F.S.I. and they should conform to the following.

- i They shall not be taken into account in calculating the evacuation time of a building.
- ii All of them shall be directly connected to the ground.
- iii Entrance to them shall be separate and remote from the internal staircase
- iv The fire escape which shall have the required fire resistance.
- v They shall be constructed of non-combustible material.
- vi They shall have a straight flight not less than 25 cm. wide with 15 cm. treads and risers not more than 19 cm. the No. of risers shall be limited to 16 per flight.
- vii They shall be provided with handrails at a height not less than 90 cm. above the tread.

8.28.5. SPIRAL STAIRS (FIRE ESCAPE)

The use of spiral staircase shall be limited to low occupant load and to a building of height of 9.0 m. unless they are connected to platforms, such as balconies and terraces to allow escapes to pause. A spiral fire escape shall be not less than 150 cm. in diameter and shall be designed to give adequate headroom.

8.28.6. RAMPS

- ~~i Ramps with a slope of not more than 1 in 10 may be substituted for and shall comply with, all the applicable requirements of required stairways as to enclosure capacity and limiting dimensions. Ramps shall be surfaced with approved non-slipping material.~~
- ~~ii The minimum width of the ramps in hospital shall be 2.25m~~
- ~~iii Handrails shall be provided on both sides of the ramps.~~
- ~~iv Ramps shall lead directly to outside open space at ground level or courtyards or safe place;~~
- ~~v For building above 16m. in height, access to ramps from any floor of the building shall be through smoke stop door.~~

8.28.7. CORRIDORS:

- i The minimum width of a corridor shall not be less than 75cm. in the case of 2 storeys row housing residential buildings and 100 cm. in the case of other buildings and actual width shall be calculated based on the provision of regulations 140 to 142 8.27.3 to 8.27.5 (both inclusive)
- ii In the case of more than one main staircase of the building by a corridor or other enclosed space, there shall be at least one smoke stop door across the corridor or enclosed space between the doors in the enclosing walls of any two staircases.
- iii (A) Exit corridors shall be of a width not less than the total required width of exit doorways leading from them in the direction of travel of the ~~terio~~exterior/stairways.

(B) Where stairways discharge through corridors, the height of the corridors shall not be less than 2.4 m.

8.29. REFUGE AREA:

For all buildings exceeding ~~16-24~~ m. in height, refuge areas shall be provided as follows **along with any additional requirement by the competent fire authority shall prevail.**

a	For floors above 16 m. and up to 24 m.	One refuge area on the floor immediately above 16 m.
ba	For floors above 24 m. and upto 36 m.	One refuge area on the floor immediately above 24 m.
eb	For floors above 36 m.	One refuge area per every five floors above 36 m.

8.30. SPECIAL REQUIREMENTS FOR PUBLIC SEMI PUBLIC AND ASSEMBLY EDUCATIONAL BUILDINGS.

- i Size of the Classroom Ref. Table No. 20 Regulation No. 8.2.1
- ii Height of the Classroom Ref. Table No. 21 Regulation No. 8.2.2
- iii Exit Requirements Ref. Table No. 23 of Reg. No. 8.27.4, Table No. 24 of Reg. No. 8.27.5 and Reg No. 8.28.7.
- iv Parking Requirement Ref. Table No. 18 & 19 of Reg. No. 7.8.

In addition to above every educational building shall be provided with-

- a A Tiffin room with a minimum area of 18.0 sq.m. for every 800 students or part thereof a separate Tiffin room for teachers where strength of students exceeds 1000.
- b a room with drinking water facilities for every 300 students or less on each of the floors.
- c These requirements may be amended by the Planning Authority in consultations with the Education Department of the State Government.

8.31. FACILITIES FOR PHYSICALLY HANDICAPPED-CHALLENGED PERSONS:

Special amenities and facilities for physically handicapped-challenged persons shall be provided as per Appendix-K.

8.32. WATER SUPPLY AND DRAINAGE ARRANGEMENTS

Every plot individually for a building or group of buildings shall provide for drinking water storage facilities and sub-soil dispersion system within its boundaries as follows.

8.32.1. DRINKING WATER ARRANGEMENT

The drinking water arrangement could be through the pipe water supply available from Municipal Authorities or private source or internal wells. If the water supply is through internal sources like a private source or wells a certificate as regards to the availability of adequate quantity of water supply round the year & especially during the months of March to June shall be obtained from the Ground Water Survey and Development Agency.

Water brought from offsite sources shall be stored in underground tanks of adequate size & supply to the tenements, user buildings through a network of overhead water storage tank, hydro-pneumatic system so as to ensure adequate pressure. The tanks shall be maintain in a perfectly mosquito-proof condition by providing a properly fitting hinged cover & every tank more than 1.5m in height shall be provided with a permanently fixed iron ladder to enable inspection by anti-malaria staff.

8.32.2. WELLS

Wells, intended to supply water for human consumption or domestic purposes, where provided shall comply with the requirements of Regulations.

1) LOCATION

The Well shall be located:-

- a) Not less than 15 m. from any ash pit, refuse pit, earth closet or privy and shall be located on a site upwards from the earth closet or privy ;
- b) not less than 18 m. from any cess pit, soak way or borehole latrine and shall be located on a site upwards from the earth closet or privy ;
- c) that contamination by the movement of sub-soil or other water is unlikely ; and
- d) not under a tree unless it has a canopy over it so that leaves and twigs do not fall into the well and rot.

2) REQUIREMENTS

The well other than a bore well or a tube well shall:-

- a) have a minimum internal diameter of not less than 1 m.
- b) be constructed to a height not less than 1 m. above the surrounding ground level, to form a parapet or kerb and to prevent surface water flowing into a well, and shall be surrounded with a paving constructed of impervious material which shall extend for a distance of not less than 1.8 m in every direction from the parapet from the kerb forming the well head and the upper surface of such a paving shall be sloped away from the well.
- c) be of sound and permanent construction (PUCCA) throughout. Temporary exposed (KUTCHA) wells shall only be permitted in fields or gardens for purposes of irrigation; and
- d) the interior surface of the lining or walls of the well shall be rendered impervious for a depth of not less than 1.8 m. measured from the level of the ground immediately adjoining the well head.

8.32.3. SUB-SOIL DISPERSION SYSTEM / SEPTIC TANK

Every building, group of buildings together shall be either connected to the Municipal Drainage system or provided with sub-soil dispersion system in the form of septic tank which shall be governed by the following or any other alternative design and specifications as approved by State Government.

1) DESIGN OF SEPTIC TANKS

Where a septic tank is used for sewage, disposal the location, design and construction of the septic tank shall conform to requirements of the following Regulations.

2) LOCATION OF SEPTIC TANK AND SUBSURFACE ABSORPTION SYSTEMS:

A subsoil dispersion system shall not be closer than 18 m. from any source of drinking water such as well to mitigate the possibility of bacterial pollution of water supply. It shall also be as far removed from the nearest habitable building as economically feasible but not closer than 6 m. to avoid damage to the structures.

3) REQUIREMENTS

- a) Septic tanks shall have minimum width of 75 cm. minimum depth of one meter below the water level and a minimum liquid capacity of one cubic meter. Length of tanks shall be 2 to 4 times the width,
- b) Septic tanks may be constructed of brickwork, Stone Masonry, Masonry concrete or other suitably material as approved by the Appropriate Authority.
- c) Under no circumstances should effluent from a septic tank be allowed into an open channel drain or body of water without adequate treatment.
- d) Minimum nominal diameter of pipe shall be 100 mm. Further, at junctions of pipes in manholes, direction of flow from a branch connection should not make an angle exceeding 45° with the direction of flow in the main pipe;

- e) The gradients of land drains, under-drainage as well as the bottom of dispersion trenches and soakways should be between 1:300 and 1:400.
- f) Every septic tank shall be provided with ventilating pipe of at least 50 mm diameter. The top of the pipe shall be provided with a suitable cage of mosquito proof wire mesh. The ventilating pipe shall extend to a height which would cause no smell nuisance to any building in the area. Generally, the ventilating pipe may extend to a height of about 2m. when the septic tank is at least 15 m. away from the nearest building and to a height of 2 m. above the top of the building when it is located closer than 15 meters.
- g) When the disposal of septic tank effluent is to seepage pit, the seepage pit may be of any suitable shape with the least craps sectional dimension of 90 cm. and not less than 100 cm in depth below the invert level of the inlet pipe. The pit may be lined with stone, brick or concrete blocks with dry open joints which should be backed with at least 7.5 cm. of clean coarse aggregate. The lining above the inlet level should be finished with mortar. In the case of pits of large dimensions, the top portion may be narrowed to reduce the size of the RCC cover slabs. Where no lining is used, specially near trees, the entire pit should be filled with loose stones. A masonry ring may be constructed at the top of the pit to prevent damage by flooding of the pit by surface run off. The inlet pipe may be taken down a depth of 90 cm from the top as an anti mosquito measure; and
- h) When the disposal of septic tank effluent is to a dispersion trench, the dispersion trench shall be 50 to 100 cm deep and 30 to 100 cm wide excavated to a slight gradient and shall be provided with 15 to 25 cm of washed gravel or crushed stones. Open jointed pipes placed inside the trench shall be made of unglazed earthenware clay or concrete and shall have minimum internal diameter of 75 to 100 mm. No dispersion trench shall be longer than 30 m and trenches shall not be placed closer than 1.8 m.

8.33. FIRE PROTECTION REQUIREMENTS:

Buildings shall be planned, designed and constructed to ensure fire safety and this shall be done in accordance with Part-IV4- Fire Protection and Life Safety of National Buildings Code of India unless otherwise specified in these regulations. ~~In the case of buildings referred to in regulation 15 the buildings schemes shall also be cleared by the Planning Authority.~~

8.34. ADDITIONAL PROVISIONS RELATING TO FIRE PROTECTION APPLICABLE TO CERTAIN BUILDINGS:

The additional provisions contained in Appendix "O" relating to fire protection shall apply to buildings more than ~~46-24~~ m. in height referred to in regulation 4.5.3.

8.35. SPECIAL REQUIREMENTS OF INDUSTRIAL BUILDINGS:

- i In addition to the provision of these regulations, regulations prescribed under the Factories Act, 1948 shall be applicable to the industrial buildings.
- ii In the case of industrial buildings with different operations or processes the different (gaseous, solid, liquid) effluents shall be so treated, subject to the approval or Maharashtra Pollution Prevention Board and Chief Inspector of Steam Boilers and Smoke Nuisance before letting it out on the air, ground or water course.
- iii Requirements as respects exit shall conform to sub regulations of 8.28.
- ix Requirements as respects parking , loading and unloading : Spaces shall conform to regulation 7.8.

8.36. SPECIAL PROVISIONS FOR INSTALLATION OF WATER HEATING SYSTEM

Solar water heating systems should be made in the building for hospitals, hotels, guest, houses, police men/army barracks, canteens, laboratories, and research institutions, hostels of school and colleges and other institutes as prescribed under Appendix L.

8.37. INSTALLATION OF RAIN WATER HARVESTING STRUCTURE

All the layout open spaces/amenity spaces of housing societies and new constructions/reconstruction's/additions on plots having area not less than 300 sq.mt. in non Gaothan areas of the Notified Area shall have one or more Rain Water Harvesting structures having a minimum total capacity as detailed in Schedule under Appendix M.

8.38. PROVISION FOR INSTALLATION OF SOLAR ENERGY ASSISTED SYSTEMS

Unless the context otherwise requires, the provision of solar energy assisted systems shall be applicable as prescribed under Appendix – N.

8.39. SPECIAL PROVISIONS IN RESPECT OF DEVELOPMENTS FOR ECONOMICALLY WEAKER SECTIONS, SLUM AREAS AND REDEVELOPMENT SCHEMES ETC:

Rules for controlling developments mentioned in this regulation shall be or specified in Appendix G to J. These shall be permitted in the Residential Zone. Schemes for EWS and LIG under taken by MHADA shall be permitted as per the prevailing Govt. orders.

8.40. RENTAL HOUSING

The Rental Housing projects within the limits of the 'Notified Area' for which MMRDA is the PIA (Project Implementation Agency) shall be a project for vital public purpose and the Metropolitan Commissioner, MMRDA shall be Chief Executive Officer of such projects, which shall be regulated as per sub regulations 8.40.1 to 8.40.3 of this Regulation.

8.40.1. CONSTRUCTION OF RENTAL HOUSES ON UNENCUMBERED LAND:

For construction of Rental Houses on unencumbered land by land owner or any other Agency approved by MMRDA within the limits of 'Notified Area' with the FSI of 3.0 subject to the regulations in Appendix Y.

Or

8.40.2. Construction of Rental Houses on unencumbered land:

For construction of Rental Houses on unencumbered land by land owner or any other Agency approved by MMRDA within the limits of 'Notified Area' with the FSI of 4.0 subject to the regulations in Appendix Z.

8.40.3. CONSTRUCTION OF RENTAL HOUSES UNENCUMBERED LANDS VESTED WITH MMRDA.

For construction of Rental Houses on unencumbered lands by MMRDA on vested lands with them within the limit of 'Notified Area' with the FSI of 4.0 and out of 4.0 FSI, 25% of 4.0 FSI shall be allowed for commercial use which can be sold in open market to subsidize the component of Rental housing will be subject to the re regulations in Appendix AA.

8.41. PODIUM

A podium may be permitted in plot admeasuring 2000 sq.m. or more. The podium provided with ramp may be permitted upto two levels, total height not exceeding 7.5 m. above ground level. The podium shall be used for parking of vehicles required for the development in the plot only. The recreational space prescribed in D.C. Regulation 7.3 may be provided either at ground level or on open to sky podium. Podium shall not be permitted in required front open space. Such podium may be extended beyond the building line in consonance with provision of these D.C. Regulations on one side whereas on other side and rear side it shall not be less than 3.0 m. from the plot boundary. Ramps may be provided in accordance with these D.C. Regulations. Adequate area for drivers' rest room and sanitary block may be permitted on podiums by counting in FSI.

9. STRUCTURAL SAFETY AND SERVICES

9.1. STRUCTURAL DESIGN:

- i) The structural design of foundations, elements made of masonry, timber plain concrete, reinforced concrete, pre-stressed concrete and structural steel shall be carried out in accordance with part ~~VI-6~~ Structural Design, Section 1 Loads, Section 2 Foundation, Section 3 Wood, Section 4 Masonry, Section 5 Concrete, Section 6 Steel, Section 7 Prefabrication, Systems Building and Mixed/ Composite Construction of National Building Code of India, 2005.
- ii) To avoid threat from earthquake, after completion of earthquake resistance safety footing work approved by Structural Engineer, certificate of the said Structural Engineer should be submitted to Planning Authority prior to plinth certificate.
- iii) Structural Audit.

9.2. QUALITY OF MATERIAL AND WORKMANSHIP:

- i) All materials and workmanship shall be of good quality conforming generally to accept Standards of Public Works Department of Government of Maharashtra and Indian Standard specifications and Codes as included in Part 5 ~~V~~ Building Materials and Part VII ~~VI~~ Constructional Practices and Safety of National Building Code of India, 2005.
- ii) All borrow pits dug in the course of construction and repair of buildings, roads or embankments, shall be deep and connected with each other in the formation of a drain directed towards the lowest level and properly stepped for discharge into a river, stream, channel or drain and no person shall create any isolated borrow pit which is likely to cause accumulation of water which may breed mosquitoes.

9.3. ALTERNATIVE MATERIALS, METHODS OF DESIGN AND CONSTRUCTION AND TESTS:

- i) The provisions of these regulations are not intended to prevent the use of any material or method of design or construction not specifically prescribed by these regulations provided any such alternative has been approved by the Planning Authority
- ii) The provisions of these regulations are also not intended to prevent the adoption for architectural planning and layout conceived as an integrated development scheme.
- iii) The Planning Authority may approve any such alternative provided it is found that the proposed alternative is satisfactory and conforms to the provisions of relevant parts regarding material, design and construction and that material, method or work offered is for the purpose intended, at least equivalent to that prescribed in these regulations in quality, strength, ~~com~~compatibility, effectiveness, fire and water resistance, durability and safety, etc.

9.4. TESTS

- i) Whenever there is insufficient evidence of compliance with the provisions of these regulations or evidence that any material or method of design or construction does not conform to the requirements of these regulations in order to substantiate claims for alternative materials, designs of method of construction, the Planning Authority may require tests sufficiently in advances as proof of compliance. These tests shall be made by an approved agency at the expense of the owner.
- ii) Test method shall be as specified by the regulations for the materials or design of construction in question. If there are no appropriate test methods specified in such regulations, the Planning Authority shall determine the test procedure. For methods of tests for building materials, reference may be made to relevant Indian Standards as given in the National Building Code of India, published by the Bureau of Indian Standards ~~Institutions~~. The latest version of the National Building Code of India shall be taken into account at the time of enforcement of this regulation.

- iii) Copies of the results of all tests shall be retained by the Planning Authority for a period of not less than two years after the acceptance of the alternative materials, ~~patibility, effectiveness, fire and water resistance, durability and safety.~~

9.5. BUILDING SERVICES

9.5.1. ELECTRICAL INSTALLATIONS

The planning, design and installation of electrical installations, air-conditioning and heating work shall be carried out in accordance with Part ~~VIII~~ 8- Building Services, Section 2 – Electrical and Allied Installations, Section 3 - Air Conditioning, Heating and Mechanical Ventilation and Heating of National Building Code of India, 2005.

9.5.2. LIFTS AND ESCALATORS INSTALLATION

The planning, design including the number of lifts, type of lifts, capacity of lifts depending on occupancy of building, population on each floor based on occupant load, height of buildings shall be in accordance with Section– 5, Installation of Lifts and Escalators of Part 8- Building Services of National Buildings Code of India, 2005. In existing buildings, in case of proposal for one additional floor, existing lift may not be raised to the additional floor.

9.6. PLUMBING SERVICE, WATER SUPPLY, SANITATION FITTINGS AND FIRE-FIGHTING INSTALLATIONS

The planning, design, construction and installation of water supply, drainage and sanitation and gas supply systems shall be in accordance with the provisions of the water supply and Drainage Byelaws, if any, of the Planning/Municipal Authority of the ~~and Part 9 IX- Plumbing Services, Section 1- Water Supply, Drainage and Sanitation (including Solid Waste Management), Section 2- Gas Supply~~ Section 1 water supply section 2 Drainage and sanitation 3 Gas supply of National Building Code of India, 2005.

9.6.1. REQUIREMENTS OF WATER SUPPLY IN BUILDINGS:-

The total requirements of water supply shall be calculated based on the population as given below:

TABLE 25: WATER SUPPLY REQUIREMENTS IN BUILDINGS

Occupancy	Basis
Residential building	5 persons / tenement.
Other buildings	Number of persons based on occupant load and area of floors given in Table No- 23.

The per capita requirements of water supply for various occupancies shall be as specified by the Authority from time to time or as elaborated in Appendix – T.

9.6.2. SANITARY REQUIREMENTS:-

- 1) The sanitary fittings and installations for different occupancies shall be as approved by the Authority from time to time as elaborated in Appendix – U
- 2) The total requirements shall be calculated based on the population as per Regulation 9.6.1.

9.7. SIGNS AND OUTDOOR DISPLAY STRUCTURES:

- 1) The display of advertising signs on buildings and lands shall be in accordance with Part 10- Landscaping, Signs and Outdoor Display Structures ~~part X- Signs and outdoor Display Structures~~ of National Building Code of India, 2005.
- 2) In addition to provisions of ~~sub~~-regulation 9.7(1), the following provisions shall be complied with for permitting advertising signs in different land use zones-
 - 1) **RESIDENTIAL ZONE:** The following non-flashing and non- neon signs with illumination not exceeding 10 ft. candles.

- a One name plate with an area not exceeding 0.1 sq.m. for each dwelling unit.
- b For other users permissible in the zones, one identification sign or bulletin board with an area not exceeding 1.6 sq.m.
- c “For Sale” or “For Rent” signs for real estate not exceeding 2 sq.m. in area provided they are located on the premises offered for sale or rent.

II) **COMMERCIAL ZONES:** Flashing or non-flashing business signs placed flat against the wall, not exceeding 5 sq.m. in area and covering not more than 15 % of the area of such wall including door and windows and overhanging signs which project not more than 0.9 m from the wall.

Provided that, such signs shall not face residential building and shall be in conformity with the following

- a Not more than one overhanging sign may be permitted for each 4.5 m of plot frontage; and
- b The area of such overhanging signs shall not be more than 1 sq.m. except that for each 0.9 m. plot frontage above first 4.5 m an increase in area of 0.2 sq.m. shall be permitted.

3) Prohibition of advertising signs and outdoor display structures in certain cases -

Notwithstanding the provisions of sub-regulations (1) & (2), no advertising sign or outdoor display structures shall be permitted on buildings of architectural, esthetical, historical or heritage importance as may be decided by the Planning Authority, or on Government buildings, save that in the case of Government buildings only advertising signs or outdoor display structures may be permitted if they relate to the activities for the said buildings own purposes or related programs.

4) The Planning Authority may, with the approval of the Authority, add alter or amend the provisions in sub-regulation (2) above.

PART –VI
LIST OF APPENDICES

APPENDIX - A: OPERATIONAL CONSTRUCTIONS OF GOVERNMENT DEPARTMENTS

(Regulation No.-3.2.3.3)

(A)-4 Construction for operational purposes, including maintenance of operational structures, by the following organizations, authorities ~~of~~ or departments, whether temporary or permanent, shall be excluded from the purview of these Regulations, except those relating to change in the floor space index and fire precautions, namely -

- i Railway
- ii National Highway
- ii National Waterway
- iv Major Ports
- v Airways & Airdromes
- vi Posts and Telegraphs, telephones, wireless broadcasting and other like forms of communication
- vii Regional grid for electricity, gantries, switchyards and contact rooms for distribution etc of electrical energy.
- viii Defense Authorities and
- ix Any other services which the State Government may, if it is of opinion that the operation maintenance, development for execution of such service is essential to the life of the community by notification in the official Gazette, declare to be a service for the purpose of this regulation;

All such constructions shall, however, confirm to the prescribed requirements for the provision of essential services, water supply connections, drains etc. to the satisfaction of the Planning Authority;

(B) Repairs and renovation of existing installations or building used for operational purposes only which do not involve addition to or increase of built-up area.

(C) Following works of Operational Constructions in case of railways are excluded from taking regular Development Permission: -

- a_ repairs and renovation of existing railway tracks, including culverts, over bridges under passes or bridges, tunnels and side drains;
- b_ Platforms, goods sheds and offices, parcel offices, sub-stations, foot-over bridges, turn-tables lifting towers, gantries, signals and signal boxes or control cabins in hump yards;
- c_ running (LOCO) sheds, carriage and wagon depots, carriage washing places, overhead or ground level water tanks, pipelines and pumping stations, running rooms, train examiners offices, yard depots, permanent way inspector's and signal inspector's stores in railway yards and all overhead electric equipment for traction;
- d_ store sheds, when ancillary to operational requirement only.

(D) For the construction of new railway lines or tracks the approval of the State Government shall be necessary. For construction of new buildings, goods stores, shades or platforms, parcel offices and workshops or for purposes of major remodeling the approval of the Planning Authority shall be necessary;

(E) The following constructions by the organizations, authorities or departments listed above shall not be deemed to be operational for the purpose of exemption under the said Regulations, namely -

- i) Residential buildings, commercial buildings, office buildings, industrial buildings (other than gate lodges, essential operational staff quarters and the like), roads and drains, hospitals, clubs, institutes and schools in residential, commercial or industrial areas of the colonies of such organizations, authorities or departments.
- ii) Construction, installation or any extension of any building in the case of any services other than those mentioned in this Regulation.

APPENDIX - B: QUALIFICATION, COMPETENCE, DUTIES & RESPONSIBILITY OF LICENSED TECHNICAL PERSONNEL/ARCHITECT FOR PREPARATION OF SCHEMES FOR DEVELOPMENT PERMISSION & SUPERVISION

(Regulation No. 4.1-(1) 4.2)

B.1 GENERAL:

1.1 The qualification of the technical personnel and their competence to carry out different jobs for development permission and supervision for the purpose of licensing by the Planning Authority shall be as given in paragraphs B-2 and B-6. The procedures for licensing the technical personnel is given in paragraph B-6.

B.2 ARCHITECT:

B.2.1 QUALIFICATION: The qualification for licensing of Architect will be the associates Membership of the Indian Institute of Architects or such Degree or Diploma which makes him eligible for such membership or such qualification listed in Schedule XIV of Architects Act, 1972 and shall be registered under the Council of Architecture as per Architects Act, 1972.

B.2.2 COMPETENCE –Licensed architect shall be competent to carry out work related to building permit as given below and shall be entitled to submit:

- a). All plans and related information connected with development permission:
- b). Structural details and calculations for buildings on plot upto ~~and~~ 500 sq.m. and upto 3 storey or 11 m. and;
- c) Certificate of supervision and completion for all buildings.

B.3 ENGINEER:

B.3.1 QUALIFICATIONS: The qualification for licensing of Engineer will be the Corporate Membership (Civil) of the institution of Engineers or such Degree or Diploma in Civil or structural engineering which make him eligible for such membership.

B.3.2 COMPETENCE: Licensed Engineer shall be competent to carry out the work related to development permission as given below and shall be entitled to submit:

- a). All plans and related information connected with development permission;
- b) Structural details and calculations of buildings on plot up to 500 sq.m. and 5 storeys (16 m.) and;
- c). certificate or supervision for all buildings.

B.4 SUPERVISOR:

B.4.1 QUALIFICATIONS – The qualifications for licensing of supervision will be-

- a). For Supervisor - I
 - i. Three years architectural assistantship or intermediate in architecture with two years experience or
 - ii. Diploma in Civil Engineering with two years experience
- b). For supervisor - II
 - i Draftsman in Civil Engineering from I.T.I with five years experience under architect/engineer

B.4.2 COMPETENCE – The Supervisor will be entitled to submit-

- a. For Supervisor –I
 - i) All plans and related information connected with development permission on plots up to 200 sq.m. and up to 2 storeys or height up to 9 m.
 - ii). Certificate of supervision on buildings on plots up to 200 sq.m. and up to 2 storeys; and completion thereof.
- b. For Supervisor –II

- i) All plans and related information up to 50 sq.m. built up area and up to 2 storeys ;
and
- ii). Certificate of supervision for limits at i) above.

B.5 STRUCTURAL ENGINEER:

B.5.1 QUALIFICATIONS – Qualification for licensing of structural engineers shall be the following with minimum 3 years experience in structural engineering practice with designing and field work;

- a. Graduate in Civil Engineering of recognized Indian or Foreign University and Chartered Engineer or Associate Member in Civil Engineering Division of Institution of Engineers (India) or equivalent overseas institution; and
- b. Associate Membership in civil Engineering Division of institution of Engineers (India) or equivalent Overseas Institutions possessing exceptional merits.
- c. The Three years' experience shall be relaxed to two years in the case of post graduate Degree or recognized Indian and Foreign University in the Branch of Structural Engineering. In the case of doctorate in structural Engineering the experience required will be one year.

B.5.2 COMPETENCE –

To carry out all works related to structural designing and to submit:

- i structural details and calculations for all buildings and supervision.
- ii stability of structures and their design conforming to requirements of seismic zones no.III.
- iii certificate of supervision relating to all structural works during construction in respect of stability.

5.2.1 In case of complicated buildings and sophisticated structures, as decided by the Planning Authority, which are within the horizontal area and vertical limits under paragraphs 2.2(b),3.2(b) and 4.2 (a) shall be designed only by structural engineers.

B.6 LICENSING:

B.6.1 TECHNICAL PERSONNEL TO BE LICENSED – The qualified technical personnel or group as given in-referred to in item B.3_0, B.4_0, and B.5_0 shall be licensed by the Planning Authority and the license shall be valid for one calendar year ending 31 December after which it shall be renewed annually.

B.6.2 FEES FOR LICENSING- The annual licensing fees shall be as follows –

For Engineers and Structural Engineers	Rs. 250/- p.a.
For Supervisors S-I	Rs. 110/- p.a.
For Supervisors S-II	Rs. 50/- p.a.

B.6.3 DUTIES AND RESPONSIBILITIES OF LICENSED TECHNICAL PERSONNEL –The duties and responsibilities of licensed technical personnel shall be as follows:

1. It will be incumbent on every licensed technical personnel in all matters in which he may be professionally consulted or engaged to assist and co- operate with the Planning Authority other Officers in carrying out and enforcing the provisions of the Act, and of any bye-laws for the time being in force under the same.
2. Every licensed technical personnel shall be in every case in which he may be professionally consulted or engaged, be responsible, so far as his professional connection with such case extends for the compliance with the provisions of Chapters XII, XIV and XV of the B.P.M.C. Act, M.R. & T.P. Act and of any rules regulations or bye-laws for the time being in force under the said Acts or such of them as may respectively be applicable to the circumstances of the particular case and in particular it will be obligatory on him to

satisfy himself that a qualified and competent site supervisor with prescribed qualifications is constantly employed and present on the work to supervise the execution of all works and to prevent the use of any defective material therein and the improper execution of any such work.

3. In every case in which a licensed technical personnel is professionally concerned in connection with any buildings or work upon any premises in respect of which a right to require a set-back has occurred or is about to occur to the Planning Authority under the provisions of sections 210 and 211 of the B.P.M.C. Act, or any of them, it will be incumbent on such licensed personnel to ascertain whether "regular line of the street" has been prescribed under section 210 and whether any portion of the said premises is required for the street and no licensed technical personnel must, on any account or under any pretext whatever, be a party to any evasion or attempted evasion of the set-back (if any) that may be required.
4. In every case in which a licensed technical personnel is professionally concerned in connection with any building or work upon any premises designed or intended to be used for any purpose in respect for which the written permission or license of the Planning Authority, is prescribed by the said Act as a necessary condition to the establishment or use of such premises for such purpose, it shall be incumbent on such licensed technical personnel, so far as his professional connection with such case extends, to see that all condition prescribed by the said Act, or by any bye-law or rules/ regulations for the time being in force there under are duly fulfilled or provided for.
5. Licensed technical personnel shall not carry out any work in connection with any building or other erection on a plot of land leased or agreed to be leased by the Authority in contravention of any term or condition of the lease or agreement for lease.
6. When licensed technical personnel cease to be in the employment for the development work, he shall report the fact forthwith to the Planning Authority.
7. Every technical personnel must certify on the plan that, the plans prepared by him are in accordance with the norms as specified by Indian Standards Institute and he will be held responsible for any harm caused in earthquake due to negligence of the standards. If it is not possible for him to certify, then same should be obtained from Indian Structural Institute and accordingly be noted on plan.

B.6.4 REVOCATION OF LICENSE:-

The licensed issued to a technical person is liable to be revoked in case he is proved to have indulged in professional misconduct, misinterpretation or suppression of material facts or forgery of documents. However, an opportunity of being heard shall be given him before the Authority revokes the license.

In the case of Architect involved in such matter mentioned above the Authority shall refer the name of concerned Architect for cancellation of his registration to the Council of Architecture, India.

APPENDIX - C: FEES, DEPOSITS AND CHARGES

(Regulation No. 4.1. (1) 4.2)

C.1.1 BUILDING PERMISSIONS/SCRUTINY FEES:

Schedule of Fees: The Planning Authority may decide the schedule of fees **from** time to time.

C.1.1.1 DEVELOPMENT OF LAND/SUB-DIVISION/LAYOUT OF LAND

The Scrutiny fees for submitting proposals for development of land/sub-division layout of land shall be as follows:

AREA TO BE DEVELOPED	FEES RS.....
Upto 0.3 ha.	Rs. 150/-
0.3 to 1 ha.	Rs. 300/-
1 to 2.5 ha.	Rs. 600/-
2.5 to 5 ha.	Rs. 900/-
above 5 ha.	Rs. 900/-

plus Rs.100 per ha. Or part thereof for area above 5 ha.

C.1.1.2 RESIDENTIAL BUILDING

The following scales of Scrutiny fee shall be applicable for building permission for residential building:

No.	Purpose	Scale Of <u>Scrutiny</u> Fee
1)	To construct or reconstruct a building covered under section 253 to 269 of B.P.M.C. Act 1949 and Section 44, 45 & 58 of the M.R. & T.P. Act 1966	Rs. 20/- per 10 sq.m. of built over ^{up} area or part thereof with a minimum of Rs. 100/- and maximum of Rs. 10,000/- per proposal. Nominal fee of Rs. 10/- for constructions restricted to 30 sq.m. built over area.
2)	For alteration and/or additions to the existing building covered under section 253 to 269 of B.P.M.C. Act & MR&TP Act, 1966.	Same as above for additional built-up area plus Rs. 50/- for alterations.
3)	For alterations covered under Section 253 to 269 of B.P.M.C. Act & under provisions of M.R. & T.P. ACT, 1966	Rs. 50/- proposal.
4)	In the case of amended plans for sanctioned proposal.	Fee of Rs. 100/- with every amended proposal wherein no extra floor area is proposed otherwise as for the additional area proposed Rs. 20/- per 10 sq.m. of built up area or part thereof with a minimum of Rs. 100/- and maximum of Rs. 10,000/- per proposal.
5)	Application for renewal of a sanctioned proposal, plans remaining the same before the end of each year from the date of Commencement Certificate / Building Permission.	No Fees
6)	Application for renewal of a sanctioned proposal plans remaining the same after the end of each year from the date of Commencement Certificate/Building Permission.	A lump sum fee of Rs. 10/- if application for renewal is submitted before the expiry of the date of validity of the permission Rs. 100/- per month or part thereof (the number of months being calculated for the delay period) if application is submitted after the expiry of the date of validity but within 3 years from original sanction.

C.1.1.3 IN CASE OF PROPOSALS FROM MEDICAL, EDUCATIONAL AND CHARITABLE INSTITUTIONS which are duly registered, fees shall be charged at one-fourth of the basic scale, subject to a minimum of Rs. 100/- and maximum of Rs. 2,500/- per proposal.

20C.1.1.4 In case of proposals for industrial, business and commercial building cinema theatres and entertainment halls, hotels, and lodging houses fees shall be charged at double the basic scale subject to a minimum of Rs. 200/- and maximum of Rs. 20,000/- per proposal.

For the purpose of this bye-law a residential building with shop shall not be treated as commercial building. Also fees shall be charged according to the use of area as commercial or residential or industrial use. Similarly, watchmen's quarters in an industrial premise shall be considered as an industrial building.

C.1.2. EXEMPTIONS TO RULE 4.9C.1.1

For special housing schemes for economically weaker section of society and low income group and slum clearance scheme undertaken by public agencies or subsidized by State Government with plinth area of tenement not more than 30 sq.m. the building permission fee may be exempted.

C.1.3. RULES FOR FIXATION OF FEES

The following rules shall apply:

- 1) The total plinth area on all floors shall be taken as the basis for calculation of fees including the basement floor and accessory buildings
- 2) No Notice under Section 58 of the M.R. & T.P. Act, 1966 shall be deemed valid unless & until the person giving notice has paid the fees to the Municipal Planning Authority and an attested copy of the receipt of such payment is attached with the notice.
- 3) In case the proposal is finally rejected, ten percent of the fees shall be retained and the balance shall be refunded to the applicant within one month of the date of rejection.

C.1.4. FEES FOR DEPOSITING BUILDING MATERIAL/TEMPORARY ERECTIONS ON PUBLIC STREETS

1.4.1 The stacking of building materials and debris on public roads, high ways, shall be prohibited except with special permission of the Appropriate Authority. Where such permission has been granted the license fee for depositing building materials and debris on public roads, highways, etc, shall be as follows:

PURPOSE	SCALE OF FEES
A) For construction of Residential buildings	Rs. 25/- per sq.m. per week
B) For construction of Non-residential buildings	Rs. 50/- per sq.m. per week

Note:

- 1) The stacking of materials would be permitted till the completion of the building if after completion of the building, in the opinion of the Appropriate Authority, certain material has not been cleared or left in a stage causing annoyance or inconvenience, the Appropriate Authority shall take necessary action against the owner and any cost incurred in the removal of such material, which has been carried out by the Appropriate Authority shall be recovered from the owner.
- 2) Fees for compound walls, storage tanks, garages, open structures, other temporary structures, repairs of existing structures, demolition works shall be Rs. 500 per proposals.
- 3) For the purpose of this bye-law a residential building with shop shall not be treated as commercial building. Also fees shall be charged according to the use of area as commercial or residential or industrial use. Similarly, watchmen's quarters in an industrial premise shall be considered as an industrial building.

C.2.0 FEES FOR CERTIFIED COPIES OF APPROVED PLANS AND DOCUMENTS.

Sr.No	Certified Copy of	Fees per Copy
1	Approved building and layout plans	Rs. 50
2	CC, PCC, OC or NOC	Rs. 25
3.	Part of DP (colored)	Rs. 25 for size of 15 cm x 20 cm.

C.3.0 DEVELOPMENT CHARGES

Any person who intends to carry out development or change any use of any land or building for which the development permission is required under these regulations, whether he has applied for such permission or not or who has commenced carrying out any such development or has carried out any change in such use or who has applied to the Authority for grant of Occupancy Certificates shall pay to the Competent Authority the development charge **in accordance with the procedure laid down in Section 124 B of MR & TP (Amendment) Act, 2010 the Government of Maharashtra hereby revised the rate of development charge on 1st March 2011 as specified in column (4) of the second schedule and** in accordance with the directives received from the State Government for levy of development charges as narrated below.

Maharashtra Regional and Town Planning (Amendment) Act, 2010 - specifying the rates of Development Charges:

SECOND SCHEDULE - (See section 124B) - Part - I

Sr.no.	Areas	Nature and particulars of development	Rate at which development charge to be levied
			(in rupees per square meters)
(1)	(2)	(3)	(4)
1	Areas under the jurisdiction of the Municipal Corporations constituted or demand to have been constituted under the Mumbai Municipal Corporation Act, the Bombay Provincial Municipal Corporations Act, 1949 and the City of Nagpur Corporation Act, 1948, the Municipal Councils constituted under the Maharashtra Municipal Councils, Nagar Panchayats and Industrial	Development of land for residential or institutional use, not involving any building or construction operations.	0.5 per cent of the rates of developed land mentioned in the Annual Statement of Rates prepared under the Bombay Stamp (Determination of True Market Value of Property) Rules, 1995 made under the Bombay Stamp Act, 1958 (hereinafter, in this Schedule, referred to as "the Stamp Duty Ready Reckoner")
		Development of land for residential or institutional use, involving only building or construction operations –	
		Where development charge under clause (a) has been paid;	2.00 per cent of the rates of developed land mentioned in the Stamp Duty Ready Reckoner;
		Where development charge under clause (a) is not required to be paid as the land has been developed before the commencement of the Maharashtra Regional and Town Planning (Amendment) Act, 1992	2.00 per cent of the rates of developed land mentioned in the Stamp Duty Ready Reckoner.

Townships Act, 1965; and Special Planning Authorities and New Town Development Authorities constituted under this Act.	3) Development of land for residential or institutional use, also involving building or construction operations,-	
	For development;	0.5 per cent of the rates of developed land mentioned in the Stamp Duty Ready Reckoner.
	For construction.	2.00 per cent of the rates of developed land mentioned in the Stamp Duty Ready Reckoner.

Part - II

(1) The rates for development charge for different or category of development of land and buildings for industrial and commercial users shall be one and half times and two times of development charges, respectively, specified in column (4) for different corresponding nature or category of development of lands and buildings described in clauses (a), (b) and (c) in column 3, in Part-I of this Schedule for residential or institutional users.

(2) In the area under the jurisdiction of the respective municipal corporations, the development charge shall be levied for reconstruction or for the making of any material change in a building, at the rates specified in Part – I of the schedule for the purpose of development of land involving only building or construction operations in such area.”

APPENDIX - D: LAND USE CLASSIFICATION & USES PERMITTED

(Regulation No. 6.3)

D-1: POWER OF GRANTING PERMISSION:

Where it is specified that a particular use is to be allowed only with the Planning Authority's special permission, the power of granting such permission shall be exercised by the Metropolitan Commissioner, MMRDA.

D-2: PURELY RESIDENTIAL ZONE (R-1 ZONE)

Residential Zone (R1) consists of all plots situated on roads having existing or prescribed width of less than 24-18 m. and the plots situated on roads on which shop line is not marked in the development plan.

ANCILLARY USES PERMITTED - Apart from residential use, the following uses and specified ancillary uses to the extent of 50 per cent of the floor space of the principal use shall be permitted in buildings, premises or plots in the purely residential zone:

1. Customary home occupations, if with motive power total load not to exceed 1 H.P.
2. Medical and Dental practitioner's dispensaries including pathological laboratory, diagnostic clinics, polyclinics to be permitted on any floor above. However, maternity homes, clinics, nursing home with indoor patients on ground or stilt floor or on first floor with separate means of access of staircase from within the building or outside but not within the prescribed marginal open spaces on the plots abutting on roads not below 12m width, in any case with the special permission of Planning Authority.
3. Nursing homes, polyclinics maternity homes and medical practitioners/consultants in different disciplines of medical sciences in independent buildings or independent parts of buildings on the ground floor, floor 1 and floor 2 with separate means of access/staircase from within the building or outside, but not within the prescribed marginal open spaces in any case, and with the special permission of the Planning Authority.
4. Professional offices and studies of a resident of the premises and incidental to such residential use or medical and dental practitioners dispensaries or clinics of a resident of the building with only outpatient treatment facilities without any indoor work, each not occupying a floor area exceeding 30 sq.m.
5. Educational buildings, excluding building of trade schools but including students' hostels in independent buildings, religious buildings, community halls, welfare centers and gymnasias:
 - i) Provided that the Planning Authority may, by order, permit Montessori schools, Kindergarten classes or Bal-mandirs in a part of a residential building on the ground floor or on the floor above the stilts if the area thereof is not less than 40 sq.m. and no nuisance is likely to be caused to the residents of the building :
 - ii) Provided further that in congested localities where it is not possible to provide a separate building for a school, the Planning Authority may allow a primary school in any part of or on any separate floor of a residential building. In doing so, he shall take into account the location, room sizes, means of access, water and sanitary arrangements and other relevant factors. He shall also ensure that a staircase is easily accessible from the entrance and serves the classrooms. The school shall also conform to other requirements of educational buildings stipulated in Regulation-~~456~~ 8.30 and Appendix F.
6. Public libraries on the ground floor and floor 1 or on two consecutive floors immediately above the stilts in a building constructed on stilts, and museum in part or entire building
7. Club houses or gymkhanas not conducted as a business, on independent plots which may have an extensions counter of only branch of a bank, in such club-houses or gymkhanas.

8. Public or private parks, gardens and playfield in independent plots not utilised for business purposes, but not amusement parks.
9. Bus shelters, bus stations, bus depots, railway stations, taxi-stands and hellports, on independent plots.
10. Radio broadcasting and television studios and sound recording and dubbing studios in independent buildings or part of building or in independent plots, with the permission of the Planning Authority
11. Places for the disposal of human bodies, subject to the Authority's approval.
12. Police stations, telephone exchanges, Government sub-office, sub-office, sub-offices of Electric supply and Transport under taking or the concerned electric company consulate offices, post and telegraph offices branches of banks including safe deposit vaults, electrical sub-stations, receiving stations, fire stations, civil defense warden posts and first aid posts home guards and civil defense centers, pumping stations ,sewage disposal works and water supply installations and ancillary structures thereof required to cater to the local area on roads of width of not less than 12m. However a branch of a bank with a safe deposit vault may be permitted on roads of less than 12m. except that the area of each bank including the vault shall not exceed 400 sq.m.
13. Storage of liquefied petroleum gas cylinders (bottled gas) for domestic consumption not exceeding 300 k.g. in a residential building and not exceeding 8000 k.g. in an independent ground floor structure (except a garage) at any one time, with the special permission of the Planning Authority and subject to compliance with statutory safety requirements.
14. General agriculture, horticulture and poultry farming (but not dairy farming) in the areas other than congested area, poultry farming being permitted at the rate of 0.25 sq.m. built-up area per bird in an independent plot measuring not less than 1 ha provided that no offensive odours, dirt and/or dust are created that there is no sale of products not produced on the premises, and the accessory buildings are not located within of 9m the boundaries or 6m. from the main buildings on the plot provided further that the above restriction on space shall not apply to any poultry kept for domestic consumption only
15. Where the commercial zone boundary or a street of and between 12.00m and 25.00m width is at least 400 m away convenience shops at the rate of one shop her 15 tenements on ground floor or in semidetached ground floor building , with no other use over it may be permitted provided that the remaining area on the ground floor is used for parking purposes in conformity with these Regulations, such shopping uses will not be permissible in more than two adjoining plots in any locality and shall not cover more than 5 per cent of the plot area.
16. Flour mills, (with the special permission of the Planning Authority) if (a) they are in single storied detached or semi-detached structure, and (b) their power requirement does not exceed 7.5 K.W. each.
17. Research, experimental and testing laboratories not involving any danger of fire or explosion or of any obnoxious nature and located on a plot not less than 4 ha. in area, provided that the laboratory is at least 30m. from any of the boundaries of the site and the accessory residential building 30m. from the laboratory.
18. Petrol filling and service stations not employing more than 9 persons on sites not more than 1100 sq.m. on roads, 9m and above with the special written permission of the Authority and with minimum clearance of 6m from all boundaries excepting road side for structure above and below ground and subject to all other regulations applicable to petrol filling stations.
19. Any other use allowed in consultation with the Director of Town Planning, Maharashtra State in accordance with the intent and spirit of these Regulations.

D-3: RESIDENTIAL ZONE WITH SHOP LINE (R-2 ZONE):

- A) The residential zone with shop line (R-2 zone) in which shopping will be permissible as indicated herein, will comprise of-

- a) Plots in a residential zone along roads having existing or prescribed width of 24-18 m and above, provided that above restrictions on shopping will not apply to the reconstruction or redevelopment of an existing building having existing shopping users.
- B) Notwithstanding anything contained in this Regulation, for reasons of congestion, traffic or nuisance, new shopping or convenience shopping, even if otherwise permissible, the Planning Authority may not for reasons to be recorded in writing, permit such shopping.
- C) **USES PERMITTED IN THE RESIDENTIAL ZONE WITH SHOP LINE (R-2 ZONE)** -the following uses shall be permitted in buildings, premises or plots in a residential zone with shop line:-
1. All uses permitted in the purely residential zone (R-1 zone)
 2. Stores or shops for conduct of retails business, including department stores. There will, however, be no storage or sale of combustible materials except with the Planning Authority's special permission
 3. Personal services establishments, only in the areas other than congested area
 4. Hair dressing saloons and beauty parlours.
 5. Frozen food stores.
 6. Shoe repair and sports shops.
 7. Professional offices each not exceed 100 sq.m in area only in the areas other than congested areas.
 8. Shops for the collection and distribution of clothes and other materials for cleaning, pressing and dyeing establishments.
 9. Tailoring, embroidery and button-hole making shops, each employing not more than 9 persons.
 10. Cleaning and pressing establishments for clothes, each occupying a floor area not more than 200 sq.m. and not employing solvents with a flash point lower than 59 c. machine with dry load capacity not exceeding 30 kg. and employing not more than 9 persons; Provided that the total power requirement does not exceed 4 KW.
 11. ~~Provided that the total power requirement does not exceed 4 KW.~~
 12. Shops for goldsmiths, lock-smiths, watches and clocks and their repairs, bicycles and their rental and repairs, optical glass grinding and repairs, musical instruments and their repairs, picture-framing, radio television and household appliances and their repairs, umbrellas and their repairs and upholstery work, each employing not more than 9 persons.
 13. Coffee grinding establishments with electric motive power not exceeding 0.75 K.W.(0.025 KW individual motor each)
 14. Restaurants, eating houses, cafeterias, ice-cream and milk bars under one establishment with total area not exceeding 200 sq.m. on the ground and/or floor 1 of a building with the special permission of the Planning Authority
 15. Bakeries, with no floor above, each not occupying for production an area more than 75 sq.m. and not employing more than 9 person if the power requirement does not exceed 4 K.W. where only electrical ovens are used, an additional heating load up to 12 KVA being permitted
 16. Confectioneries and establishments for the preparation and sale of eatables each not occupying for production an area more than of 75 sq.m. per establishment and employing not more than 9 persons, motive power not exceeding 1.12 KW as well as sugarcane and fruit juice crusher each employing not more than 6 persons with motive power not exceeding 1.12 KW and area not more than 25 sq.m.
 17. Printing presses with aggregate motive power each not exceeding 3.75 KW and not employing more than 9 persons and individual electric motors of not more than 1.5 KW

18. Trade and other similar schools, not involving any danger of fire or explosion, or offensive noise, vibration, smoke dust, odour, glare, heat or other objectionable features.
19. Vegetable, fruit, flower, frozen fish, frozen meat or frozen food shops
20. Battery charges and repairing establishments each not employing more than 6 persons with an area not more than 25sq.m. and not more than 2 charges with power not exceeding 5 KW.
21. Photographic studios with laboratories, Xeroxing, photo-copying, video-taping establishments etc. and their laboratories each with an area not exceeding 50 sq.m. and employing not more than 9 persons and not using power more than 3.75 KW.
22. Coal or fire-wood shops
23. Local sub-offices of any public utility.
24. Electronic industry of assembly, but not of manufacturing type, with the Planning Authority's special permission, subject to following restrictions:-
25. Only on the ground floor each with an area not exceeding 50 sq.m.
26. Total electric power inclusive of motive power and heating load not to exceed 3.75 KW.
27. Employing not more than 9 persons each.
28. ~~Pawn~~ Pan shops.
29. Art galleries i.e. display shops.
30. Undertakers' premises.
31. Establishments using power only for heating, refrigeration or Air-conditioning purposes.
32. Private lockers in the congested area the total area shall not exceed 400 sq.m. each
33. Data-processing unit, with use of computers.
34. Repairing garages, without activities of body-building and spray painting, each employing not more than 9 persons or using 1.5 KW motive power with no floor, above with the permission of the Planning Authority to be allowed to function only between 08 and 20 hours.
35. Motor driving schools, with the permission of the Planning Authority.
36. Travel agencies, ticket booking and selling agencies for air, surface or water travel or transport of any other modes of travel or transport.
37. Accessory uses customarily incidental to any permitted principal use, including storage up to 50 per cent of the total floor area of the principal use.
38. Notwithstanding anything contained in these regulations, Information Technology Establishment (pertaining to software only) on the plots/premises fronting on roads having width more than 18 mts.
39. Any other use allowed in consultation with the Director of Town Planning, Maharashtra State in accordance with the intent and spirit of these Regulations.

D) Conditions governing additional uses permitted in the R-2 Zone. The uses permissible in the R-2 zones shall be restricted and subject to the conditions below.

- 1 All goods offered for sale or displayed should be within the premises comprising the shop and should not be kept in the passages or open spaces
- 2 Shops shall be permitted only on the ground floor of a building unless specified otherwise.
- 3 Area of each shop will not exceed 100 sq.m. unless otherwise specified.
- 4 Motive power, unless otherwise specifically indicated, shall not exceed 2.25KW per shop with no individual motor exceeding 0.75KW no power being allowed to be sub-let.

5 Power may be discontinued if the Planning Authority is satisfied that the particular use is a nuisance to the residents.

E) With the special permission of the Planning Authority, shopping uses and departmental stores may be permitted on the entire ground floor of the building, subject to the following conditions:-

- 1 The side and rear marginal open spaces shall not be less than 6m. in width
- 2 No back-to-back shops would be permitted unless they are separated by a corridor at least 2.00 m. in width which shall be properly lighted and ventilated.
- 3 All goods offered for sale or displayed should be within the premises comprising the shop and should not be kept in the passages or open spaces.

Provided that such shopping users and department stores may be permitted in the entire building where the whole building is in occupation of one establishment or of a co-operative society only and subject to condition.

F) Notwithstanding anything contained in these Regulations convenience shops as defined in item No. 26 of Regulation No. 2.2 may be permitted on all roads, having width of ~~18m~~ 12m. and above.

G) ~~Service industry Users~~ as specified in Table No. 26 of Appendix D may be permitted.

H) Uses permitted in independent premises/buildings in the **RESIDENTIAL ZONE (R-2)**: The following uses may be permitted in independent premises/buildings/plots in the Residential zone:-

- 1 Drive-in theatres, theatres, cinemas, club-houses, assembly or concert halls, dance and music studios and such other places of entertainment on roads with width not exceeding 25m. These uses may be permitted in combination with permissible non-residential uses except that of petrol pump, with the special permission of the Planning Authority.

Provided, however, in the case of a cinema/theatre the front open shall be minimum 12m. and the side and rear open spaces shall not be less than 6m.

Provided further that in the case of development and/or re-development of a cinema/theatre the user for a cinema/theatre may be permitted in combination with the permissible users in a residential zone with a shop-line (R-2 zone) excluding the users for bakery, confectionary, trade and other similar schools and coal or fire wood shops with a cinema/theatre being permitted underneath or above any building subject to compliance with fire and safety requirements specified by and to the satisfaction of the Planning Authority. However, residential user in combination with that of a cinema/theatre may not be allowed in the same building.

Provided further that the redevelopment of a plot allocated for a cinema/ theatre shall be prescribed below as amended by the Government from time to time.

On plot/lands where there is existing cinema Theatres, redevelopment of the plots shall be allowed subject to the condition that at least 1/3 rd of the existing seats shall be retained, which shall not be below 150 seats, subject to the following.

i) Users Permitted

Residential user may be permitted provided redevelopment conforms to the measures including any special measures prescribed by the Planning Authority in regard to Fire prevention. Protection and safety, means of escape in the case of an emergency provided to the satisfaction of the Authority.

Effective vertical separation against the spread of fire between cinema and residential development. Separate entry and exists shall be provided for the residential users; and parking requirements as prescribed for such type of user shall have to be provided.

ii) Floor Space index

On redevelopments, the F.S.I shall be as otherwise admissible for the permissible users under the Development Control Regulations.

All other provisions in the Development Control Regulations will be applicable in these cases.

In the event of any dispute arising about the interpretation of these provisions it shall be referred to the State Government in Urban Development Department and its decision shall be final.

- 2 Petrol filling and service stations each employing not more than 9 persons in combination with other permissible uses in the zone subject to clearance by the Controller of Explosives and the Chief fire Officer, and observance of such conditions as they may prescribe and with the permission of the Planning Authority
- 3 Trade or other similar schools.
- 4 Bulk storage of kerosene and bottled gas for domestic consumption with the special permission of the Planning Authority.
- 5 Parking of automobiles and other light vehicles on open plots as a business or otherwise.
- 6 Fish or meat shops.
- 7 Residential hotels of lodging houses in independent buildings or parts of buildings or on upper floors thereof with special written permission of the Planning Authority, who will take into account the suitability of the size and shape of the plot, means of access, water and sanitary arrangements etc. before granting the permission. The Planning Authority shall not permit such use unless he is satisfied about the provision of these arrangements.
- 8—Provided that residential hotels of 4 & 5 star categories may be allowed only in an independent plot of size not less than 2,500 sq.m. and on roads of 16 m. width or more, a hotel of lower star category being also allowed on a separate floor of a premises or a building with separate access.
- 9—Provided further that development of residential hotels of the star categories shall be permitted by the Planning Authority, only after due approval by a committee consisting of the Planning Authority, the Planning Authority of police (Law, Order and Traffic) and the Managing Director, Maharashtra Tourism Development Authority Ltd.
- 10 General agriculture, horticulture and domestic poultry, with limitation of keeping of up to 20 birds at the rate of 0.25 sq.m. per bird.
- 11 Repairing garages not employing nor more than 9 persons or 1.5 KW motive power with no floor above, with the permission of the Planning Authority
- 12 Business offices on roads of 18m. width and more subject to the fulfillment of parking and other requirements; except that balconies if any of such building shall not be free of F.S.I. computation.
- 13 Correctional and mental institutions, institutions, institutions for children, the aged or widows sanatoria and hospitals (except veterinary hospitals) with the special permission of the Planning Authority, provided that those principally for contagious diseases shall be located not less than 36m. from any boundaries.
- 14 Stadia.
15. Other uses listed in Table 26 in independent building.
16. Any other use allowed in consultation with the Director of Town Planning, Maharashtra State in accordance with the intent and spirit of these Regulations.

D-4: COMMERCIAL ZONE (C ZONE):

A. USES PERMITTED IN COMMERCIAL ZONE.

- 1 Any uses permitted in the Residential zones subject to the condition that Commercial Use shall be at least 20% of the total built up area permissible.

- 2 Confectioneries, bakeries and establishments for the preparation and sale of eatables each not occupying for production an area in excess of 250sq.m. per establishment and employing not more than 25 persons or using power exceeding 10 KW with no upper floors over the furnace portion. If only electrical ovens are used an additional load of up to 24 KVA may be permitted
- 3 Auto part stores and show room for motor vehicles and machinery.
- 4 Sale of used or second hand goods for merchandise, excepting for junk, cotton and other waste rags or other materials of an offensive nature.
- 5 Club houses or other recreational activities conducted as business (with an extension counter or branch of a bank).
- 6 Storage of furniture and household goods.
- 7 Retailing of building materials, open or enclosed with not more than 500 sq.m. of area per establishment.
- 8 Pasteurizing and milk processing plants each employing not more than 9 persons and 7.5 KW motive power within an area not more than 50 sq.m.
- 9 Printing, book-binding, engraving and block-making, each with an area not exceeding 120sqm. and motive power not exceeding 7.5 Kw per establishment.
- 10 Veterinary dispensaries and hospitals and kennels in the areas other than congested areas.
- 11 Supari and masala grinding/pounding using motive power not exceeding 7.5KW or occupying more than 25 sq.m. area with the special permission of the Planning Authority.
- 12 Prisons and animal pounds only in areas other than congested areas from extended authority limits.
- 13 Repair, cleaning shops and analytical experimental or testing laboratories each employing not more than 15 persons (but not including cleaning and dyeing establishments, using a cleaning or dyeing fluid having a flash point lower than 59°C and machine with dry-load capacity not exceeding 30 kg or any establishment carrying on activities that are offensive because of emission of odour dust, smoke, gas, noise or vibration or otherwise dangerous to public health and safety), provided that the motive power requirement of each such establishment does not exceed 7.5KW.
- 14 Paper-box manufacturing, including paper-cutting each employing not more than 9 persons with motive power not exceeding 3.75 KW and area not more than 50 sq.m.
- 15 Mattress making and cotton cleaning each employing not more than 9 persons with motive power not exceeding 2.25 KW and area not more than 50sqm. per establishment.
- 16 Establishments requiring power for sealing tins, packages etc. each employing not more than 9 persons with motive power not exceeding 2.25 KW.
- 17 Ice factories in independent building, each with an area of not more than 250 sq.m. and power not more than 34 KW.
- 18 Business offices, including trade exchanges.
- 19 Accessory uses, customarily incidental to any permitted principal use including storage space up to 50 per cent of the total floor area occupied for the principal use.
- 20 All goods offered for sale shall be displayed within the building , and not in passages and open spaces.
- 21 When the commercial zone boundary falls short of a street, the frontage along such street shall not be developed for uses which would not be permissible along such street.
- 22 Aquariums.
- 23 wholesale establishments; each with storage capacity not exceeding 200 sqm. for commodities other than those prohibited by any statute or rules.

26 Printing, book-binding, engraving and block making if they are in an independent building , subject to any special conditions the Planning Authority may prescribe in the interest of the adjoining developments.

27 Public utility buildings.

28 Institutional uses viz. crèches, clinics, dispensaries, group medical centres, poly-clinics, health centers, pathological and radiological laboratories, maternity homes and hospitals.

29 Head quarters of a commercial organizations.

30 Other uses listed in Table 26.

31 Any other use allowed in consultation with the Director of Town Planning, Maharashtra State in accordance with the intent and spirit of these Regulations.

2B. GENERAL CONDITIONS GOVERNING THE USES PERMITTED IN 'C' ZONE - In buildings, premises or plots in commercial zone, the uses permitted shall be subject to the following conditions'.

a All goods offered for sale shall be displayed within the building and not in passages and open spaces.

b When the commercial zone boundary falls short of a street, the frontage along such street shall not be developed for uses which would not be permissible along such street.

c If the uses, excepting those permissible in the residential zone derive access from the side of rear open space the width of such open space shall not be less than 7 m.

D 5: INDUSTRIAL ZONE (I ZONE)

i Uses permissible in industrial zone shall be as per the industrial location policy of the Govt. as may be amended from time to time.

ii The uses specified in the Service Industrial zones are as specified in Table No. 25-26 given hereinafter:

iii Essential staff quarters, watchman's quarters, canteens, banks.

iv Uses Permissible in the Commercial Zone.

v Slaughter House and the similar users which are not permissible in residential zone with the approval of the Planning Authority.

vi On production of No Objection Certificate from U.L.C. authorities conversion of zoning shall be permitted as below

a. With the previous approval of Planning Authority and on such conditions as deemed appropriate by them, the existing or newly built-up area of unit in the Industrial Zone may be permitted to be utilised for an office or commercial purposes.

b. With the previous approval of the Planning Authority, any open land or lands or Industrial lands in the Industrial Zone may be permitted to be utilised for any of the permissible users in the Residential Zone (~~RESIDENTIAL zone~~) for or those in the Commercial zone (C zone) subject to the following:

1) The layout or sub-division of such land shall be approved by the Planning Authority who will ensure that the 5% of the total area of the land for public utilities and amenities like electric sub-station, bus station, sub-post office, police out post and such other amenities as may be considered necessary will be provided therein and

2) In such lay-outs or sub-divisions each more than 2 Ha. in area amenities and facilities shall be provided as required by these regulations. In addition to this 2.5% of the total area shall be reserved for such amenities. The plot shall be preferably located near the separate boundary of the zones. These areas will be in addition to those to be earmarked for public utilities and amenities in accordance with clause (c) (i) above and in

addition to the recreational space as is required to be provided under these Regulations further 10 per cent shall be provided as additional recreational space.

- 3) The required segregating distance as prescribed under these Regulations shall be provided within such land intended to be used for residential or commercial purposes.
 - 4) Such residential or local commercial development shall be allowed within the permissible FSI of the hereby residential or commercial zone.
 - 5) Provision for public utilities and amenities and additional recreation ground as in (ii) above shall be considered to be reservations in the development plan and Transferable Development Rights as in Regulation 7.5 shall be available for such reservations.
- c. With the previous approval of the Planning Authority, and subject to such terms as may be stipulated by him, open land in existing industrial premises, which is unoccupied or is surplus to requirement of the industry's use may be permitted to be utilised for commercial or residential purpose.
- d. With the special written permission of the Planning Authority, isolated open plots which are allocated for industrial purposes and situated predominantly in the residential zone may be permitted to be used for any other permissible users in Residential zone.

TABLE 26: SCHEDULE OF PERMISSIBLE USES IN COMMERCIAL & INDUSTRIAL ZONES FOR SERVICE INDUSTRIES

(Paragraph D3, D4, D5) & D6.1.-(ii)

Sr.No.	Category of Industry	Service Industry (Permitted in Commercial and Industrial zones) Criteria for classification- <u>Classification & Special condition.</u>				Special Conditions If Any
		Maximum Permissible Power Requirement	Maximum Permissible Employment	Maximum Permissible Floor Area	6	
1	2	3	4	5	6	
I)	Food Products					
1)	Manufacture of milk and dairy products such as butter and ghee	10HP	9 persons	50 sq.m.		
2) a)	Rice huller	10 HP	9 persons	50 sq.m.		
b)	Grain mill for production of flour	10 HP	9 persons	50 sq.m.		
c)	Manufacture of supari and masala grinding (in separate building)	10 HP	9 persons	50 sq.m.		
d)	Groundnut decorticator	10 HP	9 persons	50 sq.m.		
e)	Baby oil expellers	10 HP	9 persons	50 sq.m.		
3)	Manufacture of Bakery products with no floor above	10 HP	9 persons	57 sq.m.		i) Shall not be permitted under or above dwelling unit ii) Operation shall be permitted only between 8 hrs., and 20 hrs. iii) Fuel used shall be electricity gas or smokeless coal
4)	Coffee curing roasting and grinding	2 HP	9 persons	50 sq.m.		
5)	Manufacture of Ice	45 HP	20 persons	250 sq.m.		
6)	Sugar cane and fruit juice crushers	2 HP	9 persons	25 sq.m.		
II)	Beverages & Tobacco					
7)	Manufacture of Bidi	No Power to be used	No Limit	250 sq.m.		To be permitted
III)	Textile and Textile Products					

Sr.No.		Category of Industry	Service Industry (Permitted in Commercial and Industrial zones) Criteria for classification- <u>Classification & Special condition:</u>				Special Conditions If Any
			Maximum Permissible Power Requirement	Maximum Permissible Employment	Maximum Permissible Floor Area	Maximum Permissible Floor Area	
1	2		3	4	5	6	
8)		Handloom/ Power loom subject to a maximum of 4 looms	5 HP	9 persons	50 sq.m.		To be permitted in RESIDENTIAL Zone in area designated by the Planning Authority
9)		Embroidery & Marking crape laces and fringes	5 HP	9 persons	50 sq.m.		
10)		Manufacture of all type of textile, garments including wearing apparel	3 HP	9 persons	50 sq.m.		
11)		Manufacture of made up textile goods such as curtains mosquito nets, mattresses bedding, materials, pillow cases, textile bags etc.,	3 HP	9 persons	50 sq.m.		
IV)		Wood Products & Furniture					
12)		Manufacture of wooden furniture and fixtures	7 HP	9 persons	50 sq.m.		i) Shall not be permitted under or adjoining a dwelling unit. ii) Operation shall be permitted only between 8 hrs. to 20 hrs.
13)		Manufactures of bamboo and cane furniture and fixtures	7 HP	9 persons	50 sq.m.		
V)		Paper Products & Printing					
14)		Manufacture of containers and boxes from paper pulp	5 HP	9 persons	50 sq.m.		Manufacture with paper pulp not permitted
15)		Printing and Publishing periodicals books, journals, atlases, maps envelop printing, picture post-cards embossing.	10 HP	9 persons	120 sq.m.		i) Shall not be permitted under or adjoining a dwelling unit

Sr.No.	Category of Industry	Service Industry (Permitted in Commercial and Industrial zones) Criteria for classification- <u>Classification & Special condition:</u>				Special Conditions If Any
		Maximum Permissible Power Requirement	Maximum Permissible Employment	Maximum Permissible Floor Area		
1	2	3	4	5	6	
16)	Engraving etching block marking etc.,	10 HP	9 persons	120 sq.m		ii) Operation shall be permitted between 8 hrs to 20 hrs iii) No restriction on power no. of employees area of hours of operation shall apply if located in building in separate plot not less than 500 sq.m. and if special permission of the Planning Authority is obtained.
17)	Book Binding	10 HP		9 persons		Operation shall be permitted only between 8 hrs to 20 hrs. 120 sq.m.
VI)	Leather Products					
18)	Manufacture of leather footwear	5 HP	9 persons	50 sq.m.		
19)	Manufacture of wearing apparel like coats gloves etc.,	5 HP	9 persons	50 sq.m.		
20)	Manufacture of leather consumer goods such as upholstery suitcases pocket book cigarette and key cases purees etc.	5 HP	9 persons	50 sq.m.		
21)	Repair of footwear and other leather goods	5 HP	9 persons	50 sq.m.		
VII)	Rubber and Plastic Products					
22)	Rereading and Vulcanizing works	2 HP	9 persons	50 sq.m.		----
23)	Manufacture of rubber balloons	2 HP	9 persons	50 sq.m.		----
VIII)	Metal Products					
24	Tool sharpening and razor sharpening works	1 HP	9 persons	25 sq.m.		Operation shall be permitted only between 8 hrs. to 20 hrs.,
IX)	Electrical Goods					

		Service Industry					
		(Permitted in Commercial and Industrial zones) Criteria for classification- Classification & Special condition:					
Sr.No.	Category of Industry	Maximum Permissible Power Requirement	Maximum Permissible Employment	Maximum Permissible Floor Area	Special Conditions If Any		
1	2	3	4	5	6		
25)	Repair of household electrical appliances such as radio set, television set, tape recorders, refrigerators, heaters, irons, shavers, vacuum cleaners, air conditioners, washing machine, electric cooking ranges, motor rewinding works etc.,	3 HP	9 persons	50 sq.m.	Operation shall be permitted only between 8 hrs to 20 hrs.		
X)	Transport Equipment						
26)a)	Service of motor vehicles and motor cycles with no floor above	5 HP	9 persons	50 sq.m.	Operation shall be permitted only between 8 hrs to 20 hrs		
b)	Repair of motor vehicles and motor cycles with no floor above	5 HP	9 persons	50 sq.m.	No spray painting permitted		
c)	Battery charging and repair	5 HP	6 persons	25 sq.m.			
27)	Repair of bicycles and cycle rickshaws	5 HP	6 persons	50 sq.m.	No spray painting permitted		
XI)	Other manufacturing and Repair Services						
28)	Manufacture of jeweler and related articles	3 HP	9 persons	50 sq.m.	Operation shall be permitted only between 8 hrs to 20 hrs.		
29)	Repair of watch clock and jewellery	3 HP	9 persons	50 sq.m.	Operation shall be permitted only between 8 hrs to 20 hrs		
30)	Manufacture of musical instrument and its repair	No power to be used	6 persons	50 sq.m.	Operation shall be permitted only between 8 hrs to 20 hrs		

Sr.No.	Category of Industry	Service Industry				Special Conditions If Any
		Maximum Permissible Power Requirement	Maximum Permissible Employment	Maximum Permissible Floor Area	condition:	
1	2	3	4	5	6	
31)	Repairs of looks solve umbrellas sewing machines gas burners, buckets and other sundry household equipments optical glass grinding and repairs.	3 HP	9 persons	50 sq.m.	Operation shall be permitted only between 8 hrs to 20 hrs	
32)	Petrol filling stations	10 HP	9 persons	i) 30.5 x 16.75 m ii) 33.5 x 30.5 m	Plot size to be in line with IRC recommendations depending on service bay or not	
33)	Laundress laundry service and cleaning dyeing bleaching and dry cleaning	4 KW	9 persons	50 sq.m.	i) Cleaning and dyeing fluid shall not have flash point lower than 138 F. ii) Operation shall be permitted between 8 hrs to 20 hrs iii) Machinery having dry load capacity of 20KG and above	
34)	Photo processing laboratories, Xeroxing photo copy videotaping and their repairing	5 HP	9 persons	50 sq.m.	Operation shall be permitted between 8 hrs to 20 hrs	
35)	Ready Mix Concrete Plant	3.75 HP	9 persons	50 sq.m.		
36)	Non polluting, High Tech, High Value added Electronic Industries					

Note 1 In the Commercial and Industrial Zones the hours of operation for the concerned Industry shall be from 08 to 20 hours only.

Note,2 With the approval of the Authority the Planning Authority may from time to time add to alter or amend the above table.

Note 3 Information Technology Establishment shall be permitted in Commercial zone and service Industrial Estates on all plots fronting on roads having width more than 12m.

D.5.1 INDUSTRIAL ZONE :(I ZONE) EXCEPTIONS OTHER USES:

1. General conditions governing the uses permitted in Industrial zone: The Industrial zone includes any building or part of a building or structure in which products or materials of all kinds and properties are fabricated, assembled or processed e.g. assembly plants, laboratories, dry-cleaning plants, power plants, pumping stations, smoke houses, laundries, gas plants, refineries, dairies and saw-mills.
2. Buildings or premises in the Industries Zone may be used for any industrial and accessory uses, except the following:
 - i ~~Any dwelling other than dwelling quarters of watchmen, caretakers or other essential staff required to be maintained on the premises;~~
 1. ~~Acetone manufacture~~
 2. ~~Acetylene gas manufacture and storage;~~
 3. ~~Acid manufacture;~~
 4. ~~Air-craft (including parts) manufacture;~~
 5. ~~Alcohol manufacture;~~
 6. ~~Ammonia manufacture;~~
 7. ~~Aniline dyes manufacture;~~
 8. ~~Arsenol manufacture~~
 9. ~~Asphalt manufacture or refining;~~
 10. ~~Automobiles, trucks and trailers (including parts) manufacture or engine re-building or motor body building employing pneumatic riveting~~
 11. ~~Blast furnace;~~
 12. ~~Bleaching powder manufacture;~~
 13. ~~Boiler works manufacture or repairs, except repairs to boilers with heating surface not exceeding 5 sq.m.~~
 14. ~~Bricks tile or terra-cotta manufacture~~
 15. ~~Carbide manufacture~~
 16. ~~Caustic Soda and compound manufacture;~~
 17. ~~Celluloid or cellulose manufacture or treatment and articles manufacture;~~
 18. ~~Cement manufacture~~
 19. ~~Charcoal and fuel briquettes manufacture;~~
 20. ~~Coke manufacturing ovens;~~
 21. ~~Chlorine manufacture;~~
 22. ~~Concrete product manufacturing including concrete central mixing and proportioning plants;~~
 23. ~~Cotton ginning, cleaning, refining or pressing and manufacture or cotton wadding or lint, except cotton processing for the purpose of preparing mattresses;~~
 24. ~~Creosote manufacture or treatment;~~
 25. ~~Disinfectant manufacture, except mixing of prepared dried liquid ingredients;~~
 26. ~~Distillation of bones, coal or weed;~~
 27. ~~Dye-stuff manufacture, except mixing of dry powders and wet mixing;~~
 28. ~~Exterminator or pest poison manufacture except mixing of prepared ingredients;~~
 29. ~~Emery cloth and sand paper manufacture;~~
 30. ~~Explosive or firework's manufacture or storage, except storage in connection with retail sale;~~

31. Fat rendering;
32. Fertilizer manufacture
33. Photographic film manufacture;
34. Flour mill with motive power exceeding 18.75 KW grain crushing or processing mill with motive power exceeding 37.5 KW massala grinding mill with motive power exceeding 11.25 KW or a combination of more than one of the above mills with aggregate motive power exceeding 45 Kw and any one mill using motive power in excess of the above limits;
35. Forges, hydraulic or mechanically operated;
36. Garage, offal or dead animal's reduction, dumping or incineration;
37. Gas manufacture and storage in cylinders, except manufacture of gas as an accessory to a permissible industry;\
38. Glass manufacture, except manufacturing of glass products from manufactured glass;
39. Glue, sizing material or gelatin manufacture;
40. Graphite and graphite products manufacture;
41. Gypsum or plaster of paris manufacture
42. Hair, felt, fur and feather bulk processing, washing, curing and dyeing
43. Hydrogen and oxygen manufacture;
44. Industrial alcohol manufacture;
45. Printing ink manufacture;
46. Junk (iron, aluminum, magnesium or zinc) cotton waster or rags storage and bailing;
47. Jute, hemp, sisal, coir and kokum products manufacture;
48. Lime manufacture;
49. Match manufacture;
50. Lamp, black, carbon black or bone black manufacture;
51. Metal foundries with an aggregate capacity exceeding 10 tones a day;
52. Metal processing (including fabrication and machinery manufacture), factories employing such machine tools or process as a power hammer forging machine, pneumatic drilling or riveting, sheet working with heavy sledge hammers, or processes expressly prohibited herein;
53. Metal finishing, enameling, anodizing japanning, plating, galvanizing, lacquering, grinding, polishing, rust proofing and heat treatment;
54. Paint oil, shellac, turpentine or varnish manufacture, except manufacture of edible oils;
55. Oil cloth or linoleum manufacture, except water proofing of paper or cloth;
56. Paper, card board or pulp manufacture;
57. Petroleum or its products, refining or wholesale storage;
58. Plastic materials and synthetic resins manufacture;
59. Pottery or ceramic manufacture, other than the manufacture of handicraft products;
60. Potash works;
61. Pyrexilin manufacture or products;
62. Rolling mills;
63. Rubber (natural or synthetic) or gutta percha manufacture, except manufacture of latex goods and small rubber products and synthetic treated fabrics, such as washers, gloves footwear, bathing caps, atomizers, hoses tubing's, wire insulation, toys and balls, but including manufacture of tyres and tubes.
64. Salt works, except manufacture of common salt from sea water;

65. ~~Sand, clay or gravel quarrying;~~
66. ~~Smelting, reduction, refining and alloying of metal and metal ores except of rare and precious metals;~~
67. ~~Soap manufacture, other than cold mix;~~
68. ~~Soda and compound manufacture~~
69. ~~Starch, glucose or dextrose manufacture;~~
70. ~~Stock yard or slaughter of animals or fowls, except the slaughter of fowls in dental to retail business;~~
71. ~~Stone crushing and quarrying;~~
72. ~~Shoe polishes manufacture;~~
73. ~~Sugar manufacture or refining;~~
74. ~~Tallow, grease or lard manufacture;~~
75. ~~Tarfining, curing or storage of raw hides or skins;~~
76. ~~Tar distillation or manufacture;~~
77. ~~Tar products manufacture;~~
78. ~~Textiles manufacture, excepting manufacture of rope, bandage, net and embroidery using electric power upto 37.5 KW~~
79. ~~Vegetable oil manufacturing and processing plants;~~
80. ~~Wood and timber, bulk processing and wood working including saw mills and planning mills, excelsior plywood and veneer and wood preserving treatment, except the manufacture of wooden articles with saw or planning machines;~~
81. ~~Wax products manufacture from paraffin;~~
82. ~~Wool pulling or scouring;~~
83. ~~Yeast plant;~~
84. ~~In general, those uses which may be offensive by reason of emission of odor liquid effluvia, dust, smoke, gas noise, vibration or fire hazards.~~

3. NOT WITHSTANDING ANYTHING CONTAINED ABOVE -

- a Service industries and service industrial estates shall be permissible in the ~~General~~ Industries zone;
- b With the previous approval of Planning Authority and on such conditions as deemed appropriate by ~~him~~ it, the existing or newly built-up area of unit in the ~~General~~ Industrial Zone (including industrial estate) excluding that of cotton textile mills, may be permitted to be utilised for an office or commercial purposes in the other areas of the Authority or for commercial purposes (excluding offices) in the congested area of erstwhile ~~the~~ development authority as a part of a package of measures recommended by the Board of Industrial and Financial Reconstruction (BIFR), Financial Institutions and ~~Planning Authority~~ Commissionerate of Industries for the revival/rehabilitation of potentially viable sick industrial units;
- c With the previous approval of the Planning Authority , any open land or lands or industrial lands in the ~~General~~ Industrial zone (including industrial estates), excluding lands of cotton textile mills, may be permitted to be utilised for any of the permissible users in the Residential zone or for those in the local commercial zone subject to the following:
 - i The layout or sub-division of such land shall be approved by the Planning Authority ; who will ensure that the requisite land for public utilities and amenities like electric substation, bus station, sub-post office, police out post and such other amenities, as may be considered necessary, will be provided therein ; and
 - ii In such layouts or sub-divisions, each more than 2 ha. in area, amenities and facilities shall be provided as required by these regulations. These areas will be in addition to those to be earmarked for public utilities and amenities in accordance with clause (c) (i)

- above and in addition to the recreational space as is required to be provided under these Regulations and further 10 per cent shall be provided as additional recreational space.
- iii The required segregating distance as prescribed under these regulations shall be provided within such land intended to be used for residential or commercial purposes.
 - iv Such residential or local commercial development shall be allowed within the permissible FSI of the nearby residential or commercial zone.
 - v Provision for public utilities and amenities shall be considered to be reservations in the development plan and transferable development rights as in regulation 7.5.3 and 7.5.7 shall be available for such reservations.
- d With the previous approval of the Planning Authority, and subject to such terms as may be stipulated by him, open land in existing industrially zoned land or space, excluding land or space of cotton textile mills, which is unoccupied or is surplus to requirement of the industry's use may be permitted to be utilised for office or commercial purposes in the other areas of the authority or for commercial purposes (excluding offices) in the congested area of ~~erstwhile the~~ Planning Authority, but excluding warehousing.
- e With the special written permission of the Planning Authority, isolated small open plots up to one hectare in size which are allocated for industrial purposes and situated predominantly in the residential zone (excluding the plots of cotton textile mills) may be permitted to be used for any other permissible users in Residential zone.

D.5.2. NON-VIABLE PLOTS IN INDUSTRIAL ZONE-

If a plot in industrial zone becomes unbuildable for industrial use because of any restrictions in the Industrial Location Policy or restriction of segregating distance as provided under these Regulations, the following uses may be permitted on such a plot with the special permission of the Planning Authority.

- i. Petrol Pumps & Service Stations
- ii. Parking lot
- iii. Electric sub-stations
- iv. Non-residential building, offices for public utility concerns or organisations.
- v. Branches of banks including safe deposit vaults, telephone exchanges, police stations Government and Semi-Government offices, Sub-offices, fire Stations and post and Telegraph offices.
- vi. Hotels each with not more than 50 rooms
- vii. Convenience shops, departmental stores tea stalls etc;
- viii. Restaurants
- ix. Warehouses.

With the prior approval of the Government, the Planning Authority may later amend or add to the list of the above users:

D.6. ~~ADDITIONAL USES PERMITTED PURELY IN NO DEVELOPMENT ZONE (NDZ)~~

~~In addition to the uses permissible under Regulation No. 6.3 and in Appendix V, the following uses~~The uses specified in Appendix V are permissible in a No Development Zone (NDZ). However, all the service infrastructure like adequate access, water supply, sanitation, conservancy services, sewage disposal and off-street parking shall be provided and maintained by the owner / project proponent at his cost and to the satisfaction of the Planning Authority`.

D.7. USES PERMISSIBLE IN PUBLIC/SEMI PUBLIC LAND USE:

- 1) Primary School, High School all sorts of Educational Collage, Technical School/College, Educational Complex, Hostel for students essential Staff Quarters.

- 2) Hospital, Dispensary, Maternity Homes, Health Centre, Complex of such uses, Dharmashala for the visitors to patients, essential staff quarters, Veterinary Hospital, Auditorium Exhibition hall and Gallery.
- 3) Training institutions, Home for aged, essential quarters.
- 4) Government/Semi-Government/Local Self Government offices, Court buildings, essential Staff Quarters.
- 5) Post office, Telegraph Office, Telephone Exchange, **Radio** station, Complex of such uses, Staff Quarters and similar Public/Semi public uses, **including solid waste management.**
- 6) Library, Mangal Karyalaya, Gymnasium, Gymkhana, Water tanks, Stadium, Community Hall, Religious Temple, ~~Masques~~ Mosques, Church etc.,
- 7) The private or rental premises designated in Public/Semi-public Zone will continue to be in this zone as long as public or semi-public user exists; otherwise these lands shall be considered to be included in the adjoining major use zone.

8) Any other use allowed in consultation with the Director of Town Planning, Maharashtra State in accordance with the intent and spirit of these Regulations.

Note:-

- i) In the education complex, Primary School, High School, all types of Colleges, Technical School, Colleges/all types of Medical education and student's hostels and essential staff quarters shall be permitted.
- ii) With the prior approval of Director of Town Planning, Maharashtra State, Pune, the Planning Authority shall include other items of public interest in the list which are not covered in the above list.
- iii) Besides above uses, commercial use shall be permitted as given in the table below:

Area of Plot	Permissible Commercial Use in Percentage
Upto 1000 Sq.mt.	7.50%
More than 1000 to 2500 Sq.mt.	10%
More than 2500 to 4000 Sq.mt.	12%
Above 4000 Sq.mt.	15%

Commercial use shall be allowed on following terms & conditions:-

- 1) Convenient shopping, branch of bank, ~~small hotels~~ restaurants etc., shall be permitted; but shops/hotels for wine, pan, cigarette, tobacco, lottery tickets and such other which do not serve public purpose; similarly domestic gas shops/godowns which are dangerous to public health shall not be permitted.
- 2) ~~The income from such commercial uses shall be utilised for main users for which the Development has taken place or would taken place or would take place.~~
- 3) Such a commercial development shall take place in such a way that it shall not affect the view of the main development on the land; similarly such a commercial user shall be permitted upto 50% length of the plot.
- 4) The Planning Authority shall ascertain that for parking spaces and for the traffic, sufficient area is kept in the plot.
- 5) Additional FSI shall be allowed only on the plot area remained after deducting the plot area utilized for commercial user.
- 6) The Planning Authority shall not allow sub-division of S.No./Gat No./Plot No. on which such a Development which may cause/has taken place/would take place.
- 7) The Commercial user is permitted up to a depth of 12m.
- 8) The land owner/developer/institution shall give guarantee in writing to the Planning Authority for following all the stipulated conditions scrupulously.

9) The plots in which there is an existing development, such commercial use shall be restricted to maximum 20% of the balance potential.

D.8 TRANSPORTATION LAND USE:

Following are the permissible user of the Transportation Land Use.

(a) Proposed D.P. Roads / Street

(b) Proposed widening of existing road/street envisaged either in the Development Plan or by Prescription of regular line of street under the Maharashtra Municipal Act., 1965.

(c) Transport Facilities.

(d) Bus Stand/ S.T.Stand.

(h) (e) Parking Lot (PL).

(i) (f) Public Transportation System like Metro Rail, Mono Rail, BRTS etc.

D.9 FOREST LANDS:

Where any land is stipulated / vested under the Forest Department as Reserved / unreserved forest, Protected / Unprotected / Woodland forest and other lands situated within Forest zone, any kind of development is not permitted without consent of concerned Forest Authority. Also, the lands which are notified under the Indian Forest Act, 1950 and other designated forest lands if any in the Notified Area shall not be permitted to be used for any other purpose even though they fall under various use- zones of the Development Plan except the following users without the consent of concerned Forest Authority:

i. Forest and allied activities permitted under the Forest Act.

ii. Roads, Railways, Highways undertaken by the Government.

iii. Laying of electric, telephone, gas, drainage, sewerage and water lines.(without building operations) undertaken by the public authorities and with the prior approval of the Government.

iv. Other utilities and services specifically permitted by the Government.

D.10. NO DEVELOPMENT ZONE (NDZ).

The manner of development in the No-Development Zone (NDZ) shall be as per the regulations given in Appendix V, read with sub-regulation 6.3.

APPENDIX - E: REGULATIONS FOR ACCOMMODATION RESERVATIONS/LANDS USERS AND THE MANNER OF DEVELOPMENT
(Regulations No. 6.3 & 6.5)

Use (Allocation, Designation or Reservation)	Person/ Authority who may develop	Condition subject to which development is permissible
(1)	(2)	(3)
1. Residential (R)		
(a) Residential (R-1)	Owner	
(b) Residential with shop line (R-2)	Owner	
(c) Govt. Housing(GH)	Govt./Semi Govt.	
(d) Municipal Housing (MH), Transit Camp, Public Offices and Staff Quarters	Planning Authority / Local Authority	
(d1) Housing for the Dishoused	Planning Authority/Owner	<p>Planning Authority may acquire the reserved land or the Chief Officer may allow the owner to develop the reservation, subject to handing over of 25% land to Planning Authority free of cost. If the owner agrees to handover 25% land alongwith 25% built up area of the permissible potential of FSI to the Planning Authority free of cost, then he shall be entitled to utilize permissible FSI of his entire plot without deducting the area handed over free of cost. Where Appropriate Authority is other than the Planning Authority Appropriate Authority/Government/Departments of State Government, then cost of land as per Ready Reckoner shall be paid to the Planning Authority by such authority and cost of construction to the owner/ developer.</p>
(e) Public Housing (PH) and Housing for Dishoused (HD); Rehabilitation of Slum Dwellers Reservation	Planning Authority /Public Semi Public Authority or Owner	<p>A public, semi-public authority may develop the land after acquiring it in accordance with law OR The owner may develop the land subject to conditions that (i) While laying out the land, 50% plots shall be of minimum size as prescribed in these regulations and plots of such minimum areas equivalent to 10% of the area of the total land under layout; shall be handed over free of cost to the Planning Authority. OR (ii) If owner proposed to construct multistoried building, at least 50% of the tenements shall be of 30 sq.mt. in area. The owner shall surrender, free of cost, 10% of the tenements out of these tenements having area of 30 sq.mt. to the Local Authority. FSI equivalent to the land/ built up area to be surrendered free of cost as aforesaid, shall be available to the owner, on the remaining plot, over and above the normal permissible FSI. The Planning Authority may allot these 10% plots / tenements for the purpose of rehabilitation of persons displaced from sites reserved for public purposes or amenities in the Development Plan.</p>

Use (Allocation, Designation or Reservation)	Person/ Authority who may develop	Condition subject to which development is permissible
(1)	(2)	(3)
(f) Government Staff Quarters	Government/ Semi-Government Authority	Government / Semi Government
2 Commercial (C)		
Local-Commercial	Owner	(1) The owner may be allowed to develop this zone on such terms as may be agreed between him and the Planning Authority. (2) In cases where the owner has been granted exemption under section 20 or 21 or redevelopment permission under section 22 of Urban Land (Ceiling and Regulation) Act, 1976, prior to coming into force of these regulations, he would be entitled to develop the land in accordance with the terms and conditions set out in exemption order issued by the Government or the Competent Authority under that Act.
District-Commercial	Planning Authority / Local Authority / Public-Semi Public Authority or Owner	(4) The owner may be allowed to develop this zone on such terms as may be agreed between him and the Planning Authority. (2) The owner may be permitted to develop the land provided 15 % of total land shall be kept for public purposes such as Fire Station, Electric Substation Overhead Water Tank and Sanitary Blocks etc., 30% land shall be utilized for District Commercial User (C-2) and balance 55% land shall be utilised for shops on ground floor and other floors for offices/residential uses. (3) In cases where the owner has been granted exemption under section 20 or 21 or redevelopment permission under section 22 of Urban Land (Ceiling and Regulation) Act, 1976, prior to coming into force of these regulations, he would be entitled to develop the land in accordance with the terms and conditions set out in exemption order issued by the Government or the Competent Authority under that Act.
(c) Retail Market (RM)	Planning Authority/ Owner	The Planning Authority may acquire the land and develop the retail market. OR The owner may be permitted to develop the retail market, on 20% area of the reserved plot, as per the norms and conditions prescribed by the Chief Officer and further, subject to his agreeing to hand over, the built up market area to the Planning Authority free of cost. Thereafter, the remaining plot/building may be put to use in conformity with the development permissible in the adjacent land. The owner will be entitled to have full permissible FSI of the reserved plot without taking into account the area utilised for the Retail Market.
(d) Market/Vegetable Market.	Planning Authority / Local Authority or Owner	The Planning Authority/ Local Authority may acquire or develop the market OR

Use (Allocation, Designation or Reservation)	Person/ Authority who may develop	Condition subject to which development is permissible
(1)	(2)	(3)
(i) Open Market (OM)		The Owner may be permitted to develop the market with the type, number and size of Stalls as prescribed by the Planning Authority and further subject to his agreeing to hand over 20% built up market area to the Planning Authority/ Planning Authority free of charge. Thereafter the owner will be entitled to have the full permissible FSI of the plot without taking into account the area utilised for the market/ vegetable market as per the users permissible in adjoining land.
(ii) Municipal Market (MM)		
(c) Shopping Centre	Planning Authority / Local Authority or Owner	The Planning Authority/ Local Authority may acquire the land and develop it for the Shopping Centre. OR The owner may develop the shopping centre on his agreeing to give 25% of the shops to the Planning Authority / Planning Authority for Municipal shops for the purpose of rehabilitation of shop keepers displaced from sites reserved for public purposes or amenities in the development plan on payment of cost of construction+15% cost of construction or subject to his agreeing to handover the aforesaid 25% built up shopping area to the Local Authority free of charge. Thereafter, he owner will be entitled to have the full permissible FSI of the plot without taking into account the built up area handed over to the Planning Authority/ Planning Authority.
Market and Shopping Centre/ Shopping Centre and Vegetable Market	Planning Authority / Local Authority or Owner	(1) The Planning Authority/ Local Authority may acquire the land and develop it for the Market and Shopping Centre, Shopping Centre and Vegetable Market. (2) The owner may be permitted to develop these reservation on the terms and conditions as decided by the Local Authority/ Planning Authority in terms of proportionate area of reservations and thereafter the conditions mentioned in C and D above will apply in that proportion.
Town Centre	Planning Authority / Local Authority or Owner	(1) The owner may be allowed to develop the site on such terms as may be agreed between him and the Chief Officer. (2) The owner may be permitted to develop the land provided 20% of the total land shall be kept for public purposes such as Fire Station, Electric Sub-Station, Overhead Water Tank and Sanitary Blocks etc.
II. Industrial (I)	Owner	The Public Authority may acquire the land and develop the industrial estate. OR The owner may develop the industrial estate on his agreeing to give 25% of galas to the Planning Authority on payment of cost of construction plus 15% thereof. The Planning Authority may allot these galas for the purpose of rehabilitation of persons
(b) Industrial Estate (IE)	Public Authority/Owner	

Use (Allocation, Designation or Reservation)	Person/ Authority who may develop	Condition subject to which development is permissible
(1)	(2)	(3)
(c) Service Industrial Estate (SIE)	Public Authority/Owner	displaced from sites reserved for public purpose or amenities in the Development Plan.
(d) Godown / Warehousing	Public Authority/Owner	As above
3. Transportation		
(a) Proposed D.P. Roads/Street		
(b) Proposed widening of existing road/ street envisaged either in the Development Plan or by Prescription of regular line of street under the Maharashtra Municipal Act., 1965.	Planning Authority / Local Authority	-
(c) Transport Facilities/Transport Terminus	Planning Authority / Local Authority / Public-Semi Public Authority.	-
(d) Truck Terminus—Stand	Local Authority/ Planning Public-Semi Public- Authority.	
(e) Bus Stand/ S.T.Stand	MSRTC	The Local Authority may acquire the land and develop, operate and maintain parking lot. OR A public authority or public organisation or the owner may be allowed to develop the parking lot for the public according to the design, specification and conditions prescribed by the Authority utilizing the full built up area equal to the FSI available on the plot for the purpose of providing the parking spaces. The operation and maintenance of the facility will be decided by the Chief Officer/ Appropriate Authority irrespective of the authority, organisation or person who develops the facility.
(g) Parking Lot (PL)	Planning Authority / Local Authority / Public Authority/ Public Organization/ Owner	The parking spaces may be in the basement or open spaces or under the stilts or on the upper floors. The Local Authority, Public Authority, Public organisation or the Owner will be entitled thereafter to have the full permissible FSI of the plot without taking into account the areas utilised for providing the parking spaces for other permissible users of the plot.
4. Public, Semi-public		
(a) Dispensary (D)/	Planning Authority / Local Authority / Public Authority/Public Organization/or Owner	The Planning Authority/ Local Authority may acquire, develop and maintain the amenity. OR The owner may be permitted to develop the amenities as per the norms prescribed Planning Authority/ Planning Authority on – i) 15 per cent of the reserved plot in case of Dispensary and civic centre.
(b) Maternity Home		
(c) Primary Health Centre		
(d) Civic Centre		

Use (Allocation, Designation or Reservation)	Person/ Authority who may develop	Condition subject to which development is permissible
(1)	(2)	(3) ii) 25 per cent of the reserved plot in case of Maternity Home and Primary Health Centre. iii) 30 per cent of the reserved plot if both amenities are combined. This development by the owner shall be further and subject to his agreeing to handover the built up area of the amenities as aforesaid to the Planning Authority free of cost. Thereafter the remaining plot / building may be put to use in conformity with the development permissible in the adjacent land and the owner will be entitled to have full permissible FSI of the reserved plot, without taking into account the area utilised for Dispensary / Maternity Home, Primary Health Centre/ Civic Centre as the case may be.
(e) Welfare Centre (WC) (f) Women's Welfare Centre (WWC) (g) Social/Cultural and Welfare Centre (h) Children's Welfare Centre (i) Centre for Handicapped (j) Community Centre/Community Hall (k) Multipurpose Hall (l) Public Facility Center (m) Aquarium/ Science Centre (n) LPG Godown (o) Police Post	Planning Authority / Local Authority / Public Authority/Public Organization/ Owner	The Local Authority/ Planning Authority may acquire, develop and maintain the amenity as a reservation. OR The owner may be permitted to develop the amenity subject to the handing over 15 percent of the carpet area to Planning Authority free of cost. Thereafter, the owner will be entitled to have the full permissible FSI of the plot for the surrounding users as permissible without taking into account the area utilized for constructing the amenity. The Chief officer/Planning Authority may handover the amenity space for Welfare Centre, Women's Welfare Centre, Social/ Cultural and Welfare Centre, Children's Welfare Centre, Centre for Handicapped, Community Centre Multipurpose Hall, Public Facility Center of Aquarium/ Science Centre to a public organization for operation and maintenance on the terms as decided by him. Explanation:- Welfare Centre also include Homes, Shelters or Institutes for homeless or street children, WAIFS, destitute children (but not beggars) stray delinquents, abandoned or destitute women, homes for the destitute or dying destitute, drug addicts and alcoholics, crèches or day-care centre for children of working parents, Sevaghars, mobile crèches and for physically disabled or handicapped provided they are all run by registered public trust.
(4n) Hospital/ Veterinary Hospital	Planning Authority / Local Authority / Public Authority/Public Organization/ Owner	When the owner develops the facilities, it will be in accordance with the specifications and conditions approved by the Planning Authority.
(4o) Government Office/s	Government /Semi Government Organization	
45. Educational - (a) Primary School (PS)	Planning Authority / Local Authority, Registered Institute or Owner	Planning Authority may acquire the land and develop Primary School or entrust the amenity to a Registered Institutions of or Trust. OR The owner may be allowed to develop the land and operate it himself or entrust its

Use (Allocation, Designation or Reservation)	Person/ Authority who may develop	Condition subject to which development is permissible
(1)	(2)	(3)
(b) Private Primary School. (eb) Secondary School (SS)	Public Authority or Owner Public Authority or Owner	operation to Registered Institutions or Trust. <u>The owner may be allowed to develop the land for specific amenity and operate it himself or entrust its operation to a Registered Institution or Trust.</u> <u>OR</u> <u>The land may be acquired for or on behalf of a public Authority, a Public Trust of a registered society which may develop the amenity themselves or lease it to another institutions or Trusts for running the same.</u> <u>Planning Authority may acquire the land and develop Secondary School or entrust the amenity to a Registered Institution or Trust.</u> <u>OR</u> <u>The owner may be allowed to develop the land and operate it himself or entrust its operation to Registered Institutions or Trust.</u>
(ec) College	Public Authority or Owner	<u>Planning Authority may acquire the land and develop College or entrust the amenity to a Registered Institution or Trust.</u> <u>OR</u> <u>The owner may be allowed to develop the land and operate it himself or entrust its operation to Registered Institutions or Trust.</u>
(ed) Polytechnic	Public Authority or Owner	<u>The owner may be allowed to develop the land for specific amenity and operate it himself or entrust its operation to a Registered Institution or Trust.</u> <u>OR</u> <u>The land may be acquired for or on behalf of a public Authority, a Public Trust of a registered society which may develop the amenity themselves or lease it to another institutions or Trusts for running the same.</u> <u>Planning Authority may acquire the land and develop Pplytechnic or entrust the amenity to a Registered Institution or Trust.</u> <u>OR</u> <u>The owner may be allowed to develop the land and operate it himself or entrust its operation to Registered Institutions or Trust.</u>
(fe) Technical School	Public Authority or Owner	As above
vH6. Assembly and Recreation - a) Cinema Theatre (CN) b) Drama Theatre (DTH) c) Open Air Theatre (OTH) d) Children's Theatre (CTH) g) Club h) Swimming Pool	Owner/ Planning Authority	The Planning Authority or Authorised Authorized Organisation may acquire and develop the amenity as per Development Control Rules with a seating capacity of 300 seats for 'a', 'b' and 'd'. However, in case of redevelopment of existing theatre, the seating capacity for 'a' 'b' and 'd' shall be minimum 33% of the existing seating capacity or 300 seats whichever is more. Thereafter, the balance FSI can be utilized for Residential, Commercial or office

Use (Allocation, Designation or Reservation)	Person/ Authority who may develop	Condition subject to which development is permissible
(1) i) Recreation Ground j) Play ground k) Garden l) Park m) Sports Complex-Cum-Shopping Centre.	(2)	(3) purpose in accordance with Development Control Rules in this regard in subject to other terms and conditions as may be prescribed by the Chief Officer.
e) <u>Museum/Art Gallery</u> (f) Exhibition Hall/Town Hall	Owner/ Planning Authority Planning Authority / Local Authority or Owner	The Local Authority/ Planning Authority may acquire, develop and maintain the amenity as a reservation. OR The owner may be allowed to develop the amenity subject to the handing over 20 percent built up area of total permissible area to the Local Authority/Planning Authority free of charge for amenity constructed according to norms prescribed by the Chief Officer/ Planning Authority. Thereafter, he will be entitled to have the full permissible FSI of the plot for other permissible users of the plot without taking into account the area utilised for constructing the amenity. The Chief Officer/Planning Authority may handover the amenity space for museum/art gallery to a public organization for operation and on terms decided by him. The Chief Officer may entrust the development and maintenance of the facility to suitable agency on terms to be decided by him.
f) Gymnasium / Gymkhana	Planning Authority / Local Authority / Public Authority/Public Organization	The Local Authority/ Planning Authority may acquire, develop and maintain the amenity as a reservation. OR The owner may be allowed to develop the amenity subject to the handing over 20 percent built up area of total permissible area to the Local Authority/Planning Authority free of charge for amenity constructed according to norms prescribed by the Chief Officer/ Planning Authority. Thereafter, he will be entitled to have the full permissible FSI of the plot for other permissible users of the plot without taking into account the area utilised for constructing the amenity. The Chief Officer/ Planning Authority may handover the amenity space for Gymnasium/gymkhana to a public organisation for operation and on terms decided by him.
n) Library	Planning Authority or Owner	The Planning Authority may acquire and develop the library. OR The owner may be permitted to develop the library on 20% area of the reserved plot as per the norms prescribed by the Divisional Deputy Director of Town Planning and further subject to his agreeing to hand over the built up library space to the Local Authority free of cost. The location of the library shall be on ground or first floor. Thereafter, the

Use (Allocation, Designation or Reservation)	Person/ Authority who may develop	Condition subject to which development is permissible
(1)	(2)	(3)
V4H7. Public Utility		remaining plot/ building may be put to use in conformity with the development permissible in the adjacent land and the owner will be entitled to have full permissible FSI of the reserved plot, without taking into account the area utilised for Library.
(4a) Post Office (PO)		The Government Department concerned may acquire develop and maintain the users.
(2b) Police Station	Government Department concerned or Owner.	OR The owner may be permitted to develop the facility subject to his handing over the required built up space to the Government Department concerned free of charge for the facility constructed according to the norms prescribed by the said Government Department. Thereafter the owner will be entitled to have the full permissible FSI of the plot, without taking into account the area utilised for constructing the facility.
(4c) Telephone Exchange (TE)	Government Department	---
(4d) Fire Station	Planning Authority / Local Authority	---
(4e) Sewage Treatment Plant (STP)	Planning Authority / Local Authority	---
(4f) Solid Waste Conversion Plant/Solid Waste Management Disposal Plant	Planning Authority / Local Authority	---
(4g) Water Purification/Distribution Plant Tank	Planning Authority / Local Authority	---
(4h) Dumping Ground	Planning Authority / Local Authority	---
(4i) Ganesh Visarjan Ghat	Planning Authority / Local Authority	---
(4j) Slaughter House	Planning Authority / Local Authority	---
(4k) Cemetery, Cremation Ground, Burial Ground	Planning Authority / Local Authority / Public Authority/Owner	The Local Authority / Planning Authority/ Public Authority (with the approval of the Local Authority) may acquire and develop the land fro cemetery/Cremation Ground/Burial Ground. OR The owner may be allowed to develop the land for cemetery, Cremation Ground, Burial Ground with the approval of Local Authority/Planning Authority on such terms and conditions as it may specify.
(4l) MSEB Electric Sub-station	MSEB/MSEDCL/MSETCL	---
(4m) APMC	APMC	---

Explanation:-

- (1) Where the owner is permitted to develop the reservation, he can develop it as per norms and conditions prescribed by the Planning Authority in consultation with MMRDA and Divisional Deputy Director of Town Planning.
- (2) Even where an owner, in terms of column (3) in above appendix is permitted to develop certain categories, reservations, allocations or designations, the Local Authority or concerned authority may at any time acquire land there under but such acquisition will not be done after owner is permitted to develop the reservation as per these regulations. (3) An owner who in terms of Column (3) in above appendix is permitted to develop certain categories, allocations, designations or reservations shall provide the required parking space for the same, in additions to those required for the development he is permitted to undertake.
- (4) In the case of development of lands for Gymnasium, Gymkhanas, Clubs, Stadiums, Swimming Pools, Recreation Grounds and Playgrounds Constructions for Ancillary uses only may be permitted (in a suitable locations so as to keep as much of the remaining space open) upto 10 per cent of the area of the land of the said amenities.
- (5) Where the owner is permitted to develop certain categories of reservations, he shall submit the proposal of at least 51 per cent continuous land of the reservation.
- (6) In case where any reservation is sanctioned Development Plan do not appear in the list of reservations to be permitted to be developed by the owner in above appendix and owner of land under such reservations is interested to develop such reservations, in that case the matter will be referred to Government and Government may permit to develop such reservation on the conditions similar to such other reservation.
- (7) In case the owner is not in a position to utilise the permissible FSI within the plot, he will be entitled to have TDR as per the provisions of Regulation no. 7.5.8 of these Regulations.

APPENDIX - F: SET BACKS AND MARGINAL OPEN SPACES

(Regulations No. 7.6.2 & 7.6.3)

F.1 F.S.I.—MARGINAL DISTANCES:

F.1.1. APPLICABLE TO GOATHAN / CONGESTED AREA AS SHOWN ON THE DEVELOPMENT PLAN:

F.1.1.1. Generally Gaothan / congested area shall be intended mainly for residential purpose excepting areas reserved for public purposes in the Development plan and areas in which it would be expedient to acquire for the said purposes but not so designated. All other users as listed out under residential use in land use classification order shall be permitted in the Gaothan / Congested areas.

F.1.1.2. RESIDENTIAL BUILDING.

- a) ~~Floor space index—The permissible base F.S.I. shall be 1.00 for purely residential building and in case of mixed residential & commercial or other user, an additional FSI with premium to the extent of 0.5 only shall be permissible provided parking space as applicable in Table No 16 read with regulation 7.8. The rate of premium is decided by competent Authority on time to time.~~
- b) Front open spaces- The minimum setback from existing or proposed road shall be as under:-
- (i) For streets 7.5m. to less than 12.00 m. in width.....1.0 m.
 - (ii) For streets 12.0 m. and above in width.....1.5 m.
 - (iii) For streets less than 7.5 m. in width no set-back shall be prescribed subject to condition that no street shall be less than 4.5 m.in width clear of structural projections. For lanes less than 4.5 m. in wide setback of 2.25 m. shall be prescribed for the centre line of such lane. Where such streets, despite their narrowness, form part of traffic circulation system widening shall be proposed and normal set-back of 1.5 m. from edge of existing street shall be provided.
 - (iv) Structural projections such as balconies, cornices, weather sheds and roof projections shall be allowed in the set-back distance prescribed above. Excepting balconies none of such projections shall be taken into consideration for calculation of built over area.

F.1.1.3. OTHER BUILDING –

- a) ~~Floor space Index—Maximum permissible base floor space index shall 1.00 along with an additional FSI with premium to the extent of 0.5 only shall be permissible provided parking space as applicable in Table No 16 read with regulation 7.8. The rate of premium is decided by competent Authority on time to time.~~
- b) Open spaces - A clear open space of 3 m. around building shall be provided.

F.1.2. AS APPLICABLE TO THE AREAS- OUTSIDE THE GOATHAN / CONGESTED AREA:

F.1.2.1 RESIDENTIAL BUILDING

- a) ~~Floor space index: The permissible base FSI shall be 1.00 and permissible maximum FSI shall be 2.0 subject to marginal open space and provisions in regulations 7.3 & 7.5, EXCEPT FOR RENTAL HOUSING.~~
- b) The provisions as given below in Table 27 & 28 shall apply for residential buildings, residential-cum-office or shop buildings permissible in areas other than Gaothan / congested area.
- c) Minimum distance between main and subsidiary building - A clear distance of at least 3.00 m, subject to the open spaces required for the taller building shall be left between the main building and any subsidiary building such as an outhouse, garage. etc constructed in one building plot.
- d) Number of main and subsidiary buildings in a plot - only one main building either a tenement house or a block of flats or a dwelling house together with such out houses, garages etc. as are reasonably required for the bonafide use and enjoyment of the occupants of such main building and their domestic servants and which shall not be separately, let out, shall be permitted to be erected in any plot.

Provided that this restriction shall not prevent erection of two or more main buildings on the same plot, if the plot is upto thrice the minimum size of building plot or as the case may be (according to the number of buildings) of the minimum size of building plot as laid down under table 28 upto a plot admeasuring 900 sq.m. in area

F.1.2.2 EDUCATIONAL BUILDINGS-

- a) ~~Built up area—The maximum permissible built up area shall be not more than 1/3 of plot area.~~
- b) ~~FSI—The maximum permissible FSI shall be 1.0, no further FSI is allowed.~~
- c) A minimum open space of 6m. shall be left on all sides from boundaries of the plot
- d) No educational building shall be constructed if the distance between the perimeter of the site of the proposed building and cinema theatre/assembly hall is less than 60 m.

F.1.2.3. INSTITUTIONAL BUILDINGS (HOSPITALS, MATERNITY HOMES & HEALTH CENTERS)

- a) ~~Built up area—The built up areas shall not be more than 1/3 rd of the area of the plot.~~
- b) ~~FSI—The maximum permissible FSI shall be 1.0.no further FSI is allowed.~~
- c) There shall be a minimum open space of 6 m. on all sides.
- d) No building shall be constructed if the distance between the perimeter of the site of the proposed building and cinema theatre/assembly halls is less than 60 m.

F.1.2.4. CINEMA THEATRES/ASSEMBLY HALLS

a) Open spaces:

- i) Front set-back of 12m. from road shall be left:

Note: Further in the case of plots facing National Highway, State Highway and Major District Roads the Building line shall be 37m. from the centerline of existing or proposed road or 12 m. from plot boundary whichever is more.

- ii) Side and Rear open space -Side and rear marginal distances to be left open shall be 6m. minimum The above shall be exclusive of parking spaces, subject to regulation 7.8.
- b) The minimum distance between boundary of the site for cinema theatre/assembly halls and boundary of educational, institutional and other government buildings shall not be less than 60m.
- c) The provisions of Maharashtra Cinema (Regulations/Rules) 1966 as amended from time to time shall be applicable.

F.1.2.5. PUBLIC ENTERTAINMENT HALL/ MANGAL KARYALAYA AND LIKE BUILDINGS:-

- a) ~~Built up area—The maximum permissible Built up area shall be 1/3~~
- b) ~~FSI—Maximum FSI shall be 1.5 with base FSI of 1.00 and additional 0.5 with payment of premium.~~
- c) Access roads- The minimum width of access roads shall be 15 m. and the plot shall abut on this road.
- d) Open spaces -
 - i) Front open space..... 12m
 - ii) From all the three boundaries.....6m

F.1.2.6. PETROL FILLING STATIONS WITH OR WITHOUT SERVICE BAYS

- a) The plot on which a petrol filling station with or without service bays is proposed shall be an independent plot on which no other structure shall be constructed.
- b) Petrol station shall not be permitted within a distance of 91.5 m. from any junction of road.
- c) Petrol station shall not be sited on the convex side of a road curve. In case the curve is not very sharp and cars moving out of the station are completely visible to the traffic from a distance of at least 91.5m. and vice versa a petrol station may be permitted on such a convex curve.

d) Petrol stations shall not be sited within a distance of 91.5m. from the nearest gate of a school, hospital, theatre, place of assembly or stadium.

F.1.2.7. BUILDING IN COMMERCIAL ZONE (C ZONE)

a) Means of access- When two or more buildings are constructed in the same plot every building shall be provided with independent means of access of not less than 6m. width. The means of access shall not be considered as part of marginal open spaces required to be left around the buildings.

b) ~~Built up area~~ Maximum plot coverage shall be half the plot size.

c) ~~FSI~~ The Maximum FSI permissible shall be 2.0 with base FSI of 1.00 and additional 1.00 is avail with premium as decided by planning authority, considering its applicability by regulation 7.5.2. For the purpose of FSI net area of land including open space and areas covered by internal roads shall only be considered, road width as defined by regulations 7.3 & 7.5.

d) Open spaces- Marginal open spaces along periphery or land or plot shall be 4.5 m. minimum, provided that in cases of land/plots fronting on classified roads, set back prescribed under Ribbon Development Rules or 4.5m. whichever is more shall be observed. Further provisions of Regulation No. 76 shall be applicable for increased heights.

Note:- The provisions of note under paragraph F.1.2.4(a) (i) shall apply for front open space in the case of storage building .

F.1.2.8. INDUSTRIAL BUILDINGS.

a) Minimum size of plot, minimum marginal open spaces to be left a plot, and minimum width of plot and permissible FSI to be provided in a plot shall be as hereunder.

Sr.No	Plot size (Sq.m.)	Maximum marginal open spaces.		Minimum width of plot	Maximum FSI.
		Front (M)	Rear and side (M)		
(1)	(2)	(3)	(4)	(5)	(6)
1	Upto 800	6	3	12	1.00
2	Above 800 – 1200	6	4	20	1.00
3	Above 1200 – 2,000	6	5	25	1.00
4	2,001 and above	6	6	35	1.5

Note:

1. In industrial zone, actual factory or workshop building and storage or godown shall not be constructed within a distance of 10m. & 22.5 m. from the boundary of service & other industrial zone respectively as the case may be where it separates an industrial zone from any other use, except a large open space and vis-a-vis for residential building in Industrial Zone, if permitted by the Commissioner as per the provision made under sub-Regulation No. 2(c) of Regulation No. D-5.1 in Appendix D.

2. Provided that, such distance shall be measured from the opposite edge of the road where the zone abuts on an existing or proposed road.

3. Provided further that, ancillary buildings such as essential staff quarters, canteen, garages, electricity stations, water tank etc. may be permitted in such open spaces, provided a minimum distance of 6m. & 10.5 m. respectively is left free from the boundaries.

F.2. DEVELOPMENT IN NO DEVELOPMENT ZONE (NDZ):

Development in No Development zone shall be allowed as per stipulations in Sub Regulation D-6 of Appendix D.

F.3. NARROW PLOTS

F.3.1 NARROW PLOTS IN AREAS OTHER THAN GAOTHAN / CONGESTED AREA

A) RESIDENTIAL / COMMERCIAL ZONE -

Narrow plots are those of which width and depth is less than 15 m. The provision of Table No.27 given on the next page shall be applicable in such cases.

B) INDUSTRIAL ZONE-

Narrow plots are those of which width and depth is less than 15 m. The provision of Table No.28 given on the next page shall be applicable in such cases.

F.3.1. NARROW PLOTS IN GAOTHANS

Those plots which are less than 15 m. wide or deep will be permitted the relaxation shown in column 3 of Table 31 hereunder subject to the restrictions in column 4 thereof.

TABLE 27: MINIMUM SETBACKS PRESCRIBED FOR DIFFERENT ROADS

Sr. No	Category and road width and discription of housing	Minimum size of the plot fronting on the road	Frontage minimum	Minimum set-back from the road in front in m.
1	2	3	4	5
1	National Highways, State Highway	750 Sq.m.	18m	Residential buildings 24.5m from the centre line of the road (road existing or proposed) or 4.5m from plot boundary, whichever is more
2	Other road 24m wide and above	600 Sq.m.	18m	6m
3	Roads of width below 24m and above 15m	Above 500 Sq.m.	15m	4.5m
4	Roads of width 12 to 15m	Above 250-500 Sq.m. (with proviso to developed two semi detached buildings)	12m	3.0m
5	Roads of width below 12m	Above 125-250 Sq.m.	8.12m	3m
6	Row Housing on roads of width 12m. & below.	Above 25-125 Sq.m.	4.8m.	2.25m
7	Row hosing For EWS/LIG by public agencies	As per Appendix _G		

TABLE 28: MINIMUM SETBACKS FROM THE ROAD

Sr. No.	Minimum size of the Plot fronting on the roads	Minimum set-back from the road in front in m.	Minimum distance at the rear in m.	Minimum side set back in m.
(1)	(2)	(3)	(4)	(5)
1	Above 750 Sq.m.	Residential building 34.5m from the centre line of the <u>60 m and above Highway road</u> (road existing or proposed) or 4.5m from plot boundary, whichever is more	3m	3m
2	600-749 Sq.m.	6m	3m	3m
3	Above 500-599-Sq.m.	4.5 m	3m	3m
4	Above 250-500499	4.5 m	3m	2.25m

	Sq.m.			
5	Above-125/- 250-249 Sq.m.	3m	3m	2.25 m only on one side Gr+2 with addl. Marginal space of 1 m for every additional floor height of 3 m or part thereof
6	Above-25- 125-124 Sq.m.	2.25m	2.25 m (Gr. + 2 upper floors)	Nil

Note:-

- 1) Subject to the condition that a row housing plot at the junction of two roads shall be larger to enable set-backs from both roads being left and subject further to the condition that not more than 8 and less than 4 plots shall be allowed in each block of the row. Each block shall be separated from the other by 6 m. and building shall conform to a type design prescribed by the Planning Authority.
- 2) Subsidiary structures such as car park, garage, out house, independent sanitary block, gotha shed etc. shall not be permitted in plot having area below 450 sq.m.

TABLE 29: OPEN SPACE RELAXATION IN NARROW PLOTS IN RESIDENTIAL AND COMMERCIAL ZONES

Sr. No.	Plot Size	Relaxation	Restrictions on Buildings
1	2	3	4
1)	Depth less than 14m but more than 11m	Rear Open Sapce to be reduced to 1.8m	i) Depth not to exceed 6m ii) Height not to exceed 3 storeys or 10m
2)	Width less than 14m but more than 11m	One side open space may be reduced to 1.8m	i) Width not to exceed 6m ii) Height not to exceed 3 storeys or 10m
3)	Two adjoining plots each less than 14m but more than 11m wide	Semi-detached structure permitted subject to Table 28 & 29	Height not to exceed 3 storeys or 10m
4)	Depth or width less than 11m	Open space on all sides 1.5m	Ground floor structure
5)	Two adjoining plots each less than 11m wide	Semi-detached structure with open space 1.5m wide all round	Ground floor structure height not to exceed 4m

Note :- No dimension of any building in a narrow plot shall exceed 30m

TABLE 30 - OPEN SPACE RELAXATION IN NARROW PLOTS INDUSTRIAL ZONES

Sr. No.	Relaxation granted in or conditions imposed	Width less than 9m	Depth less than 9m	Width between 9m and 15m	Depth between 9m and 15m
(1)	(2)	(3)	(4)	(5)	(6)
1	Open space	Side open space may be reduced to 1.5m	Rear open space may be reduced to 1.5m	May be reduced on one side only but to not less than 1.8m	May be reduced at the rear but to less than 1.8m

2	Building :- a) Dimensions i) Maximum width ii) Maximum depth iii) Maximum height	6m 30m 4.5m (One storey)	30m 6m 4.5m (One storey)	6m 30m 8m (Two storeys)	30m 6m 8m (Two storeys)
	b) Walls	Dead walls 40cm thick on both sides	Dead wall 40cm thick on the rear side	Dead wall 40cm thick facing the reduced open space	Dead wall 40cm thick facing the rear side
	c) Use	Storage only	Storage only	As permissible	As permissible

TABLE 31: - OPEN SPACE RELAXATION IN NARROW PLOTS IN GAOTHANS

Sr.No.	Plot size / dimension	Relaxation	Restrictions on building
(1)	(2)	(3)	(4)
1.	Depth less than 15 m. but more than 11.5 m.	Rear open space may be reduced to 3 m.	No room except store room and staircase derives light and ventilation from reduced open space.
2.	Width less than 15 m. but more than 11.5 m.	Side open space may be reduced to 3 m.	No room except store room and staircase derives light and ventilation from reduced open space.
3.	Depth less than 11.5 m. but more than 9 m.	Front open space may be reduced to 3 m. and rear open space reduced to 1.8 m.	Depth of the building not to exceed 5.5 m. Height not to exceed, 3 storeys or 10 m.
4.	Width less than 11.5 m. but more than 9 m.	One side open space may be reduced to 3 m. and the other side open space may be reduced to 1.8 m.	Width of the building not to exceed 5.5 m. Height not to exceed, 3 storeys or 10 m.
5.	Depth or width less than 11.5 m. but more than 9 m.	Semi detached structure on adjoining plots with open spaces as at Sr. Nos. 3 or 4 above.	Depth of the building not to exceed 5.5 m. Height not to exceed, 3 storeys or 10 m.
6.	Depth or width less than 9 m.	Open space may be reduced to 1.5 m. all around	Only ground floor structure.

Notes:

- 1) No dimension of any building in a narrow plot shall exceed 30 m.
- 2) In areas when the majority of the plots are less than 11.5 meters in width or depth, the Planning Authority may prescribe building lines in which row houses would be permissible.

APPENDIX - G: REGULATIONS FOR LOW COST HOUSING SCHEMES OF THE MAHARASHTRA HOUSING AND AREA DEVELOPMENT AUTHORITY FOR ECONOMICALLY WEAKER SECTION (EWS) AND LOW INCOME GROUPS (LIG)

(Regulation No. 8-39 7.5.2 (5) (f))

G.1. FSI: - The floor space index for low cost housing schemes for economically weaker sections and low income groups of the Maharashtra Housing and Area Development Authority, having at least 60 percent of the tenements under economically weaker section (EWS) and Low Income Group (LIG) categories shall be allowed to be increased by 20 percent over and above the normally permissible FSI. For the purpose of calculating the FSI, the entire area of the layout shall be considered and underutilized FSI of the economically weaker section and low income group schemes areas may be permitted to be utilised for Higher Income Group (HIG), Middle income Group (MIG) and other amenities in the Schemes. Sub-division of plots will be permissible on the basis of compulsory open spaces as in these Regulations.

G.2. DENSITY:

- a. Density shall be upto 450 tenements per net hectare having at least 60 per cent tenements for EWS/LIG housing.
- b. Extra Density of 20 per cent over and above the normally permissible density will apply for such housing schemes; will 60 percent tenements under the E.W.S. and L.I.G. categories.

G.3. MINIMUM PLOT SIZE:

- a. In the case of a Group house on a plot of 25 sq.m. a room of minimum size of 5.57 sq.m. (60 sq.ft.) with toilet arrangement in the first phase shall be permitted. In the second phase, one room of 9.30 sq.m. (100 sq.ft) may be allowed to be added. However, commencement and occupation certificate shall be granted initially, to the first phase only and subsequent certificate for second phase issued as required.
- b. Multi-purpose rooms- A multi-purpose room shall be allowed with size upto 12.5 sq.m. with a minimum width of 2.4 m.
- c. Cooking space (alcove) - Provision of separate kitchen shall not be necessary. However, cooking space shall be allowed with a minimum of 2.4 sq.m. with minimum width of 1.2m
- d. Combine toilet- A combined toilet shall be permitted for more than one tenement with a minimum area of 1.85 sq.m. with a minimum width of one meter.
- e. Height- the average height for a habitable room with slopping roof shall be minimum 2.6m. with minimum height of 2m. at the eaves. In the case of a flat roof, minimum clear height shall be 2.6 m. for a habitable room. Kitchen area shall have minimum clear height/average height of 2.4 m. and bath and water closet (without-loft) shall have a clear minimum height of 2.2 m.
- f. Plinth- the minimum plinth height shall be 30 cm. and in areas subject to flooding the plinth shall be higher than the high flood level.

G.4. EXTERNAL WALLS:

115 mm. Thick external brick wall without plaster shall be permitted.

G.5. STAIRCASE:

Single flights staircase without landing between the two floors shall be permitted.

G.6. FRONT OPEN SPACE

The front open space from roads having width of 9.14 m. and below shall be of a minimum of 1.5m. for buildings width height of upto 10 m.

G.7. OPEN SPACE (SIDE AND REAR)

The distance between two ground floor structures shall be of a minimum of 4.5 m. for purposes of light and ventilation of habitable rooms. In case of toilets deriving light and ventilation from an open space, the distance between the two ground floor structures shall be a minimum of 1.5 m.

G.8. PATHWAYS:

The widths of pathways shall be as follows:

- i) 1.5m. width of pathways upto 20 m. in length;
- ii) 2.0m. width pathways upto 30m. in length;
- iii) 2.5m. width of pathways upto 40m. length;
- iv) 3.0m. width of pathways upto 50m. length;

G.9. FLUSHING CISTERN:

In water closets, flushing cistern shall not be essential and toilets without this provision may be permitted.

G.10. WATER CLOSET PAN SIZE:

Water closet seat shall be of a minimum of 0.46 m. (18 inches) in length-

G.11. SEPTIC TANK AND LEACHING PITS (SOAK PITS):

A septic tank shall be provided with capacity of 141.6 ltrs. (five cubic feet) per capita. Where the basic services are likely to be available within four to five years or so, pour flush water seal latrines (NEERI type) shall be permitted where the sewerage system is not available and the water table in the area is not high.

G.12. CONVENIENCE SHOPPING:

Convenience shopping as defined in these Regulations shall be permitted along layout roads with width of ~~12-212~~ m. to ~~18-4918~~ m. provided that a minimum set-back of 1.5 m. and a minimum plot area of ~~25.2 m~~ 25 sq.m. is available and is provided.

G.13. RECREATION GROUND:

In the layouts provisions for recreation ground shall be on the lines prescribed in these Regulations.

G.14. ANCILLARY STRUCTURES:

Ancillary structures such as underground tank, overhead tank, substations etc. shall be permissible in the compulsory recreation open space subject to the condition that not more than 10 per cent of such space shall be utilised for such purposes.

APPENDIX - H: REGULATIONS FOR RECONSTRUCTION / REDEVELOPMENT

(Regulation No. 8-39 6.17)

“RECONSTRUCTION/REDEVELOPMENT SCHEMES UNDERTAKEN BY THE OWNERS FOR THE AUTHORISED EXISTING TENANTED RESIDENTIAL BUILDING BY AVAILING GRANT OF ADDITIONAL FSI FOR REDEVELOPMENT OF OLD AND DILAPIDATED BUILDINGS”.

These provisions shall be applicable to following proposals:

H.1. The reconstruction/ redevelopment shall be allowed only in respect of the authorised building declared by the Dilapidated Committee and existing prior to the date as mentioned below:

A-16/10/1973 i.e. the date of coming into force of the sanctioned Regional Plan.

~~The date of coming into force of the sanctioned Regional Plan, for the remaining area included in the Authority limit.~~

H.2. For reconstruction/ redevelopment schemes undertaken by the owner in respect of existing authorised tenanted residential building which is existing on or before reference date specified above. The FSI consumed by existing authorised tenanted buildings or FSI permissible as per prevailing D.C. Rules whichever is more shall be allowed. In addition to this 50% additional FSI of occupied area of tenants shall be allowed. The total FSI of the new structure shall not exceed 2.5.

H 3. The development charges for these building shall be as per prevailing provision of DCR.

H 4. In redevelopment scheme rules of Slum Improvement Boards are not applicable.

H 5. The committee appointed by the Planning Authority shall consist of Superintending Engineer, Public Work Department, Dy. Director of Town Planning Konkan Division, and the City Engineer of Municipal Authority for deciding dilapidated building.

H 6. Other than above rules and conditions mentioned above; the remaining rules and conditions framed by Authority are applicable.

H 7. This regulation shall be given with effect from the dated of sanctioning these regulations.

H 8. If the landholders is intended to take benefit of these regulations, he shall fulfill the conditions and the provisions of the prevailing Development Control Regulations.

APPENDIX - I: REGULATION FOR RE-DEVELOPMENT/CONSTRUCTION OF ACCOMMODATION FOR CENSUSED SLUM DWELLERS THROUGH OWNERS/DEVELOPERS/CO-OPERATIVE HOUSING SOCIETIES OF SLUM DWELLERS/AUTHORITY/MHADA/OTHER PUBLIC AUTHORITIES

(Regulation No. ~~8-39~~ 6.17)

I.1. For redevelopment or restructuring of censused slums or such whose structures and in habitants names appear in the Legislative Assembly Voters' list of 2000, by the owners/developers of the land on which such slums are located or by Co-operative Housing Societies of such slum dwellers; a total floor space index of up to 2.5 may be granted in accordance with schemes to be approved by special permission of the Planning Authority in each case.

ELIGIBILITY OF THE HUTMENT DWELLERS.

The hutment dwellers actually residing will be eligible for the benefit of redevelopment scheme if:

a. he/she is the original structure owner as per the census conducted in 1976; or is in possession photo pass issued by a Planning Authority in his/her own name.

Or

b. In absence of (a) above, but she/he is head of family and his/her name is included in the voters list 1980/1985 and he/she is residing at present at the same address as given in the voters list.

Or

c. If the original hutment dwellers in category (a) and (b) above is deceased and his/her legal heir is present occupant.

Or

d. The hutment dweller actually residing at present has purchased the censused structure with photo pass any, from any of the categories above and that this transfer has been regularized.

I.2. The Authority/Konkan Housing and Area Development Board/the Collector of Thane shall be "designated authorities" for notified slums located on lands owned by the Authority, the said Konkan Housing and Area Development board or the Govt. respectively.

I.3. The FSI shall be restricted to a maximum of 2.5.

I.4. The names of the eligible slum dwellers on private and Government lands shall be duly certified by the respective Collector. The list of the names of eligible slum dwellers on public lands and lands in possession of the Konkan Housing and Area Development Board should be duly certified by the respective authorities.

I.5. All eligible slum dwellers residing on the plot to be developed shall have to be accommodated on the same plot as far as possible.

I.6. The designated authorities for slums located in their respective lands shall formulate schemes for each plot according to the guideless in this Appendix, and before inviting tenders/bids, shall obtain the approval of the Planning Authority to such schemes subject to Regulation 19 in this Appendix

I.7. Development of slums on privately owned lands shall be regulated in accordance with the Regulation 16 in this Appendix.

I.8. In case of developments undertaken by the Konkan Housing and Area Development Board/Collector, surplus tenements which come into their possession shall be used for accommodating project affected persons and footpath dwellers in consultation with the Planning Authority

I.9. After formulation of the scheme and its approval by the Planning Authority, the designated authorities shall invite quotations/bids from the developers/owners in terms of the surplus tenements which would be made available to the said designated authority.

- I.10. The respective designated authority shall be competent to decide on acceptance of bids on merits and make use of the surplus tenements thus available.
- I.11. The area required for provision of civic/social amenities in the redevelopment scheme shall be cleared and made available by the developers/owners/co-operative housing societies of such slum dwellers to the designated authorities for provision of the said amenities. Depending on the size of the plot/area taken up for redevelopment, the schemes may also provide that the developers/owners/Co-operative housing societies of such slum dwellers may develop and provide civic facilities on the land designated for the same as approved in the scheme.
- I.12. The scheme shall provide that each slum dweller/project affected person shall be given a tenement of carpet area of 180 sq.ft. (16.75 sq.m.) (including toilet, but excluding common areas.)
- I.13. The maximum density should not exceed 500 tenements per net hectare on the basis of FSI 1.00. The number of tenements per net hectare shall be increased or decreased in proportion to the permitted FSI.
- I.14. In any scheme of redevelopment, commercial/office area, shop area for the project affected/slum dwellers shall not exceed the areas which existed prior to the redevelopment of the property.
- I.15. Convenience shopping as defined in item (26) of Regulation 2.2 shall be permitted along the layout roads within the scheme area with width of 12.2 m. and above, provided a set back of 3m. is provided. This shopping provision would be in addition to the provision for shop area allowed according to the previous Regulation.
- I.16. In the case of notified slums on private lands, the Planning Authority with the consent of the owners may invite quotations for redevelopment in terms of surplus tenements as provided in these Regulations from developers/owners. In such cases, the owner would expect a return based on the existing balance land potential. This potential would be the permitted FSI in that scheme minus the actual FSI consumed in the slum. In the quotations given by the owner, developer would be presumed that he would have taken into account this aspect. Therefore, while evaluating and comparing the quotations from the owner and other developers, necessary loading should be done for proper evaluation of the bids, In case, however, the consent of the owner is not forthcoming within the stipulated time in accordance with the above conditions, such land can be developed according to the scheme after following acquisition proceedings under the respective Act.
- I.17. The scheme would also provide that 5 per cent of the net plot area (excluding the area for civic amenities from the gross plot) may be used for commercial purpose. This would be in addition to the provisions in Regulations 14 & 15 in this Appendix.
- I.18. The construction of the building for the rehabilitation of slum dwellers and the tenements to be made available to the appropriate authority shall be as per the designs and specifications approved by the Planning Authority.
- I.19. Approval to the schemes in this Appendix shall be given by a Committee comprising of the Planning Authority, the Vice-president and the Chief Executive Officer, Maharashtra Housing and Area Development Authority and the Collector of Thane.
- I.20. Co-Operative housing societies of slum dwellers would also be entitled to submit bids in accordance with these Regulations.
- I.21. Multi - purpose room: - A multi-purpose room shall be allowed with size up to 12.5 sq. m. with a minimum width of 2.4 m.
- I.22. Combined toilet- A combined toilet shall be permitted for more than one tenement with a minimum area of 1.85 sq.m. with minimum width of one meter.
- I.23. Cooking space (Alcove)-provision of a separate kitchen shall not be necessary. However, cooking space shall be allowed with a minimum size of 2.4 sq.m. with minimum width of 1.2 m.
- I.24. Height- The average height for a habitable room with slopping roof shall be minimum 2.6m. with minimum height of two meters at eaves. In the case of a flat roof, minimum clear height

- shall be 2.6m. for habitable rooms. Kitchen areas shall have minimum clear height/average height of 2.4m. and bath and water closet (without loft) shall have a clear minimum height 2.2m.
- I.25. Plinth - The minimum plinth height shall be 30cm. and in areas subject to flooding the plinth shall be higher than the high flood level.
- I.26. External walls- 115 mm. Thick external brick wall without plaster shall be permitted.
- I.27. Staircase- Single flight staircases without landing between the two floors shall be permitted.
- I.28. Front open space- The front open space from roads having width of 9.00 m, and below shall be of a minimum of 1.5 for buildings with heights of up to 10 m.
- I.29. Pathways - The width of pathways shall be as follows:
- 1.5m. width for pathways up to 20m. in length.
 - 2.0m. width for pathways up to 30m. in length.
 - 2.5m. width for pathways up to 40m. in length.
 - 3.0m. width for pathways up to 50m. in length.
- I.30. Flushing cistern- In water closets, flushing cistern shall not be essential and toilets without this provisions may be permitted.
- I.31. Water Closet pan size- The water closet seat shall be of a minimum of 0.46m (18 inches) in length.
- I.32. Septic Tank and Leaching pits (soak pits)- Aseptic tank shall be provided with a capacity of 141.6 liters. (Five cubic feet) per capita. Where the basic service are likely to be available within four to five years or so, pour flush water seal latrines (Neeri type) shall be permitted where the sewerage system is not available and the water table in the area is not high.
- I.33. In the case of multistoried structures constructed for rehabilitation of the slum dwellers and for the tenements to be made available to the appropriate authorities as mentioned in Regulation 8 in this Appendix, the provisions of Regulations I 21 to I 31 in this Appendix shall not apply to that portion of the construction not intended for rehabilitation and such constructions shall be governed according to the normal provisions of these Development Control Regulations, are relaxed only in the case of reconstruction of old and dilapidated ~~ceased~~ buildings in accordance with the provisions in Appendix-'H' of these regulations.

**APPENDIX - J: REGULATION FOR SITES AND SERVICES AND FOR SMALL SIZE TENEMENTS
FOR THE HOUSING SCHEMES UNDER THE URBAN LAND (CEILING AND REGULATIONS) ACT
1976 APPROVED BY GOVERNMENT FROM TIME TO TIME**

(Regulation No. ~~8-39~~ 6.17)

J.1. F.S.I.

The FSI shall be the same as is permissible under these Regulations which shall prevail over the corresponding provisions of Rules/Regulations in force as amended from time to time.

J.2. DENSITY

Density up to 450 tenements per net hectare (180 tenements per net acre) shall be permitted on 70 percent of net developable land for plots above 4000 sq.m. on which the sites and services scheme is implemented according to Government orders. For land below 4000 sq.m. the normal Regulations shall apply.

J.3. MINIMUM PLOT SIZE

- a. A serviced site shall be of 25 sq.m. and shall have plinth of adequate height for W.C. and bathroom. The size of the plinth for W.C. shall be 1.2m x 0.9m (4' x 3')
- b. In the case of a dwelling unit as a core house in addition to the services mentioned in (a) the said unit shall have plinth with adequate height, the total area of which shall not exceed 21sq.m. in a plot with an area of 25sq.m. Further, in the case of a core house on a plot of 25 sq.m. a room of a minimum size of 5.57 sq.m. with a toilet arrangement in the first phase shall be permitted. In the second phase one room of 9.30 sq.m. may be allowed to be added. However, the occupation certificate shall be granted initially to the first phase only and sub-sequent certificates for second phase issued as and when required.

J.4. MULTIPURPOSE ROOMS:

A multipurpose room shall be allowed with a minimum size of 12.5 sq.m. and with a minimum width of 2.4m

J.5. COOKING SPACE (ALCOVE) :

Provision of separate kitchen shall not be necessary. However a separate cooking space shall be allowed with a minimum size of 2.4 sq.m. with minimum width of 1.2 m.

J.6. COMBINED TOILET:

A combined toilet shall be permitted for more than one tenement up to five tenements with a minimum area of 1.85 sq.m. with a minimum width of one meter.

J.7. HEIGHT:

The average height for a habitable room with slopping roof shall be 2.6mt with a minimum height of 2mt at the eaves. In case of a flat roof, the minimum clear height shall be 2.6m for a habitable room. Kitchen shall have minimum height of 2.4m and bath and W.C. (without loft) shall have a clear minimum height of 2.2 m

J.8. PLINTH:

The minimum plinth height shall be 30cm but in any case above high flood level.

J.9. EXTERNAL WALLS:

115mm for external brick wall without plaster shall be permitted.

J.10. FRONT OPEN SPACE:

The front open space from roads having width of 9m and below shall be of a minimum of 1.5m.

J.11. OPEN SPACES (SIDE AND REAR):

The distance between two ground floor structures shall be of a minimum of 4.5m for purposes of light and ventilation of habitable rooms. In the case of toilets, deriving light and ventilation from an open space, the distance between the two ground floor structures shall be of a minimum 1.5m

J.12. PATHWAYS – THE WIDTH SHALL BE AS FOLLOWS:

- i. 2.5m width for pathways up to 40m in length.
- ii. 3.0m width for pathways up to 50m in length.

J.13. WATER CLOSET PAN SIZE:

The water closet pan size shall be of a minimum of 0.46m (18 inches) in length.

J.14. FLUSHING CISTERN:

In water closets, a flushing cistern shall not be essential and toilets without this provision may be permitted.

J.15. SEPTIC TANK AND LEACHING PITS (SOAK PITS):

A Septic tank shall be provided with capacity of 141.6 liters. (five cubic feet) per capita where basic services are likely to be available within 4 to 5 years or so pour flush water seal latrines (NEERI type) shall be permitted where the sewerage system is not available and the water table in the area is not high.

J.16. CONVENIENCE SHOPPING:

Convenience shopping as defined in these Regulations shall be permitted along layout roads with width of 12m to 18 m provided that a minimum setback of 1.5 m and a minimum plot area of 25.2 sq. m are available and provided.

J.17. RECREATION GROUND

In the layouts of housing schemes under this category, provision for recreation ground shall be as normally required by these Regulations.

J.18. ANCILLARY STRUCTURES:

Ancillary structures such as underground tank, overhead tank-sub-station etc., shall be permissible in the compulsory recreation space subject to the condition neither that nor more than 10percent of such recreation space shall be allowed to be utilized for such purposes.

APPENDIX - K: SPECIAL FACILITIES FOR PHYSICALLY HANDICAPPED-CHALLENGED PERSONS

(Regulation No.8.31)

K.1. DEFINITIONS:

1.1 NON-AMBULATORY DISABILITIES: - Impairments that, regardless of cause or manifestation, for all practical purposes, confine individuals to wheelchairs.

1.2 SEMI-AMBULATORY DISABILITIES: - Impairments that cause individuals to walk with difficulty or insecurity. Individuals using braces or crutches, amputees, arbritics, spastics, and those with pulmonary and cardiac ills may be semi-ambulatory.

1.3 HEARING DISABILITIES:-Deafness or hearing handicaps that might make an individual insecure in public areas because he is unable to communicate or hear warning signals.

1.4 SIGHT DISABILITIES: -Total blindness or impairments affecting sight to the extent that the individual, functioning in public areas, is insecure or exposed to danger.

1.5 WHEEL CHAIR:- Chair used by Disabled people for mobility. The standard size at wheel chair shall be taken as 1050 mm. X 750 mm.

K 2. SCOPE:

These bye laws are applicable to all existing and proposed buildings and facilities used by the public.

K 3. SITE DEVELOPMENT:

Level of the roads, access paths and parking areas shall be described in the plan along with specification of the materials.

3.1 ACCESS PATH/WALK WAY:- Access path from plot entry and surface parking to building entrance shall be of minimum of 1800 mm. wide having even surface without any slope. Slope if any shall not have gradient greater than 5%. Finishes shall have a no slip surface with a texture traversable by a wheel chair. Curbs wherever provided shall blend to a common level.

3.2 PARKING:- For parking of vehicles of ~~handicapped~~ physically challenged people, the following provisions shall be made:-

- a Surface parking for two car spaces shall be provided near entrance for the physically ~~handicapped-challenged~~ persons with maximum travel distance of 30 mt. from building entrance.
- b. The width of parking bay shall be minimum 3.60 mt.
- c. The information stating that the space is reserved for wheel chair users shall be conspicuously displayed.

K 4. BUILDING REQUIREMENT:

The specified facilities for the buildings for physically ~~handicapped~~ challenged persons shall be as follows:-

- i. Approach to plinth level.
- ii. Corridor connecting the entrance/exit for the ~~handicapped~~ physically challenged.
- iii. Stairways.
- iv. Lift.
- v. Toilet.
- vi. Drinking Water.

4.1 APPROACH TO PLINTH LEVEL: - Every building should have at least one entrance accessible to the ~~handicapped~~ physically challenged and shall be indicated by proper signage. This entrance shall be approached through a ramp together with the stepped entry.

4.1.2 RAMPED APPROACH:- Ramp shall be finished with no slip material to enter the building. Minimum width of ramp shall be 1800 mm. With maximum gradient 1:12. Length of ramp shall not exceed 9.0 mt. Having 800 mm. High hand rail on both sides extending 300 mm. Beyond top and bottom of the ramp. Minimum gap from the adjacent wall to the hand rail shall be 50 mm.

4.1.3 STEPPED APPROACH:- For stepped approach size of tread shall not be less than 300 mm. And maximum riser shall be 150 mm. Provision of 800 mm. High hand rail on both sides of the stepped approach similar to the ramped approach.

4.1.4 EXIT/ENTRANCE DOOR:- Minimum clear opening of the entrance door shall be 900 mm. And it shall not be provided with a step that obstructed the passage of wheel chair user. Threshold shall not be raised more than 12 mm.

4.1.5 ENTRANCE LANDING:- Entrance landing shall be provided adjacent to ramp with the minimum dimension 1800 x 2000 mm. Finishes shall have a non-slip surface with a texture traversable by a wheel chair. Curbs wherever provided should blend to a common level.

4.2 CORRIDOR CONNECTING THE ENTRANCE/EXIST FOR THE ~~HANDICAPPED~~ PHYSICALLY CHALLENGED:- The corridor connecting the outdoors to a place where information concerning the overall use of the specified building can be provided to visually impaired persons either by a person or by signs, shall be provided as follows:-

- a. The minimum width shall be 1500 mm.
- b. In case there is a difference of level slope ways shall be provided with a slope of 1:12.
- c. Hand rails shall be provided for ramps/slope ways.

4.3 STAIR WAYS: - One of the stair-ways near the entrance/exit for the ~~handicapped~~ physically challenged shall have the following provisions:-

- a. The minimum width shall be 1350 mm.
- b. Height of the riser shall not be more than 150 mm. And width of the tread 300 mm. The steps shall not have abrupt (square) nosing.
- c. Maximum number of risers on a flight shall be limited to 12.
- d. Hand rails shall be provided on both sides and shall extend 300 mm. On both sides and shall extend 300 mm. On the top and bottom of each flight of steps.

4.4 LIFTS: - Wherever lift is required as per bye-laws, provision of at least one lift shall be made for the wheel chair user with the following cage dimensions:

- 1 Clear internal depth : 1100 mm.
 - 2 Clear internal width : 2000 mm.
 - 3 Entrance door width : 900 mm.
- a) A hand rail not less than 600 mm. Long at 1000 mm. Above floor level shall be fixed adjacent to the control panel. Also, switch control shall be at an operating height equal to that of hand rails.
 - b) The lift lobby shall be of an inside measurement of 1800 x 1800 mm. or more.
 - c) The time of an automatically closing door should be minimum 5 second and the closing speed should not exceed 0.25 M/sec.
 - d) The interior of the case shall be provided with a device that audibly indicates the floor the cage has reached and indicates that the door of the cage for entrance/exit is either open or closed.

4.5 TOILETS: - One special W.C. in a set of toilet shall be provided for the use of ~~handicapped~~ physically challenged with essential provision of wash basin near the entrance for the ~~handicapped~~ physically challenged:-

- a. The minimum size shall be 1500 x 1750 mm.
- b. Minimum clear opening of the door shall be 900 mm. and the door shall swing out.
- c. Suitable arrangement of vertical/horizontal handrails with 50 mm. Clearance from wall shall be made in the toilet.
- d. The W.C. seat shall be 500 mm. from the floor.

4.6 DRINKING WATER: - Suitable provision of drinking water shall be made for the ~~handicapped~~ physically challenged near the special toilet provided for them.

4.7 DESIGNING FOR CHILDREN: - In the buildings meant for the predominant use of the children, it will be necessary to suitably alter the height of the handrail and others fittings and fixtures etc.

APPENDIX - L: SPECIAL PROVISIONS FOR INSTALLATION OF SOLAR WATER HEATING SYSTEM

(Regulation No 8.36)

Solar water heating systems should be made in the building for hospitals, hotels, guest houses, police men/army barracks, canteens, laboratories and research institutions, hostels of school and colleges and other institutes.

- L.1) The solar water heating system should be mandatory in the hospitals and hotels, where the hot water requirement is of continuous nature. In these building the system must be provided with auxiliary backup.
- L.2) The use of solar water heating system is recommended in following type of building in the Government/Semi-Government and institutional building where the hot water requirement may not be continuous/permanent.
- i. Guest Houses.
 - ii. Police men/Army barracks.
 - iii. Canteens.
 - iv. Laboratory and Research Institutions where hot water is needed.
 - v. Hostels, Schools, Colleges and Other Institutes.
- L.3) The installation of the electrical back-up in all such water heating system shall be optional depending on the nature of requirement of the hot water.
- L.4) It is suggested that solar water heating system of the capacity of about 100 liters per day based on ~~thermosyphon~~ thermosyphon system with necessary electrical back-up be installed at residential building like hostels.
- L.5) In order to facilitate the installation of solar water heating system, the new building shall have the following provisions:
- i) All such buildings where solar water heating systems are to be installed with have open sunny roof area available for installation of solar water heating system.
 - ii) The roof loading adopted in the design of such building should be at least 50 kg per sq.m. for the installation of solar water heating system.
 - iii) Solar water heating system can also be integrated with the building design. These can earlier be put on the parapet or could be integrated with the south facing vertical wall of the building. The best inclination of the collector for regular use throughout the year is equal to the local latitude of the place. The collectors should be facing south. However for only winter use the optimum inclinations of the collector would be (latitude + 15 degrees of the south). Even if the collector are built in the south facing vertical wall of the building the output form such collectors during winter month is expected to be within 32% outputs from the optimum inclined collector.
 - iv) All the new buildings to be constructed shall have an installed hot water line from the roof top and also insulated distribution pipeline to each of the points where hot water is required in the building.
 - v) The capacity of the solar water heating system to be installed on the building shall be described on the basis of the average occupancy of the building. The norms for hospitals, hotels and other functional building area given below.

Type of Building	Per-Capacity Recommended - Liters per <u>capita per day</u>
(1) Hospitals	100
(2) Hotels	150
(3) Hotels and other such buildings	35
(4) Canteen	As required.
(5) Laboratory and Research Institutions	As required.

- vi) An open area of 3 sq.m. would be required for installation of a collection which supply shout 100 liters of water per day. At least 60% of the roof area may be utilized for installation of the system.
- vii) The specification for the solar water heating system laid down by the Ministry of Non Conventional Energy Sources can be followed. Flat plate collector confirming to IS No. 12933 shall be used in all such solar water heating systems.

APPENDIX - M: INSTALLATION OF RAIN WATER HARVESTING STRUCTURE

(Regulation No 8.37)

M.a) All the layout open spaces/amenity spaces of housing societies and new constructions/reconstruction's/additions on plots having area not less than 300 sq.mt. in non goathan areas of all towns shall have one or more Rain Water Harvesting structures having a minimum total capacity as detailed in Schedule.

Provided that the authority may approve the Rain Water Harvesting Structures of specifications different from those in Schedule, subject to the minimum capacity of Rain Water Harvesting being ensured in each case.

M.b) The Owner/society of every building mentioned in the (a) above shall ensure that the Rain Water Harvesting structure is maintained in good repair for storage of water for non potable purposes or recharge of groundwater at all lines.

M.c) The Authority may impose a levy of not exceeding Rs.1000/-per annum for every 100 sq.mt. of built up area for the failure of the owner of any building mentioned in the (a) above to provide or to maintain Rain Water Harvesting structures as required under these byelaws.

SCHEDULE

RAIN WATR HARVESTING

Rain Water Harvesting in a building site includes storage or recharging into ground of rain water falling on the terrace or on any paved or unpaved surface within the building site.

M.1. The following systems may be adopted for harvesting the rain water drawn from terrace and the paved surface.

- (i) Open well of a minimum of 1.00 m. diameter and 6 m. in depth into which rain water may be channeled and allowed after filtration for removing silt and floating material. The well shall be provided with ventilating covers. The water from the open well may be used for non potable domestic purposes such as washing, flushing and for watering the garden etc.
- (ii) Rain water harvesting for recharge of ground water may be done through a bore well around which a pit of one meter width may be excavated upto a depth of at least 3.00 m. and refilled with stone aggregate and sand. The filtered rain water may be channeled to refilled pit for recharging the bore well.
- (iii) An impervious surface/underground storage tank of required capacity may be constructed in the setback or other open space and the rain water may be channeled to the storage tank. The storage tank shall always be provided with ventilating covers and shall have draw-off taps suitably placed so that the rain water may be drawn off for domestic, washing gardening and such other purposes. The storage tanks shall be provided with an overflow.
- (iv) The surplus rain water after storage may be recharged into ground through percolation pits or trenches or combination of pits and trenches. Depending on the geomorphologic and topographical condition, the pits may be of the size of 1.20 m. width x 1.20 m. length x 2.00 m. to 2.50 m. depth. The trenches can be of 0.60 m. width x 2.00 to 6.00 m. length x 1.50 to 2.00 m depth. Terrace water shall be back filled with filter media comprising the following materials.
 - a) 40 mm stone aggregate as bottom layer upto 50% of the depth;
 - b) 20 mm stone aggregate as lower middle layer upto 20% of the depth;
 - c) Coarse sand as upper middle layer upto 20% of the depth;
 - d) A thin layer of fine sand as top layer;
 - e) Top 10% of the pits/trenches will be empty and a splash is the provided in this portion in such a way that roof top water falls on the splash pad.
 - f) Brick masonry wall is to be constructed on the exposed surface of pits/trenches and the cement mortar plastered.

The depth of wall below ground shall be such that the wall prevents loose soil entering into pits/trenches. The projection of the wall above ground shall at least be 15 cms.

g) Perforated concrete slabs shall be provided on the pits/trenches.

(vh) If the open space surrounding the building is not paved, the top layer upto a sufficient depth shall be removed and refilled with coarse sand to allow percolation of rain water ground.

M.2. The terrace shall be connected to the open well/borewell/storage tank/recharge pit/trench by means of HDPE/PVC pipes through filter media. A valve system shall be provided to enable the first washings from roof or terrace catchment, as they would contain undesirable dirt. The mouths of all pipes and opening shall be covered with mosquito (insect) proof wire net. For the efficient discharge of rain water, there shall be at least two rain water pipes of 100 mm diameter for a roof area of 100 sq.m.

M.3. Rain Water harvesting structures shall be sited as not to endanger to stability of building or earthwork. The structures shall be designed such that no dampness is caused in any part of the walls or foundation of the building or those of an adjacent building.

M.4. The water so collected/recharged shall as far as possible be used for non-drinking and non-cooking purpose.

Provided that when the rain water in exceptional circumstances will be utilized for drinking and/or cooking purpose, it shall be ensured that proper filter arrangement and the separate outlet for by passing the first rain-water has been provided.

Provided further that it will be ensured that for such use, proper disinfectants and the water purification arrangements have been made.

APPENDIX – N: PROVISION OF SOLAR ENERGY ASSISTED SYSTEMS

(Regulation No 8.38)

N.1. DEFINITIONS

Unless the context otherwise requires, the following definitions shall be applicable for the purpose of this Regulation.

i)	‘Solar Assisted Water Heating System’ (SAWHS)	A devise to heat water using solar energy as heat source
ii)	“Auxiliary Back Up”	Electrically operated of fuel fired boilers / systems to heat water coming out from solar water heating system to meet continuous requirement of hot water.
iii)	“New Building”	Such buildings of categories specified in Regulation no. 5.29.2 for which construction plans have been submitted to Authority for approval.
iv)	“Existing Building”	Such buildings which are licensed to perform their respective business.

N.2. SOLAR ASSISTED WATER HEATING SYSTEMS (SAWHS)

“Building of the following categories shall provide the system or the installation having an auxiliary Solar Assisted Water Heating Systems (SAWHS).

- 1) Hospitals and Nursing Homes.
- 2) Hotels, Lodges and Guesthouses.
- 3) Hostels of Schools, Colleges, Training Centers.
- 4) Barracks of armed forces, paramilitary forces and police.
- 5) Individual residential buildings having more than 150 sq. m. plinth area.
- 6) Functional Building of Railway Stations and Airports like waiting rooms, retiring rooms, rest room, inspection bungalows and catering units.
- 7) Community Centers, Banquet Halls, Barat Ghars, Kalyan mandaps (Marriage Halls) and Buildings for similar use”

N.3. INSTALLATION OF SOLAR ASSISTED WATER HEATING SYSTEMS (SAWHS)

The following provisions shall be applicable for all the new buildings of categories mentioned in N.2 for installation of Solar Energy Assisted Systems.

- 1) Adequate provisions shall be made for installation of SAWHS in the building design itself for and insulated pipeline from the rooftop to various distribution points, within the aforesaid occupancies. The building must have a provision for continuous water supply to the solar water heating system.
- 2) In case of hot water requirement, the building should also have open space on the rooftop, which receives direct sunlight. Wherever hot water requirement is continuous, auxiliary heating arrangement either with electric elements or oil of adequate capacity can be provided.
- 3) The load bearing capacity of the roof should at least be 50 kg. per sq.m. All new buildings of above said categories must complete installation of solar water heating systems before obtaining necessary permissions to commence their activities.
- 4) The capacity of solar water heating system to be installed on the building different categories shall be decided in consultation with the Planning / Local Authority concerned. The recommended minimum capacity shall not be less than 25 litres per day for each bathroom and kitchen subject to the condition that maximum of 50% of the total roof area is provided with the system.
- 5) Installation of SAWHS shall conform to BIS (Bureau of Indian Standards) specifications IS 12933. The solar connectors used in the system shall have the BIS certification mark.

~~6) Building permissions for all the new constructions / buildings of the aforesaid categories shall be granted only if they have been complied with these provisions.~~

~~N.4. In case of existing building, the above provisions shall be mandatory at the time of change of use / expansion of use to any of the categories specified in N-2 above, provided there is already system or installation for supplying hot water.~~

**APPENDIX - O: ADDITIONAL FIRE PROTECTION REQUIREMENTS FOR BUILDINGS MORE THAN
16-24 M. IN HEIGHT AND SPECIAL BUILDINGS**

(Regulation No. 4.5.3 & 8.34)

O.1 GENERAL

O.1.1 In addition to the provisions of Part 4 IV-- Fire Protection and Life Safety of National Building Code of India, 2005 the Planning Authority may insist on suitable provisions in building from fire safety and fire fighting point of view depending on the occupancy and height of buildings.

O.2 CONSTRUCTION:

O.2.1 Building Materials.

O-2.1.1 Load bearing elements of construction and elements of construction for which the required fire resistance is one hour or more shall be of non-combustible material. Interior finish materials (wall paneling's, floor coverings, etc.) may be permitted of materials having their rating for flames spread and smoke developed not exceeding a very low flames spread limit in accordance with IS : 1642 -1960 (Class I) Ceiling linings shall be of non-combustible or of plasterboard.

O-2.1.2 Stairways and corridors shall not contain combustible materials.

O.2.2 Structural members such as supports and bearing walls shall have fire resistances rating of 3 hours, transoms and ceilings 2 hours to 4 hours.

O.2.3 Internal walls and partitions separating corridors from area of floor that are used for any purpose other than circulation shall have a fire resistance of not less than one hour. There shall be no opening in such walls other than for doors or delivery hatches with fire resistance not less than half an hour to one hour. Fire sections (fire walls) sub-dividing the building to prevent fire spread, shall have a fire resistance rating not less than two hours.

O-2.4 Facades shall consist of non-combustible building materials. A fire must bridge a distance of at least 0.9 meters between storeys.

O-3 STAIRCASE ENCLOSURES:

O-3.1 The internal enclosing walls of staircase shall be of brick or R.C.C. construction having fire resistance of not less than two hours. All enclosed staircases shall be reached via ventilated lobby and shall have access through self closing doors of at least half hour fire resistance. These shall be single swing doors opening in the direction of the escape. The door shall be fitted with check action door closers.

O-3.2 The staircase enclosure on external wall of the building shall be ventilated to atmosphere at each landing.

O-3.3 Permanent vent at the top equal to 5 per cent of the cross sectional area of the enclosure and openable sashes at each floor level with area equal to 15 % of the cross sectional area of the enclosure on the external wall shall be provided. The roof of the shaft shall be at least 1.0m above the surrounding roof. There shall be no glazing or glass bricks in any internal enclosing wall of a staircase. if the staircase is in the core of the buildings and cannot be ventilated at each landing a positive pressure of 5mm. ~~W.g.~~ water gauge by an electrically operated blower/blowers shall be maintained.

O-3.4 The mechanism for pressuring the staircase shaft shall be so installed that the same shall operate automatically and also with manual operation facilities, when the automatic fire alarm operates.

O-4 LIFT ENCLOSURES:

O-4.1 The walls enclosing lift shafts shall have a fire resistance of not less than two hours. Shafts shall have permanent vents at the top not less than 1800 sq.cm. (0.2 sq.m.) in clear area. Lift motor rooms shall preferably be cited at the top of the shaft and shall be separated from lift shafts by the enclosing wall of the shaft or by the floor of the motor rooms.

- O-4.2 Landing doors in lift enclosures shall open in the ventilated or pressurized corridor/lobby and shall have fire resistance of not less than one hour (for buildings above 16 m.in height).
- O-4.3 The number of lifts in one lift bank shall not exceed four. Shaft for fire lift in a lift bank shall be separated from each other by a brick masonry or R.C.C. wall of fire resistance of not less than two hours.

For buildings above 16 m. in height lift car doors shall have fire resistance of not less than one hour.

- O-4.4 If the lift shaft and lift lobby are in the core of the building, a positive pressure of not less than 2.5mm. and not more than 3mm. ~~W.g. water gauge~~ by an electrically operated blower/blowers shall be maintained in the lift lobby and positive pressure of not less than 5 mm. ~~W.g. water gauge~~ shall be maintained in the lift shaft. The mechanism for pressurizing the lift shaft and lift lobby shall be so installed that they shall operate automatically when the automatic fire alarm operates. The mechanism shall have facilities to operate manually. (For buildings more than 25 m. in height).
- O-4.5 Exit from the lift lobby if located in the core of the building, shall be through a self closing smoke stop door of half hour fire resistance
- O-4.6 The lift machine room shall be separate and no other machinery shall be installed therein.
- O-4.7 Lifts shall not normally communicate with the basement. However, one of the lifts may be permitted to reach the basement levels provided the lift lobby at each basement level is pressurized and separated from the rest of the basement areas, by smoke actuated fire resisting door of two hours fire resistance. These doors can also be kept in hold-open position by an electro magnet device to be linked with smoke detector.
- O-4.8 Grounding switch/switches at the ground floor level to enable the fire service to ground the lift car/cars in an emergency shall be provided (for buildings more than ~~46~~ 24 m. height)

O-5 EXTERNAL WINDOWS

- O-5.1 Areas of the openable external windows on a floor shall be not less than 2.5 % of the floor area. The locks for these windows shall be fitted with budget lock of the carriage key type (which can be opened with the point of a fireman's axe).

O-6 LIFTS AND FIRE LIFTS (FOR BUILDINGS MORE THAN ~~46 M~~ 24 M IN HEIGHT):

- O-6.1 Telephone communication system in the lift car/cars with speaker/telephone assembly shall be provided for buildings more than 45m. in height.
- O-6.2 Provisions for a Fire Lift shall be made as per the following details
- To enable Fire services personnel to reach to the upper floors with the minimum delay, one or more of the lifts shall be so designed as to be available for the exclusive use of the fireman in an emergency and be directly accessible to every dwelling/~~liftable~~ lettable floor space on each floor.
 - The lift shall have a floor area of not less than 1.4 sq.m. It shall have loading capacity of not less than 545 kg. (8 persons lift) with automatic closing doors.
 - The electric supply shall be on a separate service from electric supply mains in a building and the cables run in a route safe from fire, that is, within the lift shaft. In case of failure of normal electric supply; it shall automatically trip over to alternate supply. For apartment buildings, this change over of supply could be done through manually operated change over switch.
 - The operation of a fire lift is by a simple toggle or two button switch situated in a glass fronted box adjacent to the lift at the entrance level. When the switch is on, landing call-points will become inoperative and the lift will be on car control only or on a priority control device. When the switch is off, the lift will return to normal working. This lift can be used by the occupants in normal times.

- e. The words “FIRE LIFT” shall be conspicuously displayed in fluorescent paint on the lift landing doors at each floor level.
- f. For building above 16 m. in height, collapsible gates shall not be permitted for lifts and shall have solid doors with fire resistance of at least one hour.
- g. The speed of the fire lift shall be such that it can reach the top floor from ground level within one minute or 91.5 m. per minute whichever is less.

O-7 BASEMENT:

O-7.1 Each basement shall be separately ventilated. Vents with cross sectional area (aggregate) not less than 2.5% of the floor area spread evenly round the perimeter of the basement shall be provided in the form of grills or breakable stall board lights or pavement lights or by way of shafts. Alternatively, a system of air inlets shall be provided at basement floor level and smoke outlets at basement ceiling level. Inlets and extracts may be terminated at ground level with stall boards or pavement lights as before but ducts to convey fresh air to the basement floor level have to be laid. Stall boards and pavement lights should be in positions easily accessible to the fire brigade and clearly marked “SMOKE OUTLET” or “AIR INLET” with an indication of area served at or near the opening.

O-7.2: The staircase of basements shall be of enclosed type having fire resistance of not less than two hours and shall be situated at the periphery of the basement to be entered at ground level only from the open air and in the basement shall not obstruct any exit serving the ground and upper storey's of the building and shall communicate with basement through a lobby provided with fire resisting self closing doors of one hour fire resistance. If the travel distance exceeds 18.50m. additional staircases at proper places shall be provided.

O-7.3 In multi-storey basements, intake ducts may serve all basement levels but each basement and basement compartment shall have separate smoke outlet duct or ducts.

O-7.4 Mechanical extractors for smoke venting system from lower basement levels also be provided. The system shall be of such design as to operate on actuation of heat sensitive detectors or sprinklers if installed and shall have considerably higher performance than the standard units. It should also have an arrangement to start it manually and shall be designed to function at a temperature not less than ~~5500~~ 550⁰ C.

O-7.5 Kitchens working on gas fuel, department stores, and shops shall not be permitted in basement/sub-basement.

O-8. COMPARTMENTATION (FIRE-SECTIONS):

O-8.1 If the uncomparted floor space on a floor exceeds 750 sq.m. it shall be separated in compartments each not exceeding 750 sq.m. by means of fire walls of not less than two hour fire resistance. In extended buildings, fire walls should be erected at distances not exceeding 40 meters. For floors with sprinklers, the area mentioned above may be increased by 50 percent.

O-9 SERVICE DUCTS REFUSE CHUTES AND REFUSE CHAMBERS:

O-9.1 Service ducts shall be enclosed by walls having a fire resistance of not less than two hours. Doors for inspection or access shall also have a fire resistance not less than two hours.

O-9.2if the cross sectional area exceeds 1 sq.m. it shall be sealed where it passes a floor by carrying the floor through the duct. The floor within the duct shall be pierced for any service pipe or ventilation trunk and shall fit as closely as possible around any such pipe or trunk.

O-9.3A permanent vent shall be provided at the top of the service shaft of cross sectional area not less than 460 sq.cm. or 6.25 sq.m. for each 900 sq.cm. of the area of the shaft whichever is more.

O-9.4 Hoppers to refuse chutes shall be situated in well ventilated positions and the chutes shall be continued upwards with an outlet above roof level and with an enclosure wall of non-combustible material with fire resistance not less than two hours. The hopper shall not be located within the staircase enclosure.

O-9.5 Inspection panel and hopper (charging station) opening shall be fitted with tight fitting metal doors, covers, having a fire resistance of not less than one hour.

O-9.6 Refuse chutes shall not be provided in staircase wells, air conditioning shafts, etc.

O-9.7 Refuse chambers shall have walls and floor or roofs constructed of non-combustible and impervious material and shall have a fire resistance of not less than two hours. They shall be located at a safe distance from exit routes.

O-10 : BUILDING SERVICES:

O-10.1 ELECTRICAL SERVICES:

- a. The electric distribution cables/wiring shall be laid in separate duct. The duct shall be sealed at every alternative floor with non-combustible materials having the same fire resistance as that of the duct.
- b. Water mains, telephone lines, inter-com lines, gas pipes or any other service line shall not be laid in the duct for electric cables.
- c. Separate circuits for water pumps, lifts, staircase and corridor lighting and blowers for pressurizing system shall be provided directly from the main switch gear panel and these circuits shall be laid in separate conduct pipes so that fire in one circuit will not affect the others. Master switches controlling essential services circuits shall be clearly labeled.
- d. The inspection panel doors and any other opening in the shaft shall be provided with air tight fire doors having the fire resistance of not less than two hours.
- e. Medium and low voltage wiring running in shafts, and within false ceiling shall run in metal conduct.
- f. An independent and well ventilated service room shall be provided on the ground floor with direct access from outside or from the corridor for the purpose of termination of electric supply from the licensee's service and alternate supply cables. The doors provided for the service from shall have fire resistance of not less than two hours.
- g. If the licensees agree to provide meters on upper, floors, the licensee's cables shall be segregated from consumers, cable by providing a partition in the duct. Meter rooms on upper floors shall not open into staircase enclosure and shall be ventilated directly to open air outside.
- h. PVC cables should have an additional sheeting or protection provided by compounds sprayed on after installation because of the notorious secondary damage in case of fire.

O-10.2 TOWN GAS/L.P. GAS SUPPLY PIPES:

Where gas pipes are run in the building, the same shall be run in separate shafts exclusively for this purpose and these shall be on external walls, away from the staircases. There shall be no inter connection of this shaft with the rest of the floors. Gas, meters shall be housed in a suitably constructed metal cupboard located at well ventilated space at ground level.

O-10.3: Staircase and Corridor Lightings:

- a. The staircase and corridor lighting shall be on separate circuits and shall be independently connected so that it could be operated by one switch at any time on the ground floor easily accessible to fire fighting staff at any time irrespective of the position of the individual control of the light points if any.
- b. Staircase and corridor lighting shall also be connected to alternative supply as provided in paragraph O-10.4
- c. Suitable arrangements shall be made by installing double throw switches to ensure that the lighting installed in the staircase and the corridor do not get connected to two sources of supply simultaneously. Double throw switch shall be installed in the service room for terminating the stand by supply.

- d. Emergency lights shall be provided in the staircase/corridor for assembly, and institutional buildings.

O-10.4: ALTERNATE SOURCE OF ELECTRIC SUPPLY:

A stand by electric generator shall installed to supply power to staircase and corridor lighting circuits, fire lifts, the stand by fire pump, pressurization fans and blowers, smoke extraction and damper systems in case of failure of normal electric supply. The generator shall be capable of taking starting current of all the machines and circuits stated above simultaneously. If the stand-by pump is driven by diesel engine, the generator supply need not be connected to the standby pump where parallel HV/LV supply from a separate sub-station is provided with appropriate transformer for emergency. The provisions of generator may be waived in consultation with the Planning Authority.

O-10.5 TRANSFORMERS:

- a. If Transformers are housed in the building below the ground level it shall be necessarily in the first basement in separate fire resisting room of 4 hours rating. The room shall necessarily be at the periphery of the basement. The entrance to the room shall be provided with a steel door of 2 hours fire rating. A curb (still) of a suitable height be provided at the entrance in order to prevent the flow of oil from ruptured transformer into other parts of the basement. The direct access to the transformer room shall be provided preferably from outside. The switch gears shall be housed in a separate room separated from the transformer bays by a fire resisting wall with fire resistance not less than four hours.
- b. transformer, if housed in basement shall be protected by an automatic high pressure water spray system (Mulsifyre system).
- c. In case the transformers housed in the basements are totally segregated from other areas of the basements by 4 hours fire resisting wall/walls with an access directly from outside. It may be protected by carbon-dioxide or B.C.F. fixed installation system.
- d. When housed at ground floor level, it/they shall be cut off from the other protection of premises by fire resisting walls of 4 hours fire resistance.
- e. They shall not be housed on upper floors.
- f. A tank of RCC construction of capacity of accommodating entire oil of the transformers shall be provided at lower level to collect the oil from the catch-pit in case of emergency. The pipe connecting the catch-pit to the tank shall be of non combustible construction and shall be provided with a flame arrester.

O-10.6 AIR CONDITIONING:

- a. Escape routes like staircases, common corridors, lift lobbies etc. shall not be used as return air passage.
- b. The ducting shall be constructed of substantial gauge metal in accordance with ~~IS~~ IS-655-1963 Metal Air Ducts (Revised).
- c. Wherever the ducts pass through fire walls or floors, the opening around the ducts shall be sealed with fire resisting materials such as asbestos rope, or vermiculite concrete glasswool etc.
- d. As far as possible metallic ducts shall be used even for the return air instead of space above the false ceiling.
- e. The materials used for insulating the duct system (inside or outside) shall be of non-combustible materials such as glass wool, sunglass with neoprene facing.
- f. Area more than 750 sq.m. on individual floor shall be segregated by a fire wall and automatic fire wall and automatic fire dampers for isolation shall be provided where the ducts pass through fire walls. The fire dampers shall be capable of operating manually.

- g. Air ducts serving main floor areas, corridors etc. shall not pass through the staircase enclosure.
- h. The air handling units shall as far as possible be separate for each floor and air ducts for every floor shall be separate and in no way interconnected with the ducting of any other floor.
- i. If the air handling unit serves more than one floor the recommendations given above shall be complied with in addition to the conditions given below:
 1. Proper arrangements by way of automatic fire dampers working on smoke detectors for isolating all ducting at every floor from the main riser shall be made.
 2. When the automatic fire alarm operates, the respective air handling units of the air-conditioning system shall automatically be switched off.
 - a. Automatic fire dampers shall be provided at the inlet of the fresh air duct and the return air duct of each compartment on every floor.
 - b. Automatic fire dampers shall be so arranged as to close by gravity in the direction of the air movement and to remain tightly closed upon operation of a smoke detector.
 - c. The air filters of the air-handling units shall be of non-combustible materials;
 - d. The air handling unit room shall not be used for storage of any combustible materials.
 - e. Inspection panels shall be provided in main trunking to facilitate the cleaning of ducts of accumulated dust and to obtain access for maintenance of fire dampers.
 - f. No combustible material shall be fixed nearer than 15 cm to any duct unless such duct is properly enclosed and protection with non-combustible material (glass wool or spunglass with neoprene facing enclosed and wrapped with aluminum sheeting) at least 3.2 mm. Thick and which would not readily conduct heat.

O-10.7 Boiler Room - Provisions of Boiler and Boiler Rooms shall conform to Indian Boiler Act, Further the following additional aspects may be taken into account in the location of Boiler/Boiler Room.

- a. The boilers shall not be allowed in sub-basement but may be allowed in the basements away from the escape routes.
- b. The boilers shall be installed in a fire resisting room of 4 hours fire resistance rating and this room shall be situated on the periphery of the basement. Catch- pits shall be provided at the low level.
- c. Entry to this room shall be provided with a composite door of 2 hours fire resistance.
- d. The boiler room shall be provided with fresh air inlets and smoke exhausts directly to the atmosphere.
- e. The furnace oil tank for the Boiler if located in the adjoining room shall be separated by fire resisting wall of 4 hours rating. The entrance to this room shall be provided with double composite doors. A curb of suitable height shall be provided at the entrance in order to prevent the flow of oil into the boiler room in case of tank rupture.
- f. Foam inlets shall be provided on the external walls of the building near the ground level to enable the fire services to use foam in case of fire.

O-11 Provisions of First Aid Fighting Appliances:

O-11.1 The first-aid fire fighting equipments shall be provided on all floors including basements. Lift rooms etc. in accordance with IS: 2217 -1963 recommendations for providing First Aid fire Fighting Arrangements in public Buildings in consultation with the Planning Authority.

O-11.2 The fire fighting appliances shall be distributed over the building in accordance with IS : 2190-71 code of practice for selection, installation and maintenance of portable fire-aid fire appliances.

O-12 Fixed Fire Fighting Installations:

O-12.1 Buildings above 16 m. in height depending upon the occupancy use shall be protected by wet riser, wet riser-cum down comer, automatic sprinkler installation, high pressure water spray or foam generating system etc. as per details in paragraphs O-12.2 to O-12.7.

O-12.2 The wet riser/wet riser-cum-down comers installations with capacity of water storage tanks and fire pumps shall conform to the requirements as specified in Table No. 47-32 given below.

O-12.3 The wet riser installations shall conform to IS: 3844-3644-1966 Code of Practices for installation of internal fire hydrants in multi-storeyed or high rise buildings.

In addition, ~~to wet riser, shall be designed for zonal distribution ensuring that unduly high pressure, are not developed in riser and hose pipes in addition to wet riser/ wet riser-cum- down comer, first-aid hose reels shall be installed as shown in Figure I to VI enclosed with this Appendix on all the floors of the buildings above 25m/24m. and shall conform to IS: 884- 1969 specification for first-aid reel. First Aid Hose Reel for firefighting (fixed installation) Fire Fighting (Fixed Installation).~~ The first aid hose reel shall be connected to one of the females couplings or of twin couplings of landing valves directly to of the Wet Riser installations by means of ~~an~~ adapter.

O-12.3.1 Static water storage Tank- A satisfactory supply of water for the purpose of fire fighting shall always be available in the form of underground static storage tank with capacity specified in Table No. 47-32 for each building by the local Fire Authority with arrangements of replenishment by town's main or ~~alternative~~ alternative source of supply @ 1000 liters per minute. The static storage water supply required for the above-mentioned purposes should ~~entirely~~ easily be accessible to the fire engines of the Local ~~fire~~ Fire Service. Provision of suitable number of manholes shall be made available for inspection, repairs and inspection of section hose etc. The covering slab shall be able to withstand the vehicular load of 18 tons.

The domestic suction tank connected to the static water storage tank shall have an overflow capable of discharging 2250 ~~lrs. Per~~ liters per minute to a visible drain point from which by a separate ~~conducts,~~ conduit, the overflow shall be conveyed to a storm water drain.

O-12.3.2 To prevent stagnation of water in the static water storage tank, the suction tank of the domestic water supply shall be fed only through an overflow arrangement to maintain the level therein at the minimum specified capacity as specified by the competent authority ~~on~~ from time to time.

TABLE 32: THE WET RISER/WET -CUM-DOWN COMERS INSTALLATIONS WITH CAPACITY OF WATER STORAGE TANKS AND FIRE PUMPS

Sr. No.	Type of the building/occupancy	Type of Installation	Requirements				At the Terrace Level
			Water supply		Pump Capacity		
			Underground Static Tank	Terrace Tank	Underground Static Tank	Terrace Tank	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	
1)	Apartment buildings below 46m-24 m in height	Nil	Nil	Nil	Nil	Nil	
2) a)	Apartment buildings Above 46m but not exceeding 25m	Wet riser-cum down-comer with provisions of fire service inlet only near ground level	Nil	10,000 ltrs.	Nil	400 ltrs. per minute giving a pressure not less than 1.5 kg/cm ² at the top most hydrant	
2) b)	Apartment Buildings exceeding 25m-24m but not exceeding 45m	Wet riser-cum-down comer	50,000 ltrs.	20,000 ltrs.	1,400 ltrs. per minute giving a pressure not less than 3.2 kg/cm ² at the top most hydrant	450 ltrs. per minute giving a pressure not less than 2.1 kg/cm ² at the top most hydrant	
e)	Above 25m-24m and not exceeding 35m with shopping area upto 250 Sq.m. and restricting the shopping areas to the ground floor only	Wet riser-cum-down comer	50,000 ltrs.	20,000 ltrs.	1,400 ltrs. per minute giving a pressure not less than 3.2 kg/cm ² at the top most hydrant	900 ltrs. Per minute giving a pressure not less than 2.1 kg/cm ² at the top most hydrant	
e)	Above 25m-24m and not exceeding 35m with shopping area exceeding 250 Sq.m.	Wet riser-cum-down comer.	1,00,000 ltrs	20,000 ltrs.	2,400 ltrs. per minute giving a pressure not less than 3.2 kg/cm ² at the top most hydrant	900 ltrs. per minute giving a pressure not less than 2.1 kg/cm ² at the top most hydrant	
e)	Above 45m and not exceeding 60m	Wet riser-cum-down comer	75,000 ltrs.	20,000 ltrs.	2,400 ltrs. per minute giving a pressure not less than 3.2 kg/cm ² at the top most hydrant	900 ltrs. per minute giving a pressure not less than 2.1 kg/cm ² at the top most hydrant	

Sr. No.	Type of the building/occupancy	Type of Installation	Requirements			
			Water supply		Terrace Tank	Pump Capacity
			Underground Static Tank	Underground Static Tank		
(1)	(2)	(3)	(4)	(5)	(6)	(7)
fe)	Above 60m in height and but not exceeding 92m (apartment building above 92m should not be permitted)	Wet riser-cum down comer	1,00,000 ltrs	20,000 ltrs	2,400 ltrs. per minute giving a pressure not less than 3.2 kg/cm ² at the top most hydrant. The pump provided should be of multistage type with suction and delivery sizes not less than 6" diameter with low level riser upto 15 storeys and high level riser delivery for upper floors.	900 ltrs. per minute giving a pressure not less than 2.1 kg/cm ² at the top most hydrant
3)	Non-apartment /Special type buildings	Nil	50,000 liters	Nil	Nil	Nil
a)	Upto 15m in height	Nil	50,000 ltrs.	10,000 ltrs.	1.350 liters per minute giving a pressure not less than 3.2 kg/cm ² at the top most hydrant	450 ltrs. per minute giving a pressure not less than 2.1 kg/cm ² at the top most hydrant
b)	Above 15m in height but not exceeding 24m in height except for institutional, business and educational buildings	Wet riser-cum-down comer	50,000 ltrs.	10,000 ltrs.	1.350 liters per minute giving a pressure not less than 3.2 kg/cm ² at the top most hydrant	450 ltrs. per minute giving a pressure not less than 2.1 kg/cm ² at the top most hydrant
c)	Educational buildings above 15-16m but not exceeding 25m in height	Wet riser-cum down comer	Nil	10,000 ltrs.	Nil	Nil

Sr. No.	Type of the building/occupancy	Type of Installation	Requirements			
			Water supply		Pump Capacity	
			Underground Static Tank	Terrace Tank	Near the underground Static Tank	At the Terrace Level
(1)	(2)	(3)	(4)	(5)	(6)	(7)
ed)	Above 25m-24m but not exceeding 35m	Wet riser-cum-down comer	75,000 ltrs	20,000 ltrs.	2,400 ltrs per minute giving a pressure not exceeding 2.3 kg/cm ² . the pump provided will be of multistage type with suction and delivery sizes not less than 6" diameter with low level riser upto 10 storeys and high level riser delivery for upper floors	450 ltrs. per minute giving a pressure not less than 2.1 kg/cm ² at the top most hydrant
de)	Above 35m but not exceeding 60m	Wet riser (fully charged with adequate pressure at all times and automatic in operation)	10,00,000 ltrs	Nil	Nil	
ef)	Above 60m but not exceeding 92m	Wet riser (fully charged with adequate pressure at all times and automatic in operation)	1,50,000 ltrs.	Nil	i) 2,400 ltrs per minute giving a pressure not exceeding 3.2 kg/cm ² . The pump provided will be of multistage type with suction and delivery sizes not less than 6" diameter with low level riser delivery for upper floors ii) A stand by pump of equal capacity shall be provided on	Nil

Sr. No.	Type of the building/occupancy	Type of Installation	Requirements			
			Water supply		Pump Capacity	
			Underground Static Tank	Terrace Tank	Near the underground Static Tank	At the Terrace Level
(1)	(2)	(3)	(4)	(5)	(6)	(7)
fg)	Above 92 m	Wet riser (fully charged with adequate pressure at all times and automatic in operation)	2,00,000 ltrs.	Nil	alternative source of supply	1) 2,400 ltrs, per minute giving a pressure not exceeding 3.2 kg/cm ² . The pump provided will be multistage type with suction and delivery sizes not less than 6" diameter with low level riser upto 15 storeys and high level riser delivery for upper floors upto 60m. Another pump of equal performance with a break tank of 12000 ltrs., capacity at 75m level and set out ball valves to supply the tank with atleast 2400 ltrs., per minute from the first pump. A stand by pump of equal capacity provided on alternative source supply.

Note:

1. Any of the above category may incorporate an automatic sprinkle/drencher system, if the risk is such that it requires installation of such protective methods.
 2. Minimum of two hydrants shall be provided within the courtyard.
 3. Wet riser-cum-down comer is an arrangement for fire fighting within the building by means of ~~vertical~~vertical rising mains not less than 1,000 cm. internal diameter with hydrant outlets and houses real on floor/landing connected to an overhead water storage tank for fire fighting purpose, through a booster pump, gate valve and a non-return valve near the tank-end and a fire pump, gate and non-return valve, over the underground static tank. A fire service inlet at ground level fitted with non return valve shall also be provided to the rising main for charging it by fire services pump in case of failure of static fire pump over the underground static tanks.
 4. The performance of pumps specified above shall be at R.P.M. not exceeding 2000.
 5. The above quantities of water shall be exclusively for fire fighting and shall not be utilised for domestic or other use. The layout of underground water static tank shall be as per ~~figures in Appendix Q~~ the standards given in Part 4 of the National Building Code of India, 2005.
 6. Size of the riser shall be as under (internal diameter):
 - a. Apartment buildings-
 - i. upto 60m. 10cm. with single hydrant outlets and hose reel on each floor.
 - ii. above 60m. 15cm. with twin hydrant outlets and hose reel on each floor.
 - b. Non-apartment building -
 - i. upto 25 m. 10cm. with single hydrant outlet and hose reel on each floor.
 - ii. above 25m. 15cm. with twin hydrant outlets and hose reel on each floor.
 7. A capacity to boost up water pressure in the riser directly from the mobile pumps shall also be provided to the Wet riser system with a suitable fire service inlets (collecting breaching with 2 numbers of 63 mm. Inlets for 10cm. rising main 4 numbers of 63 mm. Inlets with check valves for 15 cm. diameter rising main) and non-return valve and a gate valve.
 8. ~~House~~Hose Reel- The Internal diameter of rubber hose for hose reel shall be minimum 19 mm. A shut-off branch with nozzle of 4.8 mm. size shall be provided.
- O-12.3.3** The static water storage tank shall be provided with a fire brigade collecting breaching with 4 nos. 65mm. diameter instantaneous male inlets arranged in a value box at a suitable point at street level and connected to the static tank by a suitably fixed pipe not less than 15mm. Diameter to discharge water into the tank when required at a rate of 2250 lits. per minute.
- O-12.4** Automatic Sprinklers- Automatic sprinklers shall be installed:-
- a. In basement used as car parks, if the area exceeds 500 sq.m.
 - b. In multi-storeyed basements used as car parks, and for housing essential service ancillary to a particular occupancy.
 - c. In any room of other compartment of a building exceeding 750 sq.m.
 - d. In departmental stores or shops which totally exceeds 750 sq.m.
 - e. In all non-domestic floors of mixed occupancy considered to constitute a hazard and not provided with staircases independent of the remainder of a building.
 - f. In godown and warehouses as considered necessary.
 - g. On all floors of the buildings other than apartment buildings, if the height of the building exceeds 60 m.
 - h. In dressing rooms, scenery docks, stages and stage basements of theatres.
- O-12.5** Automatic high pressure water spray (mulsifyre) System: This system shall be provided for protection of indoor transformers of a sub-station in a basement area.

O-12.6 ~~Form~~ Foam generating system: This system shall be provided for protection of boiler rooms with its ancillary storage of furnace oils in a basement.

O-12.7 Carbon-Dioxide fire Extinguishing System: Fixed CO2 fire extinguishing installation shall be provided as per IS: 6382 - 1971 code of practice for design and installation of fixed CO2 fire extinguishing system on premises where water or foam cannot be used for fire extinguishment because of the special nature of the contents of the buildings/areas to be protected. Where possible BCF (Bromochlorodifluoromethane) installation may be provided instead of CO2 installation.

O-13 Fire Alarm system:

O-13.1 All buildings with heights mentioned against each shall be equipped with fire alarm system as given in paragraphs O-13.1.1 and 13.1.2.

O-13.1.1 Residential Buildings (Dwelling House and Hostels) above 35m. and Educational buildings, Institutional buildings above ~~25m~~24 m. in height.

- a. Such buildings shall be equipped with manually operated electrical fire alarm systems with one or more call boxes located at each floor. The location of the call boxes shall be decided after taking into consideration the floor plan with a view to ensure that one or the other call box shall be readily accessible to all occupants of the floor without having to travel more than 22.5 m.
- b. The call boxes shall be of the 'Break-glass' type without any moving parts, where the call is transmitted automatically to the control room without any other action on part of the person operating the call box.
- c. All call boxes shall be wired in a close circuit to a control panel in the control room, located as per paragraph O-14 so that the floor number where the call box is actuated is clearly where the call box is actuated is clearly indicated on the control panel. The circuit shall also include one or more batteries with a capacity of 48 hours normal working at full load. The battery shall be arranged to be continuously trickle-charged from the electric mains. The circuit may be connected to alternate source of electric supply as defined in paragraph O-10.4.
- d. The call boxes shall be arranged to sound one or more sounders so as to ensure that all occupants of the building shall be warned whenever any call box is actuated.
- e. The call boxes shall be so installed that they do not obstruct the exit-ways and yet their location can easily be noticed from either direction. The base of the call box shall be at a height of 1m. from the floor level.

O-13.1.2 Business and industrial Buildings above ~~25m~~24m. height but not exceeding 30 m.

- a. Such buildings shall be equipped with manually operated electrical fire alarm system with one or more call boxes located at each floor. The location of the call boxes shall be decided after taking into consideration the floor plan with a view to ensuring that one or the other call box shall be readily accessible to all occupants of the floor without having to travel more than 22.5m.
- b. The call boxes shall be of the 'break-glass' without any moving parts, where the call is transmitted automatically to the control room without any other
~~e-~~ action on the part of the person operating the call box.
- ~~ed.~~ All call boxes shall be wired in a close circuit to a control panel in the room located as per paragraph O-14.1 so that floor number from where the call box is actuated is clearly indicated on the control panel. The circuit shall also include one or more batteries with a capacity of 48 hours normal working at full load. The battery shall be continuously trickle-charged from the electric mains. The circuit may be connected to alternate source of electric mains. The circuit may be connected to alternate source of electric supply as defined in O-10.4.
- ~~ed.~~ The call boxes shall be arranged to sound one or more sounders so as to ensure that all occupants of the buildings shall be warned whenever any call box is actuated.
- ~~fe.~~ The call boxes shall be so installed that they do not obstruct the exit way and yet their location can easily be noticed from either direction. The base of the call box shall be at a height of 1m. from the floor level.

O-13.1.3 All other buildings exceeding 25-24 m. in height excluding those mentioned in paragraphs o-13.1.1 and o-13.1.2 These buildings shall, in addition to the manually operated electrical fire alarm system be equipped with an automatic fire alarm system. The latter shall be in addition to the alarm which may be sounded by the actuation of any automatic fire extinguishing system, which may be installed in any particular occupancy in accordance with these by-laws. The detectors for the automatic fire alarm shall conform to relevant IS specification_Heat/Smoke sensitive type Fire Detector and the system shall be installed in accordance with IS 2189- 1976 code of practice for Automatic Fire Alarm system or any other relevant Indian Standards prescribed from time to time.

Note1_ Several types of -fire detectors are available in the market but the application of each type is limited and has to be carefully considered in relation to the type of risk and the structural features of the building where they are to be installed.

Note2_ No automatic detector shall be required in any room or portion of a building which is equipped with an approved installation of automatic sprinklers.

O-14 Control Room:

O-14.1 For all buildings mentioned in paragraphs O-13.1.1,O-13.1.2 and O-13.1.3 except apartment buildings not exceeding 60m. there shall be a control room on the entrance floor of the building with communication system (suitable public address system) to all floors and facilities for receiving the message from different floor. Details of all floor plans along with the details of fire fighting equipment and installations shall be maintained in the control room. The control room shall also have facilities to detect the fire on any floor through indicator boards connecting fire detecting and alarm system on all floors. The staff in-charge of control room shall be responsible for the maintenance of the various services and fire fighting equipment and installations.

O-15 Caretaker for Residential Hotels, Business, Mercantile, Industrial, Storage and Hazardous Buildings with height more than 45m.

O-15.1 A qualified fire Officer with experience of not less than 3 years (in city fire brigade) shall be appointed as a caretaker who will be available on the premises at all times.

The lightning protection for buildings shall be provided based on the provisions of Section 2- Electrical and Allied Installations of Part 8 III— Building Services of the National Building Code of India 2005-1970.

O-15.2 The Fire Officer shall

- i. Maintain the fire equipment in good working condition at all times.
- ii. Layout fire orders and fire operational plans.
- iii. Impart training to the occupants of the buildings in the use of fire fighting equipment provided on the premises and keep them informed about the fire emergency evaluation plan, and
- iv. Keep proper liaison with City Fire Brigade.

O-16 House keeping:

O-16.1 To eliminates fire hazards a good housekeeping inside the building and outside the buildings shall be strictly maintained by the occupants and/or the owner of the building.

For all buildings mentioned in paragraphs O-14.1.1, O-14.1.2, and O-14.1.3 except apartment buildings not exceeding 60 m. there shall be a control room on the entrance floor of the buildings with communication system (suitable public address system), to all floors.

O-17 Fire Drills and Fire Orders:

O-17.1 Fire notice/orders shall be prepared to fulfill the requirements of the fire fighting and evacuation from the buildings in the event of fire and other emergency. The occupants shall be made thoroughly conversant with their action in event of the emergency, by displaying fire notices at vantage points. Such notices should be displayed prominently in broad lettering.

APPENDIX - P: REGULATIONS FOR DEVELOPMENT OF INFORMATION TECHNOLOGY ESTABLISHMENT

(Regulation-6.3 7.5.2 (5) (j))

Development of Information Technology Establishments shall be regulated as per the Revised Information Technology & Information Technology Enabled Services (IT/ITES) Policy 2003 as declared by Government Resolution No. ITP 2003/CR-3311/IND.7 dated 12/07/03, along with the following modifications in the above-mentioned resolution.

P.1. DEFINITION OF INFORMATION TECHNOLOGY ESTABLISHMENT:

“Information Technology Establishment” means an establishment which is in the business of development of IT software, IT hardware, IT services, and IT enabled services as defined below:

- a. IT Software: IT Software is defined as any representation of instruction, data, sound or image, including source code and object code, recorded in a machine readable form and capable of being manipulated or providing interactivity to a user, with the means of a computer.
- b. IT Hardware: IT Hardware shall cover such industrial units as may be decided by the Director of Industries.
- c. IT Services and IT Enabled Services: These include various IT Services and are defined by the IT Task Force of the Government of India as follows:
- d. “IT Service including IT Enabled Service is defined as any unit that provides services, that result from the use of any IT Software over a Computer System for realizing any value addition”.
- e. The Directorate of Industries has prepared and published an illustrative list of such IT Enabled Services which is to be updated from time to time.

P.2. BUILDING OF INFORMATION TECHNOLOGY ESTABLISHMENT:

The Commissioner/ Head, Planning Authority may permit the floor space indices specified in Table No. ~~13~~ 14 above to be exceeded by 100%, subject to following conditions, in respect of -

- a. All IT and ITES units in Public IT Parks.
- b. All registered IT and ITES Units located in Private IT Parks, approved by Director of Industries in the State.

Subject	Provision
Height of the room for ITE	Any telemetric equipment storage or erection facility can have a height as required for effective functioning of that system.
Covered antenna to be free of FSI	Any covered antenna/dish antenna / communication tower will be allowed to be erected free of FSI if used for Telecom (basic cellular or satellite Telephone) or ITE purposes, which shall include equipment relating to earth station, V-Sat, Routes, Transponders and similar IT related structures or equipment.
In Residential Zone	Information Technology Establishment (pertaining to software only) be allowed on the plots/premises fronting on roads having width 18 meter and more.
In industries Zone, Service Industries Zone & in Transformation Zone	Information Technology Establishment shall be permitted in Industries Zone, Service Industries Zone and in Transformation Zone on all plots fronting on roads having width 18 meter and more.
Users to be free of FSI	Any covered antenna/dish antenna / communication tower used for Telecom (basic cellular or satellite Telephone) or ITE purposes, V-Sat, Routes, Transponders or similar IT related structures or equipment.
In No Development Zone	Development of Information Technology Establishment (pertaining to software only) with ancillary residential development shall be allowed in No development Zone subject to the following:

Subject	Provision
	i) The total FSI shall not exceed 0.2.
	ii) Residential development shall not have FSI of more than 0.05.
	iii) The total F.S.I. has to be consumed on ground coverage not exceeding 10% of the plot area. On remaining 90% plot, trees shall be planted at the rate of 500 trees per hectare.
	iv) Sub - division of land shall be permitted with area of the plot so sub-divided being not less than 4000 sq.m.
Additional FSI to ITE	Buildings of Information Technology Establishment (pertaining to software only): The Metropolitan Commissioner may permit normal floor spaces index one to be exceeded in respect of buildings in independent plots of Information Technology Establishment set up by Public Bodies like MHADA, SEEPZ, MIDC, SICOM, STP, or their joint venture companies having more than 51% stake of these bodies by 100% or lessees of these public Bodies having plots exclusively used for ITE subject to terms and conditions as he may specify.
	Provided in case of additional Floor Space Index allowed in respect of Information Technology Establishment, as aforesaid premium as may be determined by Government shall be paid to the Government out of which 50% shall be payable to the MMRDA.

P.3. CONDITIONS FOR ADDITIONAL FSI:

- 1) Additional FSI to IT/ITES units would be available only upon full utilization of basic admissible FSI.
- 2) Additional FSI to IT/ITES units would be available to IT/ITES Parks duly approved by the Directorate of Industries.
- 3) The additional FSI shall be granted upon payment of premium which shall be paid in the manner as may be determined by the Government. Such premium shall be recovered at the rate of 25% of the present day market value of the land under reference as indicated in the Ready Reckoner.
- 4) 25% of the total premium shall be paid to the Govt. and remaining 75% amount shall be paid to the said Authority.
- 5) The premium so collected by the Planning Authorities shall be primarily used for development/up gradation of site infrastructure required for the IT/ITES park and the utilization of this premium shall be monitored by the empowered committee.
- 6) In the event, the developer comes forward for provision of such off site infrastructure at his own cost, then the said Planning Authority shall determine the estimated cost of the works and shall also prescribe the standards for the work. After completion of the works the said Planning Authority shall verify as to whether the same is as per prescribed standards and thereafter, by deducting the cost of works, the balance amount of premium shall be recovered by the said Planning Authority.
- 7) Users/Services ancillary to the IT/ITES:
- 8) While developing site for IT/ITES with additional FSI, user's ancillary to the principal user, as may be approved by the Directorate of Industries shall also be allowed.
- 9) No condonation in the required open spaces, parking and other requirements prescribed in these regulations shall be allowed in case of such additional FSI.

APPENDIX - Q: REGULATION FOR DEVELOPMENT OF BIOTECHNOLOGY UNITS / PARKS

(Regulation-6.3 7.5.2 (5) (k))

Development of biotechnology units' setup by public bodies shall be as per the regulations directed by Government Resolution No. TPB 4302/818/CR-88/2002/UD-11 dated 10/10/02 and 17/03/03.

Q.1. DEFINITION-

The Biotechnology Units/ Parks shall mean Biotechnology units/ parks which are certified by the Development Commissioner (Industries) or any officer authorized by him in his belief. The Biotechnology Park and unit/units outside park shall have minimum land area of 2 acres or 20000 sq.ft. built up area. The said requirement of 20000 sq.ft. shall be as per normal permissible FSI and without considering permissible additional FSI/ TDR/ Free of FSI area.

Q.2. BIOTECHNOLOGY UNITS/ PARKS TO BE ALLOWED IN INDUSTRIAL ZONE-

Biotechnology Units/Parks shall be permitted in Industrial Zone on all plots fronting on roads having width more than 12 meter.

Q.3. BIOTECHNOLOGY UNITS/PARK TO BE ALLOWED IN NO DEVELOPMENT ZONE EARMARKED IN THE DEVELOPMENT PLAN.

- i) Biotechnology Units/Parks shall be permitted in No Development Zone subject to following conditions.-
- ii) Maximum FSI limit shall be 0.20 and as far as possible the development shall be at one place of the total land.
- iii) The ground coverage shall not exceed 10% of the area of the plot.
- iv) Tree plantation shall be done at the rate of 500 Trees/Ha on the remaining land excluding the built up area and the surrounding open space/utility space.
- v) The maximum height of buildings shall not exceed 24 mt.
- vi) Essential residential development for the staff/ officer's accommodation shall be permitted upto the extent of 33% of the permissible built up area.
- viii) These users shall be permitted in No Development Zone, within a distance of 3 km. from the adjoining developable area.
- ix) Development in plots affected by CRZ area, shall be permissible subject to the notification issued by MOEF regarding CRZ.

4. ADDITIONAL FSI TO BIOTECHNOLOGY UNITS/PARK

- i) Subject to approval by Director of Industries, the Commissioner/ Chief Officer/ Competent Planning Authority or as the case may permit the floor space indices specified in these regulations to be exceeded to the extent of 100% over and above the permissible FSI (including for Biotechnology Units/Park located in No Development Zone proposed in the Development Plan) for biotechnology units/parks subject to following conditions.
- ii) Out of total built up area minimum 90% shall be used for Biotechnology purpose and maximum 10% (by deducting parking space) shall be used for ancillary users such as specified in the Govt. Resolution of Industry, Energy and Labour Deptt. No. BTP 2008/CR-1608/Ind-2, dated 10/2/09.
- iii) Additional FSI to Biotechnology units would be available to Biotechnology Parks duly approved by the Directorate of Industries and after observance of all the regulation of environment.
- iv) Parking spaces, as per the provision of Development Control Regulation shall be provided subject to minimum requirement of one parking space per 100 sq.mt. built up area.
- v) The additional FSI shall be granted upon payment of premium which shall be paid in the manner as may be determined by the Government. Such premium shall be recovered at

the rate of 25% of the present day market value of the land under reference as indicated in the Ready Reckoner.

- vi) 25% of the total premium shall be paid to the Govt. and remaining 75% amount shall be paid to the said Authority.
- vii) The premium so collected by the Planning Authorities shall be primarily used for development/up gradation of site infrastructure required for the Biotechnology Parks.
- viii) In the event, the developer comes forward for provision of such off site infrastructure at his own cost, then the said Planning Authority shall determine the estimated cost of the works and shall also prescribe the standards for the work. After completion of the works the said Planning Authority shall verify as to whether the same is as per prescribed standards and thereafter, by deducting the cost of works, the balance amount of premium shall be recovered by the said Planning Authority.
- ix) No condonation in the required open spaces, parking and other requirement prescribed in the regulations shall be allowed in case of additional FSI.
- x) Development of biotechnology park shall be done as per the guidelines issued by Industries Department vide the said resolution.

APPENDIX - R: REGULATIONS FOR CONSTRUCTION OF BUILDINGS OF DEPARTMENT OF POLICE, POLICE HOUSING, MUNICIPAL COUNCIL/CORPORATION, PLANNING AUTHORITY, JAIL, AND HOME GUARD, FIRE BRIGADE, ETC. INCLUDING THEIR STAFF QUARTERS. OF GOVERNMENT OF MAHARASHTRA

(Regulation 7.5.2 (5) (I))

- R.1) ~~Regulations for buildings of Department of Police, Police Housing Planning Authority, Jail and Home Guard of Government of Maharashtra for use as their Staff Quarters situated in the Gaathan or similar congested area and outside congested area.~~
- R.2) ~~In cases of buildings of Department of Police, Police Housing Planning Authority, Jail and Home Guard of Government of Maharashtra for use as their Staff Quarters, the Planning Authority/Chief Officer may permit the Floor Space Index to be exceeded upto 2.5.~~

~~Note R.1):- It shall be permissible to submit a composite scheme for the development or redevelopment of land of Department of Police, Police Housing Planning Authority Municipal Council/Corporation, Jail, and Home Guard, Fire Brigade, etc. for the utilization of permissible commercial user under D.C. Regulation so that commercial potential of one plot can be shifted to other plot, provided the aggregate FSI on any plot shall not exceed 2.50.~~

~~R.32) For reconstruction/redevelopment of the buildings of Department of Police, Police Housing Planning Authority, Jail and Home Guard of Government of Maharashtra for these users constructed prior to 1940, the FSI shall be 2.50 or consumed Floor Space Index of existing old building plus 50% incentive FSI, whichever is more.~~

~~R.43) In the cases of development or redevelopment of land of these users Department of Police, Police Housing Planning Authority and Home Guard, Commercial user permissible under D.C. Regulation may be permitted up to 25% of the total permissible built-up area.~~

**APPENDIX - S: COMMERCIAL USE OF LANDS IN THE POSSESSION OF THE MAHARASHTRA
STATE ROAD TRANSPORT AUTHORITY (MSRTC)**

(Regulation 7.5.2 (5) (g))

- S.1) Notwithstanding anything to the contrary contains in these regulations or the Development Plan/Planning proposals land in the possession of the M.S.R.T.C. shall be allowed to be developed for commercial use to the extent of 50% of the admissible Floor Space Index (FSI) subject, however to the general restriction otherwise applicable to such development, and also accordance with the Government of Maharashtra, Home Department, Resolution No. STC 3400/CR 148/TRA- 1, dated 1st February 2001 as may be modified from time to time
- S.2) Whenever diversion road constructed for national highway, state highway & major district road passes through Urban / Industrial or Rural areas then " Building Line " shall be restricted 40 mts. from centre of diversion road & " Control Line " ~~Shall~~ shall be restricted 75 mts, from centre of diversion road and bounded according to the rules ~~change~~ in force from time to time of P.W.D. of Govt. of Maharashtra.

APPENDIX - T: PER CAPITA WATER REQUIREMENT OF VARIOUS USES / OCCUPANCIES
(Regulation 9.6.1)

1.0 PER CAPITA WATER REQUIREMENT FOR VARIOUS OCCUPANCIES / USES

Sr.No.	Types of Occupancy	Consumption per head per day (in litres)
(1)	(2)	(3)
1	RESIDENTIAL	
a)	In living unit located on plots less than 50 sq.m.	90
b)	In living units	135
c)	Hotels with lodging accommodation (per bed)	180
2.	EDUCATIONAL	
a)	Day schools	45
b)	Boarding schools	135
3.	INSTITUTIONAL (Medical Hospitals)	
a)	Number of beds not exceeding 100	340
b)	Number of beds exceeding 100	450
c)	Medical quarters and hostels	135
4.	Assembly Cinema theatres, auditoria, etc. (per seat of accommodation)	15
5.	Government or Semi-Public business	45
6.	MERCANTILE (Commercial)	
a)	Restaurants (per seat)	70
b)	Other business buildings	45
7.	INDUSTRIAL	
a)	Factories where bath rooms are to be provided	45
b)	Factories where no bath rooms required to be provided	30
8.	Storage (Including warehousing)	30
9.	Hazardous	30
10.	Intermediate / Stations (excluding mail & express stops)	45 (25)*
11.	Junction Stations	70 (45)*
12.	Terminal / Stations	45
13.	International and Domestic Airports	70

*The values in parenthesis are not stations where bathing facilities are not provided.

Note : The number of persons for Serial Number (10) to (13) shall be determined by the average number of passengers handled by the station daily ; due consideration may be given to the staff and workers likely to use the facilities.

2.0 FLUSHING STORAGE CAPACITIES

No	Classification of Buildings	Storage Capacity
1.	For tenements having common convenience.	900 liters net per WC seat.
2.	For residential premises other than tenements having common convenience.	270 liters for one WC seat & 80 liters for each additional seat in the same flat.
3.	For factories and workshops.	900 liters per WC seat and 180 liters per urinal seat.
4.	For cinemas, public assembly halls etc.	900 litres per WC seat & 350 liters per urinal seat.

3.0 DOMESTIC STORAGE CAPACITIES

Sr.No	Number of Floors	Storage Capacity	Remarks
(1)	(2)	(3)	(4)
I.	For premises occupied as Tenements with Common Conveniences.		
1.	Floor 1 (Ground).	Nil	Provided no down-take fittings are installed.
2.	Floors 2, 3, 4, 5 & upper floors.	500* liters per tenement	---
II.	For premises occupied as flats of blocks / or.		
1.	Floor 1.	Nil	Provided no down-take fittings are installed.
2.	Floors 2, 3, 4, 5 & upper floors.	500* liters per tenement	---

* Subject to provisions of water supply and drainage rules.

Note 1 : If the premises are situated at a place higher than the road level in front of the premises, storage at ground level shall be provided on the same lines as on floor 2.

Note 2 : The above storage may be permitted to be installed provided, that the total domestic storage calculated on the above basis is not less than the storage calculated on the number of down-take fitting according to the scales given below.

Down-take taps 70 litres each

Showers 135 litres each

Bathtubs 200 litres each

APPENDIX - U: SANITATION REQUIREMENTS FOR VARIOUS USES / OCCUPANCIES

(Regulation 9.6.2)

1.0 SANITATION REQUIREMENTS FOR SHOPS AND COMMERCIAL OFFICES

Sr.No.	Fitments	For personnel
(1)	(2)	(3)
1.	Water-closet	One for every 25 persons or part thereof exceeding 15 (including employees and customers). For female personnel, 1 per every 15 persons or part thereof exceeding 10.
2.	Drinking water fountain	One per every 100 persons with a minimum of one on each floor.
3.	Wash basin	One for every 25 persons or part thereof. One of such wash basins on each floor shall be fixed at height of 80 cm. with tap at 100 cm. above finished floor level for the use of handicapped disabled, old and infirm persons.
4.	Urinals	Same at serial number 3 of Table 30.
5.	Cleaner's sink	One per floor minimum, preferably in or adjacent to sanitary rooms.

Note: Number of customers for the purposes of the above calculations shall be the average number of persons in the premises for a time interval of one hour during the peak period. For male-female calculation a ration of 1:1 may be assumed.

2.0 SANITATION REQUIREMENTS FOR INSTITUTIONAL (MEDICAL) OCCUPANCY - (STAFF QUARTERS & HOSTELS)

Sr.-No.	Fitments	Doctor's Dormitories		Nurse' Hostel
		For Male Staff	For Female Staff	
(1)	(2)	(3)	(4)	(5)
1.	Water-closet	One for 4 persons	One for 4 persons	One for 4 persons or part thereof.
2.	Ablution taps	One in each water closet	One in each water closet	One in each water closet
3.	Wash basin	One for every 8 persons or part thereof. One of such wash basins on each floor shall be fixed at height of 80 cm. with tap at 100 cm. above finished floor level for the use of handicapped disable old and infirm persons.	One for every 8 persons or part thereof.	One for every 8 persons or part thereof.
4.	Baths (with shower)	One for 4 persons or part thereof.	One for 4 persons or part thereof.	One for 4-6 persons or part thereof.
5.	Cleaner's sink	One per floor minimum	One per floor minimum.	One per floor minimum.
6.	Drinking water fountains	1 per 100 persons or part thereof with a minimum of 1 on each floor.		

3.0 SANITATION REQUIREMENTS FOR GOVERNMENT AND PUBLIC / BUSINESS OCCUPANCIES AND OFFICES

Sr.No.	Fitments	For Male Personnel	For Female Personnel
(1)	(2)	(3)	(4)
1.	Water-closet	One for every 25 persons or part thereof.	One for every 15 persons or part thereof.
2.	Ablution taps	One in each water closet	One in each water closet
3.	Urinals	Nil upto 6 persons. One for 7-20 persons, 2 for 21-45 persons, 3 for 46-70 persons, 4 for 71-100 persons.	
		From 101 to 200 persons add at the rate of 3 percent. For over 200 persons at the rate of 2.5 percent.	
4.	Wash basin	One for every 25 persons or part thereof. One of such wash basins on each floor shall be fixed at height of 80 cm. with tap at 100 cm. above finished floor level for the use of handicapped disable old and infirm persons.	
5.	Drinking water fountains.	One for every 100 persons with a minimum of one for each floor.	
6.	Baths	Preferably one on each floor	
7.	Cleaner's sinks	One per floor minimum preferably in or adjacent to sanitary rooms.	

4.0 SANITATION REQUIREMENTS FOR RESIDENCE

Sr.No.	Fitments	Dwellings with Individual convenience	Dwellings without Individual convenience
(1)	(2)	(3)	(4)
1.	Bath room	1 provided with water tap.	1 for each two tenements
2.	Water closet	1	1 for each two tenements
3.	Sink (or Nahani) in the floor	1	
		From 101 to 200 persons add at the rate of 3 percent. For over 200 persons at the rate of 2.5 percent.	
4.	Wash tap	1	1 with draining arrangement in each tenement.
			1 in common bath room and common water closets.

Note : Where only one water closet is provided in dwelling, the bath and water closet shall be separately accommodated.

5.0 SANITATION REQUIREMENTS FOR ASSEMBLY OCCUPANCY BUILDINGS - (CINEMAS, THEATRES AND AUDITORIA)

Sr.No.	Fitments	FOR PUBLIC		FOR STAFF	
		For Male	For Female	For Male	For Female
(1)	(2)	(3)	(4)	(5)	(6)
1.	Water-closet	1 per 100 persons upto 400 persons.	3 per 100 persons upto 200 persons	1 for 1-15 persons 2 for 16-35 persons	1 for 1-12 persons 2 for 13-25 persons
2.	Ablution taps	One in each water closet	One in each water closet	One in each water closet	One in each water closet
3.	Urinals	1 for 25 persons or part thereof.		Nil upto 6 persons 1 for 7-20 persons 2 for 21-45 persons	
4.	Wash basin	1 for every 200 persons or part thereof.	One for every 200 persons or part thereof. One of such wash basins on each floor shall be fixed at height of 80 cm. with tap at 100 cm. above finished floor level for the use of handicapped disable old and infirm persons.	1 for 1-15 persons 2 for 16-35 persons	1 for 1-12 persons 2 for 13-25 persons
5	Drinking water fountains	1 per 100 persons or part thereof.			

Note : It may be assumed that two thirds of the number are males and one third females.

6.0 SANITATION REQUIREMENTS FOR ASSEMBLY OCCUPANCY BUILDINGS - (ART GALLERIES, LIBRARIES AND MUSEUMS)

Sr.	Fitments	FOR PUBLIC		FOR STAFF	
		For Male	For Female	For Male	For Female
(1)	(2)	(3)	(4)	(5)	(6)
1.	Water-closet	1 per 200 persons upto 400 persons.	1 per 100 persons upto 200 persons	1 for 1-15 persons 2 for 16-35 persons	1 for 1-12 persons 2 for 13-25 persons
2.	Ablution taps	One in each water closet	One in each water closet	One in each water closet	One in each water closet
3.	Urinals	1 for 50 persons		Nil upto 6 persons 1 for 7-20 persons 2 for 21-45 persons	
4.	Wash	1 for every 200	One for every 200	1 for 1-15	1 for 1-12

	basin	persons or part thereof. For over 400 persons, add at the rate of 1 per 250 persons or part thereof.	persons or part thereof. For over 200 persons add at the rate of 1 per 150 persons or part thereof. One of such wash basins on each floor shall be fixed at height of 80 cm. with tap at 100 cm. above finished floor level for the use of handicapped disable old and infirm persons.	persons 2 for 16-35 persons	persons 2 for 13-25 persons
5	Drinking water fountains	1 per floor, minimum			

Note : It may be assumed that two thirds of the number are males and one third females.

7.0 SANITATION REQUIREMENTS FOR RESTAURANTS

Sr.	Fitments	FOR PUBLIC		FOR STAFF	
		For Male	For Female	For Male	For Female
(1)	(2)	(3)	(4)	(5)	(6)
1.	Water-closet	One for 50 seats upto 200 seats. For over 200 seats, add at the rate of one per 100 seats or part thereof.	One for 50 seats upto 200 seats. For over 200 seats, add at the rate of one per 100 seats or part thereof.	1 for 1-15 persons 2 for 16-35 persons 3 for 36-65 persons 4 for 66-100 persons	1 for 1-12 persons 2 for 13-25 persons 3 for 26-40 persons 4 for 41-57 persons 5 for 58-77 persons 6 for 78-100 persons
2.	Ablution taps	One in each water closet	One in each water closet	One in each water closet	One in each water closet
3.	Urinals	1 for 50 persons		Nil upto 6 persons 1 for 7-20 persons 2 for 21-45 persons 3 for 46-70 persons 4 for 71-100 persons	
4.	Wash basin	One for every water closet provided			
5.	Kitchen sinks and dish washers	One in each kitchen.			
6.	Slop or service sink	One in the Restaurant			

Note : It may be assumed that two thirds of the number are males and one third females.

8.0 SANITATION REQUIREMENTS FOR FACTORIES

Sr.No.	Fitments	For Male Personnel	For Female Personnel
(1)	(2)	(3)	(4)
1.	Water closet	1 for 1-15 persons. 2 for 16-35 persons. 3 for 36-65 persons. 4 for 66-100 persons.	1 for 1-12 persons. 2 for 13-25 persons. 3 for 26-40 persons. 4 for 41-57 persons. 5 for 58-77 persons. 6 for 78-100 persons
		From 101 to 200 persons, add at the rate 3 percent. From over 200 persons, add at the rate of 2.5 percent.	From 101 to 200 persons, add at the rate 5 percent. From over 200 persons, add at the rate of 4 percent.
2.	Ablution taps	1 in each water closet	1 in each water closet
		One water tap with draining arrangement shall be provided for every 50 persons or part thereof in the vicinity of water closets and urinals.	
3.	Urinals	Nil upto 6 persons. 1 for 7-20 persons. 2 for 21-45 persons. 3 for 46-70 persons. 4 for 71-100 persons.	
4.	Washing taps and draining	1 for every 25 persons or part thereof.	1 for every 25 persons or part thereof.
5.	Drinking water fountain.	1 for every 100 persons with a minimum of one on each floor.	
6.	Baths (preferably showers)	As required for particular trades of occupations.	

Note 1 : For many trades of a dirty or dangerous character, more extensive provisions are required.

Note 2 : Creches, where provided shall be fitted with water closets (one for 10 persons or part thereof) and wash basins (one for 15 persons or part thereof) and drinking water tap with draining arrangements (one for every 50 persons or part thereof.)

9.0 SANITATION REQUIREMENTS FOR LARGE STATIONS AND AIR-PORTS

Sr.No.	Place	WC for Males	WC for Females	Urinals for Males only
(1)	(2)	(3)	(4)	(5)
1.	Junction stations, intermediate stations and bus stations.	3 for first 1000 persons and 1 for every subsequent 1000 persons or part thereof.	4 for first 1000 persons and 1 for every additional 1000 person.	4 for every 1000 persons and 1 for every additional 1000 persons.
2.	Terminal stations and bus terminals	4 for first 1000 persons and 1 for every subsequent 1000 persons or part thereof.	5 for first 1000 persons and 1 for every subsequent 2000 persons or part thereof.	6 for first 1000 persons and 1 for every additional 1000 persons or part thereof.
3.	Domestic airports min.	2*	4*	2*
	for 200 persons	5	8	6
	for 400 persons	9	15	12

	for 600 persons	12	20	16
	for 800 persons	16	26	20
	for 1000 persons	16	29	22
4.	International Airports			
	for 200 persons	6*	10	8
	for 600 persons	12	20	16
	for 1000 persons	18	26	22

* At least one Indian Style Water Closet shall be provided in each toilet. Assume 60 Males to 40 Females in ant area.

Note 1: Provisions for wash basins, baths including shower stalls, shall be in accordance with Part IX Section 2 Drainage and Sanitation of National Building Code of India.

10.0 FIRE FIGHTING INSTALLATIONS / REQUIREMENTS.

Sr. No.	Type of Building Occupancy	Type of Installation	Water Supply		Pump Capacity	
			Underground Static Tank	Terrace Tank	Near the Underground Static Tank	At the Terrace level
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	Apartment buildings below 15 m.	Nil	Nil	Nil	Nil	Nil
2.	Apartment buildings					
	above 15 m. but not exceeding 24 m.	Wet riser cum-down comer with provision of fire service inlet only near ground level.	Nil	10000 liters	Nil	100 liters per minute giving a pressure not less than 15 kg / cm ² at the topmost hydrant.
3.	Non-apartment buildings.					
	Industrial Storage and Hazardous.	Nil	50000 liters	Nil	Nil	Nil
	Educational building above 15 m. but not exceeding 24 m. in height.	Wet riser cum-down comer	Nil	10000 liters	Nil	Nil

Note 1: Any of the above categories may incorporate an automatic sprinkler / drencher system, if the risk is such that requires installation of such protective methods.

Note 2: Minimum of two hydrants shall be provided within the courtyard.

Note 3: Wet riser-cum-down comer is an arrangement for fire fighting within the building by means of vertical rising mains not less than 10.00 cm. internal diameter with hydrant outlets and

house reel on each floor / landing connected to an overhead water storage tank for fire fighting purpose, through a booster pump, gate valve and a non-return valve near the tank-end and a fire pump, gate and non-return valve, shall also be provided to the rising main for charging it by fire services pump in case of failure of static fire pump over the underground static tanks.

Note 4: The performance of pumps specified above shall be at R.P.M. not exceeding 2000.

Note 5: The above quantities of water shall be exclusively for fire fighting and shall not be utilised for domestic or other use. The layout of underground water static tank shall be as per sketch attached.

Note 6: A facility to boost up water pressure in the riser directly from the mobile pump shall also be provided to the wet riser system with a suitable fire service inlets (collecting breaching with 2 numbers of 63 mm. Inlets for 10 cm. rising main and 4 numbers of 63 mm. Inlets with check valves for 15 cm. diameter rising main) and a non-return valve and a gate valve.

Note 7: Hose Reel - internal diameter of rubber hose for hose reel shall be minimum 19 mm. A shut-off branch with nozzle of 4.8 mm. Size shall be provided.

APPENDIX - V: NO DEVELOPMENT ZONE (NDZ)

(Regulation 6.3 & Appendix D)

~~V.1. NO DEVELOPMENT ZONE (NDZ)-~~

The following uses are permissible in a No Development Zone (NDZ) provided, however, no services of any kind will be provided by the Planning Authority:-

1. Agriculture, horticulture and animal husbandry (except for keeping animals on a commercial scale), subject to a limit of 10 head of cattle per acre and providing necessary buildings, garages, pig sties, stables and storage buildings;
2. Gardens and poultry farms;
3. Forestry;
4. Golf clubs and links;
5. Public parks, private parks, play fields, stadia, gymkhanas, swimming pools gliding facilities, temporary camps for recreation of all types.
6. Amusement park, in a plot of not less than 5 ha. in area, with recreational and amusement devices like a giant wheel, roller coaster, merry-go-round or similar rides, ocean -park, swimming pool, magic mountain and lake, ethnic village, shops for souvenirs, toys, goods, refreshments and beverages on the following conditions with the special permission of the Planning Authority / Head, Planning Authority:-
 - a. The entire land for the amusement park shall vest in a single ownership and the land shall not be sub-divided at any time.
 - b. Structure for the amusement park shall not be sold at any time to any other person.
 - c. The required infrastructure, like proper and adequate access to the park, water supply, sanitation, conservancy services, sewage disposal and adequate off-street parking will have to be provided and maintained by the promoters of the project at their cost and to the satisfaction of the Planning Authority / Head, Planning Authority.
 - d. The promoters of the project shall provide adequate facilities for collection and disposal of garbage at their cost, and to the satisfaction of the Planning Authority and will keep, at all times, the entire environment clean, neat and hygienic.
 - e. Structures for ancillary activities, such as administrative offices, exhibition hall or auditorium, restaurant, open air theatre, essential staff quarters, store buildings, fast food shops, museum, souvenir and small shops, ancillary structures to swimming pool, may be permitted subject to a maximum floor space index not exceeding 0.04; i.e. FSI of 0.025 for principal activity and 0.015 for ancillary activities.
 - f. Structures permitted in the amusement park (except those intended for park apparatus, entertainment such as magic mountain etc. and other equipment) should be ground floor structures, with the construction blending with the surrounding environment and landscape.
 - g. Except for minor dressing, hills and natural features, if any, shall be maintained in their natural condition and beautified with planting of trees etc.
 - h. All trees already growing on the land shall be preserved to the extent possible, except that if it becomes necessary to cut any tree, the required permission of the Planning Authority should be obtained under the law. At least 5 trees per 100 sq. m. shall be planted and grown within the area of the park.
 - i. Structures, buildings or monuments of historical, aesthetical, architectural, or heritage importance, if any, shall be preserved and maintained properly.
 - j. Sufficient parking facilities and ancillary facilities for cars, buses, transport vehicles etc. shall be provided on site as prescribed by and to the satisfaction of the Planning Authority and Planning Authority of Police.

- k. The promoters of the project will prepare a suitable layout with appropriate land-scaping of the recreational and other facilities and obtain approval of the Planning Authority.
 - l. No objection certificate of the Tourism Department shall be obtained.
 - m. The development shall be regulated according to other requirements of these and all applicable rules and Regulations and subject to all other clearances as may be required.
 - n. Proper arrangements for safety, Regulations of traffic approaches to the park etc. shall be made to the satisfaction of the Planning Authority of Police from the law and order and traffic aspects.
7. Race tracks and shooting ranges.
8. Fish curing on open land/fish farming.
9. Salt manufacture from sea water.
10. Public utility establishments such as electric sub-stations, receiving stations, switch yards, over-head line corridors, radio and television stations, receiving stations, main stations for public gas distribution, sewage treatment and disposal works, water works along with residential quarters for essential staff for such works, with the special permission of the Planning Authority.
11. Cemeteries and crematoria and structure incidental thereto.
12. Structure for watchmen's quarters each not exceeding 20 sq. m. numbers of such structures in each plot to be decided by the Planning Authority/Head, Planning Authority.
13. A residential building, in an area other than that of an amusement park as in (6v) above, subject to the following :-
- i. Building to be not more than ground and one story with a height not exceeding 9.75m.
 - ii. including the height of stilted portion, if any ;
 - iii. FSI to be not more than 0.05 for independent plots of area upto one hectare each;
 - iv. For plots each more than one hectare in area FSI to be 0.05 for upto the first hectare and thereafter to be not more than 0.025 for the remaining area of the plot, no sub-division of plots being permitted.
14. Construction of transit camp tenements required for implementation of Slum Rehabilitation Schemes provided the area is within No Development Zone, but restricted to within 100 metres from the periphery of No Development Zone towards the developed/non-NDZ area.
15. IT/ITES Parks/Units set up by public or private sector; shall be allowed in No Development zone, subject to following conditions:
- 1) Total FSI shall not exceed 0.20.
 - 2) Residential development shall not exceed one-third of the total built-up area.
 - 3) Construction of buildings for IT/ITES shall be permitted to the extent of 20% on 10% of the total plot area and shall be located such that, as much of remaining open space is available in a contiguous manner and on remaining 90% of plot area, trees shall be planted at the rate as may be prescribed by the Planning Authority or the concerned officer.
 - 4) Sub-division of land shall be permitted in such a way that the subdivided plot does not measure less than 4000 sq.mt.
 - 5) Lands from No Development Zone shall be contiguous to the development zone prescribed in the Development Plan.
 - 6) Additional FSI to IT/ITES Parks/Units set up by public or private sector in No Development Zone:

Subject to the approval by the Director of Industries, the Planning Authority or the concerned officer may permit the FSI of 0.20, available in NDZ to be exceeded by 100%. Grant of such additional FSI shall be further subject to following terms and conditions.

- i) Additional FSI to IT/ITES units would be available only upon full utilization of basic admissible FSI of 0.20.

- ii) Additional FSI to IT/ITES units would be available to IT/ITES parks duly approved by the Directorate of Industries.
- iii) The additional FSI shall be granted upon payment of premium to the said Planning Authority which shall be paid in the manner as may be determined by the Govt. Such premium shall be recovered at the rate of 25% of the present day market value of the land under reference as indicated in the ready reckoner residential use.
- iv) Out of which 25% the total premium shall be payable to the Govt. and remaining 75% amount shall be payable to the Planning Authority.
- v) The premium so collected by the said Planning Authority shall be primarily used for development /up gradation of offsite infrastructure required for the IT/ITES park and the utilisation of this premium shall be monitored by the empowered committee.
- vi) In the event, the developer comes forward for provision of such offsite infrastructure at his own cost, then the said Planning Authority shall determine the estimated cost of the works and shall also prescribe the standards for the work. After completion of the works the said Planning Authority, shall verify as to whether the same is as per prescribed standards and thereafter deducting the cost of works, the balance amount of premium shall be recovered by the said Planning Authority.
- vii) Users/services ancillary to the IT/ITES: While developing site for IT/ITES with additional FSI, users ancillary to the principal user, as may be approved by the Directorate of Industries shall also be allowed.
- viii) No condonation in the required open spaces, parking and other safety requirements prescribed in these regulations shall be allowed in case of such additional FSI.

7) Relaxation of height/extent of built up areas, for IT/ITES Units located in developable Zones:

In cases of grant of additional FSI, if the Planning Authority is satisfied that it is not possible to utilize the full built-up area, he may grant relaxation in height of the buildings and extent of built up area, provided such relaxation's is not contrary to the any other regulations in these regards.

16. Development of Cinema and TV Film production, shooting, editing and recording studios with its ancillary and supporting users, including construction of staff quarters, rest rooms, canteens etc. shall be allowed subject to the following conditions:
- a. The minimum plot area (necessarily under one ownership) shall not be less than 2 hectares.
 - b. The total permissible FSI shall not exceed 0.2.
 - c. Out of the permissible built up area equivalent to 0.2 FSI, built up areas for ancillary and supporting users shall not exceeding 1/3 of permissible FSI 0.2.
 - d. The construction shall be confined to 10% of the plot and the remaining plot (excluding areas required for parking, roads etc.) shall be planted with trees at the rate of 500 trees per hectare.
17. Users such as Educational Institutions ,Medical Institutions, Research and Development Institutions and Biotech units shall be permitted into No Development Zone subject to the following conditions:-
- a. Minimum area of plot shall be 5.0 Ha.
 - b. Maximum FSI limit shall be 0.20 and as far as possible the development shall be at one place of the total land.
 - c. The ground coverage shall not exceed 10% of the area of plot.
 - d. Tree plantation shall be done at the rate of 500 Trees/Ha. on the remaining land excluding the built-up area and the surrounding open space/utility space.
 - e. The maximum height of the building shall not exceed 24 mt.
 - f. Essential residential development for the staff/officer's accommodation shall be permitted upto the extent of 33% of the permissible built-up area.

- g. These uses shall be permitted in No Development Zone, within a distance of 3 km. from the adjoining developable zone.
- h. Development in plots affected by CRZ area shall be permissible, subject to the notification issued by MOEF, regarding CRZ.
- 18) Fish farms, fish drying, storage of boats, servicing and repairs of boats.
- 19) Storage and drying of fertilizers.
- 20) Religious buildings, cemeteries and crematoria and structures incidental thereto;
- 21) Structures for watchmen's quarters, each not exceeding 20 sq. m., not to be included in FSI. Numbers of such structures in the plot shall be decided by the Planning Authority.
- 22) Residential, commercial or Industrial building accessory users and / or uses ancillary to such use or ancillary and holiday resort in a plot not less than 0.2 ha. in area. Such plots meant for residential, commercial, or Industrial use shall be subject to the restrictions mentioned in Table 26 6 in Reg. D 5.
- 23) Small agro based industries processing agricultural products like rice mills, poha factories and other rural based service industries;
- 24) Quarrying of stone, murum or earth including mechanized stone crushing or stone dressing subject to Regulation 4.12.
- 25) Petrol pumps, service shops and other road side amenities;
- 26) Construction of new communication routes including roads, highways, railways, airports, jetties, etc.
- 27) Storage of obnoxious or hazardous material subject to Regulation 4.11.
- 28) Slaughter house or facilities for processing and disposal of dead animals subject to conditions of Planning Authority. ~~to Regulation 6.2.13.~~
- 29) L.P. Gas Godowns would be permissible in No Development Zone (NDZ) within municipal limits subject to following conditions:
- (i) Area of plot shall not be less than 2000 Sq.mtr.
 - (ii) The maximum permissible FAR shall be 0.20 on this plot.
 - (iii) Only ground floor structure would be permissible.
 - (iv) It is necessary to obtain "No Objection Certificate" from Controller of Explosives and competent fire authority.
 - (v) Condition imposed by planning authority should also be followed.
- 30) Research and Development work subject to following conditions:-
- a) Plot area should not be less than 10Ha.
 - b) Permissible plinth area shall be 10% of total plot area.
 - c) Maximum 1% built-up area for office use and maximum of 1% built-up area for servant quarters shall be permissible from total built-up area.
 - d) Member of staff shall be related to area i.e. 300 Sq.ft. per member/servant.
 - e) Research and Development of dangerous chemical industries and explosive work is not permissible.
 - f) Only ground and ground plus one floor structure is permissible.
 - g) Trees at the rate of 500 trees per ha. should be planted.
 - h) Even after getting approval, the permission can be treated as cancelled if any of the above conditions is not followed properly.

APPENDIX – W: RAILWAY ADJOINING AREAS

(Regulation 4.4.2)

X.1 RAILWAY ADJOINING AREAS

~~“No objection certificate” from the concerned railway authority shall be insisted before granting permission for the building plans between the railway boundary and 30 mt. distances from it.~~

PUBLISHED U/S 28(4) OF MR & TP ACT, 1966 (AUG. 2012)

APPENDIX - X: SPECIAL ECONOMIC ZONE (SEZ)
(Regulation 6.11)

~~X.1 REGULATIONS FOR DEVELOPMENT OF SPECIAL ECONOMIC ZONE (SEZ)~~

The SEZ Company shall be appointed as the “Special Planning Authority” (hereinafter referred to as “SPA” for “SEZ”) for the SEZ area of more than 20 hectares in the limits of jurisdiction of Special Planning Authority subject to the following conditions-

- a. A representative ~~or of~~ Planning Authority ~~of or~~ the concerned Special Planning Authority shall be made a Member of the SPA for SEZ.
- b. All development and planning permissions of land, building granted by SPA for SEZ should be brought to the notice of the concerned Special Planning Authority not later than 3 months of the commencement of the development, failing which the Special Planning Authority shall have a right to stop the development.
- c. If the Special Planning Authority on examination of the plans submitted and the conditions prevailing on ground within the SEZ, finds violation of Development Plan and Development Control Regulations, shall take necessary steps under the said Act against such violations.
- d. The powers of relaxation of norms under the D.C. Rules shall not be exercised by the SPA for SEZ under any circumstances.
- e. The SPA for SEZ will be bound to pay all civic taxes and dues prescribed under the various Acts and Rules in force.
- f. As per section 40(3) read with section 115, a SPA for SEZ shall from time to time submit to the State Govt. its proposal for the development of the land.
- g. In this regard, existing reservations/designations of the plan of the concerned Planning Authority shall be retained. Such reservations shall be shifted at suitable places on the periphery of the SEZ areas by the concerned Special Planning Authority.
- h. Buildable reservations in the SEZ area shall be developed under the concept of Accommodation of Reservation and constructed amenity along the proportionate fenced plot shall be handed over to concerned Special Planning Authority free of cost. The SPA for SEZ will be entitled for the FSI of constructed amenity, without the plot FSI, to be used in SEZ areas. Such constructed amenity shall be available to be used for General Public in the area of Special Planning Authority.
- i. Non-buildable reservations in the SEZ area shall be fenced and developed as per the specification of the Special Planning Authority and shall be handed over to the Special Planning Authority free of cost, to be available for general public. Thereafter the SPA for SEZ will be entitled for the FSI of constructed amenity to the extent of 25% FSI of the area under reservation, without the plot FSI, to be used in SEZ area.

**APPENDIX - Y: RENTAL HOUSING ON UNENCUMBERED LAND WITH SUBJECT TO FSI 3.0
(Regulation-8.40-1 6.14)**

(I) ELIGIBILITY FOR ALLOTING RENTAL HOUSES:-

- i) The allottee under the project shall have employment /self employment/ business within Mumbai Metropolitan Region and minimum family income of the allottee shall be Rs. 5000/- per month.
- ii) The allottee and his family member shall not own any house in Mumbai Metropolitan Region (MMR).
- iii) The domiciled resident of Maharashtra State shall be given preference in the allotment.
- iv) The allotment shall be made in the joint name of spouse if married.

(II) DEFINITION OF RENTAL HOUSING UNIT

A 14.86 sq.mt. (160 sq.ft) carpet area self contained residential unit to be given on leave and license for a period to be decided by MMRDA. at a monthly charge to be decided by Metropolitan Commissioner, MMRDA considering the location of the project and residential unit, cost of construction, market condition and any other expenses.

(III) LAND, CONSTRUCTION AND INCENTIVE COMPONENT:

Sr.No	Conditions
(a)	If Rental Housing project is taken up on an unencumbered plot, Transferable Development Rights (TDR) equivalent to the plot area shall be sanctioned to the land owner who spares the plot for this purpose as Land TDR.
(b)	Permissible FSI on site for construction of Rental Housing Project shall be 3.00 and shall be used only for rental housing.
(c)	<p>The total built up area of Rental Houses shall mean all Built up area of residential units as well as non-residential units meant for Rental Houses but excluding what is set down as under. This total built up area of Rental Houses with FSI 3.00 shall be given free of cost to the Project Implementing agency i.e. MMRDA. The construction built up area shall exclude what is set down as under:</p> <p>Exclusion from FSI computation :- The following shall not be counted towards FSI :-</p> <ol style="list-style-type: none"> a) Areas covered by stair-case rooms, lift rooms above the topmost storey, lift-wells and stair-cases and passages thereto, architectural features, chimneys and elevated tanks of permissible dimensions in respect of buildings in the MMR with the special permission of the Commissioner : b) Area of fire escape stairways and cantilever fire escape passages according to the Chief Fire Officer's requirements, if any. c) Area of the basement, if any. d) Area of covered parking spaces, if any. e) Area of one office room of a co-operative housing society or apartment owners association or Rent Manager f) Area of the sanitary block(s) consisting of a bathroom and water closet for each wing of each floor of a building of prescribed dimensions deriving access from a common passage for the use of domestic servants engaged in the premises. g) Refuge area as per requirement of Chief Fire Officer h) Areas covered by:- <ol style="list-style-type: none"> (i) Lofts (ii) Meter rooms (iii) Porches (iv) Canopies (v) Air-conditioning plant rooms.

Sr.No	Conditions
	<p>(vi) Electric Sub stations</p> <p>(vii) Service floor of height not exceeding 1.5 m. with the special permission of the Commissioner.</p> <p>i) Area of balconies not more than 10 percent of the area of the floor .</p> <p>j) Area of structures for an effluent treatment plant as required to be provided by industries as per the requirements of the Maharashtra Pollution Control Board or other relevant authorities :</p> <p>k) Area covered by service ducts, pump rooms, electric substations, niches upto 1m. depth below window sill, passages and additional amenity of lift and/or staircase beyond those required under the Regulations with the permission of the Commissioner.</p> <p>l) Area of one milk booth under the public distribution system with the permission of the Commissioner.</p> <p>m) Area of one public telephone booth and one telephone exchange (PBX) per building with the permission of the Commissioner.</p> <p>n) Area of one room for installation of telephone concentrators as per requirements of Mahanagar Telephone Nigam Limited, but not exceeding 20 sq.m. per building, with the permission of the Commissioner.</p> <p>o) Area of a separate letter box on the ground floor of residential and commercial buildings with five or more storieries to the satisfaction of the Commissioner.</p> <p>p) Area of a covered passage of clear width not more than 1.52 m. (5 ft.) leading from a lift exit at terrace level to the existing staircase so as to enable descent to lower floors in a building to reach tenements not having direct access to a new lift in a building without an existing lift.</p>
(d)	<p>If desired by MMRDA, Non-residential units/convenient shopping shall be constructed to the extent of 15% of the total built up area of Rental Houses, along the layout roads and shall be given free of cost to the Project Implementing Agency i.e. MMRDA.</p>
(e)	<p>There shall be Welfare Hall and Balwadi in each project as a part of the construction of Rental Houses component. It shall be at the rate of 14.86 sq. Mts. for every multiple or part of 200 residential units but located so as to serve all the floors and buildings equitably and shall not be counted towards the FSI even while computing 3.00 FSI on site. This shall be given free of cost to the PIA i.e. MMRDA.</p>
(f)	<p>There shall be manager's office space of size 14.86 sq.mt. carpet area for every multiple or part of 500 rental units located as desired by MC, MMRDA in the project as a part of construction of Rental Houses component and shall not be counted towards the FSI even while computing 3.00 FSI on site. This shall be given free of cost to the PIA i.e. MMRDA.</p>
(g)	<p>Total Construction Component shall mean the construction built up area of Rental Houses of self-contained 14.86 sq.m. carpet area (160 sq.ft.), including areas under passages with minimum 2.0 mt. width, balwadis, welfare centers, manager's office, Non-residential units/convenient shopping, which are to be given free of cost to the PIA i.e. MMRDA.</p>
(h)	<p>Project FSI for the Rental Housing project includes FSI of the total construction component of Rental Houses given in (g) above and Construction TDR. The ratio between the total Construction component and construction TDR shall be as laid herein below:-</p> <p>If total construction component of Rental Houses at (g) above is 10 sq.mts. then TDR of 13.33 sq.mts. will be permitted to the developer as Construction TDR which can be sold in the open market to subsidize the total construction component of Rental Houses.</p> <p>Project FSI to be sanctioned for Rental Housing project site may exceed 3.00 because of in-situ construction component of Rental Houses at (g) above and construction TDR at (i) above. However the maximum FSI that can be utilized on any Rental Housing Project site shall not exceed 3.00 and the difference between project FSI above and 3.00 will be made available in the form of Construction Transferable Development Right (TDR) to be used as per DCR provisions applicable .The Land TDR at (a) above and Construction TDR at (h) above generated in Rental Housing project shall be treated as TDR, in accordance with the provisions of the said Regulation.</p>

(IV) BUILDING DETAILS AND OTHER REQUIREMENTS:

Sr.No	Details											
1		Size of Rental unit – A Rental unit shall be of 14.86 sq.mt. carpet area including cooking space, bath & water closet.										
2		Density										
	(a)	Density shall be minimum 1500 Rental units of 14.86 Sq.mts. carpet area per net hectare.										
3		Minimum plot size										
	(a)	Plot of minimum 500 sq.mt. is required for the project. However, it may be relaxed with the special permission of Metropolitan Commissioner, MMRDA.										
4		Components of Rental Unit										
	(a)	Multi purpose Room: A multi purpose room shall be allowed with size up to 12.5 sq.mts with a minimum width of 2.4m.										
	(b)	Cooking space (alcove) – Provision of separate kitchen shall not be necessary. However, cooking space (alcove) shall be allowed with a minimum size of 2.4 sq.mts. with minimum width of 1.2 mts										
	(c)	Bath & WC: A Combined bath & WC shall be of minimum area of 1.85 sq.m. with minimum width of one meter. There shall be no stipulation of one wall abutting open space etc. as long as artificial light & ventilation through any means are provided. Water closet seat shall be of minimum length of 0.46 mt. A septic tank filter bed shall be permitted with a capacity of 150 lit per capita, where the municipal services are likely to be available within 4-5 years.										
5		Height: The height of Multipurpose room shall be minimum 2.75 mt. and the height of building shall be as permissible by the Civil Aviation Authority.										
6		Plinth: Minimum plinth height shall be 30 cm. and in areas subject to flooding the plinth shall be higher than the high flood level.										
7		External Walls: Minimum 150 mm thick external brick wall without plaster shall be permitted. However, for use of modern construction technology and material etc, this thickness may be reduced with prior approval of Metropolitan Commissioner, MMRDA.										
8		Staircase: The staircase shall be of dogleg type. If a single flight staircase is accepted, the flight shall not be less than 1.5 mt.										
9	a)	Front & marginal Open spaces: For buildings of Rental Housing Project having height up to 24 mt. the front & marginal open space shall be 3.6 mt. for these buildings. Provided, however that in case of these buildings having height more than 24 mts the minimum marginal open space shall be 6 mts. or as may be prescribed by Metropolitan commissioner, MMRDA										
	(b)	Notwithstanding the provisions in DCR where the location of the plot abuts DP Road, , the front marginal open space in layout shall not be insisted upon beyond 3.6 mt. provided subject to rules in force from time to time.										
	(c)	Where the location of plot abuts a nalla, the marginal open space along the nalla in the lay out shall not be insisted upon beyond 3 mt. from the edge of the trained nalla.										
	(d)	The distance between any two buildings shall not be less than 4.5 mt.										
10	(a)	Means of access: The ratio between the length of pathway and width thereof shall be as follows: <table style="margin-left: 40px;"> <thead> <tr> <th>Length</th> <th>Width</th> </tr> </thead> <tbody> <tr> <td>Upto 20 mt</td> <td>1.5 mt</td> </tr> <tr> <td>Up to 30 mt</td> <td>2.0 mt</td> </tr> <tr> <td>Up to 40 mt</td> <td>2.5 mt</td> </tr> <tr> <td>Up to 50 mt</td> <td>3.0 mt.</td> </tr> </tbody> </table>	Length	Width	Upto 20 mt	1.5 mt	Up to 30 mt	2.0 mt	Up to 40 mt	2.5 mt	Up to 50 mt	3.0 mt.
Length	Width											
Upto 20 mt	1.5 mt											
Up to 30 mt	2.0 mt											
Up to 40 mt	2.5 mt											
Up to 50 mt	3.0 mt.											
	(b)	Between the dimensions prescribed for the pathway & marginal distances the larger of										

Sr.No	Details	
		the two shall prevail. The pathway shall act as access wherever necessary. The building shall be permitted to touch pathway.
	(c)	The means of access shall be normally governed by the provisions of DCR; however in the project wherever the design of the buildings in the same layout require relaxation it may be given. Access through existing pathways/layout roads but not less than 3.6 mt. in width, shall be considered adequate for any Rental Housing Project, containing buildings having height less than 24 mt. including stilts.
11	a)	Even if the amenities space is reduced to make the project viable, a minimum of at least 8% of amenity open space shall be maintained and while FSI computation for plot the area for recreational/amenity open space shall not be excluded.
	b)	Wherever more than the minimum front & marginal spaces have been provided such additional area provided may be considered as part of the amenity open space in the project without charging any premium in relaxation of the stipulation in DCR wherever it is necessary.
12		Premium shall not be charged for exclusion of staircase & lift-well etc. as covered under the provision of III(C) above..
13		In order to make the Rental Housing project viable, the relaxation in DCR such as providing viability gap etc, shall be granted by Metropolitan Commissioner, MMRDA, if necessary.

V) PAYMENTS TO BE MADE TO MMRDA:

An amount of Rs 500/- per sq_mt_ shall be paid by the land owner/developer for the built up area over and above the normal permissible FSI. This amount shall be paid to Metropolitan Commissioner, MMRDA, in accordance with the time schedule for such payment as may be laid down by the Metropolitan Commissioner, MMRDA. However, by the time of completion of construction for occupation of the rental housing units, the total amount shall be deposited in full. This amount shall be used for schemes to be prepared for improvement of infrastructure in rental housing scheme provided that out of Rs.500/- per sq.mt. infrastructural charges, 90% amount will go to said Authority and 10% amount will remain with the MMRDA.

**APPENDIX - Z: RENTAL HOUSING ON UNENCUMBERED LAND WITH SUBJECT TO FSI 4.0
(Regulation 8-40-26.14)**

(I) ELIGIBILITY FOR ALLOTING RENTAL HOUSES:

- i) The allottee under the project shall have employment /self employment/ business within Mumbai Metropolitan Region and minimum family income of the allottee shall be Rs.5000/- per month.
- ii) The allottee and his family member shall not own any house in Mumbai Metropolitan Region (MMR).
- iii) The domiciled resident of Maharashtra State shall be given preference in the allotment.
- iv) The allotment shall be made in the joint name of spouse if married.

(II) DEFINITION OF RENTAL HOUSING UNIT:

A 14.86 sq.mt. (160 sq.ft) carpet area self contained residential unit to be given on leave and license for a period to be decided by Mumbai Metropolitan Region Development Authority (MMRDA), at a monthly charge to be decided by Metropolitan Commissioner, MMRDA considering the location of the project and residential unit, cost of construction, market condition and any other expenses.

(III) LAND, CONSTRUCTION AND INCENTIVE COMPONENT:

Sr.No	Conditions
(a)	If Rental Housing Project is taken up on unencumbered land, the land owner shall convey minimum 25% of total land area in the name of MMRDA free of cost for Rental Housing and retain maximum 75% of the total land area with him. However, the division of these area's shall not be considered for side margin, front and rear open space etc.
(b)	Permissible FSI on site for construction of Rental Housing Project shall be 4.00. Out of 4.0 FSI, FSI 1.00 shall be used for construction of Rental Houses on minimum 25% of land and handed over free of cost by land owner to PIA i.e. MMRDA and FSI 3.00 shall be used for construction of Housing Units by land owner on maximum 75% of land which can be sold in open market to subsidize the component of Rental housing.
(c)	The total construction built up area of Rental Houses and Houses to be sold in open market shall include all Built up area of residential units and non-residential units . Built up area of Rental Houses with FSI 1.00 shall be given free of cost to PIA i.e. MMRDA. The construction built up area shall exclude what is set down as under:
	<p>Exclusion from FSI computation :- The following shall not be counted towards FSI :-</p> <ol style="list-style-type: none"> a)Areas covered by stair-case rooms, lift rooms above the topmost storey, lift-wells and stair-cases and passages thereto, architectural features, chimneys and elevated tanks of permissible dimensions in respect of buildings in the MMR with the special permission of the Commissioner : b)Area of fire escape stairways and cantilever fire escape passages according to the Chief Fire Officer's requirements, if any. c)Area of the basement, if any. d)Area of covered parking spaces, if any. e)Area of one office room of a co-operative housing society or apartment owners association or Rent Manager f) Area of the sanitary block(s) consisting of a bathroom and water closet for each wing of each floor of a building of prescribed dimensions deriving access from a common passage for the use of domestic servants engaged in the premises.

Sr.No	Conditions
	<p>g) Refuge area as per requirement of Chief Fire Officer</p> <p>h) Areas covered by:- (i) Lofts (ii) Meter rooms (iii) Porches (iv) Canopies (v) Air-conditioning plant rooms. (vi) Electric Sub stations (vii) Service floor of height not exceeding 1.5 m. with the special permission of the Commissioner.</p> <p>i) Area of balconies not more than 10 percent of the area of the floor .</p> <p>j) Area of structures for an effluent treatment plant as required to be provided by industries as per the requirements of the Maharashtra Pollution Control Board or other relevant authorities :</p> <p>k) Area covered by service ducts, pump rooms, electric substations, niches upto 1m. depth below window sill, passages and additional amenity of lift and/or staircase beyond those required under the Regulations with the permission of the Commissioner.</p> <p>l) Area of one milk booth under the public distribution system with the permission of the Commissioner.</p> <p>m) Area of one public telephone booth and one telephone exchange (PBX) per building with the permission of the Commissioner.</p> <p>n) Area of one room for installation of telephone concentrators as per requirements of Mahanagar Telephone Nigam Limited, but not exceeding 20 sq.m. per building, with the permission of the Commissioner.</p> <p>o) Area of a separate letter box on the ground floor of residential and commercial buildings with five or more storeys to the satisfaction of the Commissioner.</p> <p>p) Area of a covered passage of clear width not more than 1.52 m. (5 ft.) leading from a lift exit at terrace level to the existing staircase so as to enable descent to lower floors in a building to reach tenements not having direct access to a new lift in a building without an existing lift.</p>
(d)	<p>If desired by MMRDA, Non-residential units/convenient shopping shall be constructed to the extent of 15% of the total built up area of Rental Houses of FSI 1.00, along the layout roads/DP roads/Municipal roads and shall be given free of cost by land owner to the Project Implementing Agency i.e. MMRDA.</p> <p>If desired by MMRDA, the land owner shall also construct non residential units for commercial user/convenient shopping to the extent of 15% of the total built up area on Housing Units of FSI 3.00 along the layout roads/DP roads/Municipal roads. The Housing Units with shopping units can be sold by land owner in open market.</p>
(e)	<p>There shall be Welfare Hall and Balwadi in each project as a part of the construction of Rental Houses component. It shall be at the rate of 14.86 sq. Mts. for every multiple or part of 200 residential units but located so as to serve all the floors and buildings equitably and shall not be counted towards the FSI even while computing 4.00 FSI on site. This shall be given free of cost to PIA i.e. MMRDA.</p>
(f)	<p>There shall be manager's office space of size 14.86 sq.mt. carpet area in the project for every multiple or part of 500 rental units, located as desired by MC, MMRDA as a part of construction of Rental Houses component and shall not be counted towards the FSI even while computing 4.00 FSI on site. This shall be given free of cost to PIA i.e. MMRDA.</p>

Sr.No	Conditions
(g)	Total Construction Component shall mean the construction built up area of Rental Houses of self-contained 14.86 sq.m. carpet area (160 sq.ft.), including areas under passages with minimum 2.0 mt width, balwadis, welfare centers, manager's office ,Non-residential units/convenient shopping of commercial use. This shall be given free of cost to PIA i.e. MMRDA.

(IV) BUILDING DETAILS AND OTHER REQUIREMENTS:

Sr.No	Details
1	Size of Rental unit – A Rental unit shall be of 14.86 sq.mt. carpet area including cooking space, bath & water closet, but excluding common areas.
2	Density
(a)	Density of Rental Housing shall be minimum 500 Rental units of 14.86 Sq.mts. carpet area per net hectare and Density of Housing to be sold in open market shall be minimum 100 tenements per net hectare.
3	Minimum plot size
(a)	Plot of minimum 1000 sq.mt. is required for the project. However, for small plot size approval may be obtained from Metropolitan Commissioner, MMRDA.
4	Components of Rental Unit
(a)	Multi purpose Room: A multi purpose room shall be allowed with size up to 12.5 sq.mts with a minimum width of 2.4m.
(b)	Cooking space (alcove) – Provision of separate kitchen shall not be necessary. However, cooking space (alcove) shall be allowed with a minimum size of 2.4 sq.mts. with minimum width of 1.2 mts
(c)	Bath & WC: A Combined bath & WC shall be of minimum area of 1.85 sq.m. with minimum width of one meter. There shall be no stipulation of one wall abutting open space etc. as long as artificial light & ventilation through any means are provided. Water closet seat shall be of minimum length of 0.46 mt. A septic tank filter bed shall be permitted with a capacity of 150 lit per capita, where the municipal services are likely to be available within 4-5 years.
5	HEIGHT: The height of Multi purpose room shall be minimum 2.75 mt. and the height of building shall be as permissible by the Civil Aviation Authority.
6	PLINTH: Minimum plinth height shall be 30 cm. and in areas subject to flooding the plinth shall be higher than the high flood level.
7	EXTERNAL WALLS: Minimum 150 mm thick external brick wall without plaster shall be permitted. However, for use of modern construction technology and material etc, this thickness may be reduced with prior approval of Metropolitan Commissioner, MMRDA.
8	STAIRCASE: The staircase shall be of dogleg type. If a single flight staircase is accepted, the flight shall not be less than 1.5 mt.
9	FRONT & MARGINAL OPEN SPACES: Notwithstanding the provisions in these <u>DCR-15.5.3.5, table 15.4</u> , for buildings of Rental Housing Project having height up to 24 mt. the front & marginal open space shall be 3.6 mt. for these buildings. Provided, however that in case of these buildings having height more than 24 mts the minimum marginal open space shall be 6 mts. or as may be prescribed by Metropolitan Commissioner, MMRDA.
(b)	Notwithstanding the provisions in DCR where the location of the plot abuts sanctioned road, having width of 18.30 m and above, the front marginal open space in layout shall not be insisted upon beyond 3.6 mt. provided subject to rules in force from time to time.
(c)	Where the location of plot abuts a nalla, the marginal open space along the nalla in the layout shall not be insisted upon beyond 3 mt. from the edge of the trained nalla.
(d)	The distance between any two buildings shall not be less than 4.5 mt.
10	Any composite building (Rental Housing Project Building + Housing Building) shall contain at least 50% of the built up area for Rental Housing Project.
11	MEANS OF ACCESS: The ratio between the length of pathway and width thereof shall be as

Sr.No	Details											
		<p>follows:</p> <table border="1"> <thead> <tr> <th>Length</th> <th>Width</th> </tr> </thead> <tbody> <tr> <td>Upto 20 mt</td> <td>1.5 mt</td> </tr> <tr> <td>Up to 30 mt</td> <td>2.0 mt</td> </tr> <tr> <td>Up to 40 mt</td> <td>2.5 mt</td> </tr> <tr> <td>Up to 50 mt</td> <td>3.0 mt.</td> </tr> </tbody> </table>	Length	Width	Upto 20 mt	1.5 mt	Up to 30 mt	2.0 mt	Up to 40 mt	2.5 mt	Up to 50 mt	3.0 mt.
Length	Width											
Upto 20 mt	1.5 mt											
Up to 30 mt	2.0 mt											
Up to 40 mt	2.5 mt											
Up to 50 mt	3.0 mt.											
	(b)	Between the dimensions prescribed for the pathway & marginal distances the larger of the two shall prevail. The pathway shall act as access wherever necessary. The building shall be permitted to touch pathway.										
	(c)	The means of access shall be normally governed by the provisions of DCR however in the project wherever the design of the buildings in the same layout requires relaxation it may be given. Access through existing pathways/layout roads but not less than 3.6 mt. in width, shall be considered adequate for any Rental Housing Project, containing buildings having height less than 24 mt. including stilts.										
12	(a)	Even if the amenities space is reduced to make the project viable, a minimum of at least 8% of amenity open space shall be maintained and while FSI computation for plot the area for recreational/amenity open space shall not be excluded.										
	(b)	Wherever more than the minimum front & marginal spaces have been provided such additional area provided may be considered as part of the amenity open space in the project without charging any premium in relaxation of the stipulation in DCR wherever it is necessary.										
13		Premium shall not be charged for exclusion of staircase & lift-well etc. as covered under the provision of III (c) above.										
14		All relaxation for the Housing Buildings to be sold in open market – Relaxation contained in sub regulation No. 9 (a), (b), (c), (d), 11 (b), (c), 12 above, as well as other necessary relaxation shall be given to these Housing buildings.										
15		In order to make the Rental Housing project viable, the relaxation in DCR of MMR such as providing viability gap etc, shall be granted by Metropolitan Commissioner, MMRDA, if necessary.										

V) The land owner shall give priority to construction of rental housing over the construction of housing to be sold in open market and shall ensure that the rental housing gets completed before the latter.

VI) PAYMENTS TO BE MADE TO MMRDA:

An amount of Rs 500/- per sqmt shall be paid by the land owner/developer for the built up area over and above the normal permissible FSI. This amount shall be paid to Metropolitan Commissioner, MMRDA, in accordance with the time schedule for such payment as may be laid down by the Metropolitan Commissioner, MMRDA. However, by the time of completion of construction for occupation of the rental housing units, the total amount shall be deposited in full. This amount shall be used for schemes to be prepared for improvement of infrastructure in rental housing scheme provided that out of Rs.500/- per sq.mt. infrastructural charges, 90% amount will go to said Authority and 10% amount will remain with the MMRDA.

**APPENDIX - AA: RENTAL HOUSING PROJECT ON UNENCUMBERED LANDS VESTED WITH
MUMBAI METROPOLITAN REGION DEVELOPMENT AUTHORITY (MMRDA)**

(Regulation 8.40.36.14)

(I) ELIGIBILITY FOR ALLOTTING RENTAL HOUSES:

- i) The allottee under the project shall have employment /self employment/ business within MMR and minimum family income of the allottee shall be Rs. 5000/- per month.
- ii) The allottee shall not own any house in Mumbai Metropolitan Region (MMR).
- iii) The domiciled resident of Maharashtra State shall be given preference in the allotment.
- iv) The allotment shall be made in the joint name of spouse if married.

(II) DEFINITION OF RENTAL HOUSING UNIT:

A 14.86 sq.mt. (160 sq.ft) carpet area self contained residential unit to be given on leave and license for a period to be decided by MMRDA at a monthly charge to be decided by Metropolitan Commissioner, MMRDA considering the location of the project and residential unit, cost of construction, market condition and any other expenses.

(III) LAND, CONSTRUCTION AND INCENTIVE COMPONENT:

Sr.No	Conditions
(a)	Permissible FSI on site for construction of Rental Housing Project shall be 4.00 and out of 4.0 FSI, 75 % of 4.00 FSI shall be used for construction of Rental Houses and 25% of 4.0 FSI shall be allowed for commercial use and can be sold in open market to subsidize the component of Rental housing.
(b)	<p>The total construction built up area of Rental Houses shall mean all Built up area of residential units as well as non-residential units of commercial use meant for Rental Houses but excluding what is set down as under : Exclusion from FSI computation :- The following shall not be counted towards FSI :-</p> <ol style="list-style-type: none"> a) Areas covered by stair-case rooms, lift rooms above the topmost storey, lift-wells and stair-cases and passages thereto, architectural features, chimneys and elevated tanks of permissible dimensions in respect of buildings in the MMR with the special permission of the Commissioner : b) Area of fire escape stairways and cantilever fire escape passages according to the Chief Fire Officer's requirements, if any. c) Area of the basement, if any. d) Area of covered parking spaces, if any. e) Area of one office room of a co-operative housing society or apartment owners association or Rent Manager f) Area of the sanitary block(s) consisting of a bathroom and water closet for each wing of each floor of a building of prescribed dimensions deriving access from a common passage for the use of domestic servants engaged in the premises. g) Refuge area as per requirement of Chief Fire Officer h) Areas covered by:- <ol style="list-style-type: none"> (i) Lofts (ii) Meter rooms (iii) Porches (iv) Canopies (v) Air-conditioning plant rooms. (vi) Electric Sub stations (vii) Service floor of height not exceeding 1.5 m. with the special permission of the Commissioner. i) Area of balconies not more than 10 percent of the area of the floor . j) Area of structures for an effluent treatment plant as required to be provided by industries as per the requirements of the Maharashtra Pollution Control Board or other relevant authorities : k) Area covered by service ducts, pump rooms, electric substations, niches upto 1m. depth below window sill, passages and additional amenity of lift and/or staircase beyond those required under

	<p>the Regulations with the permission of the Commissioner.</p> <p>l) Area of one milk booth under the public distribution system with the permission of the Commissioner.</p> <p>m) Area of one public telephone booth and one telephone exchange (PBX) per building with the permission of the Commissioner.</p> <p>n) Area of one room for installation of telephone concentrators as per requirements of Mahanagar Telephone Nigam Limited, but not exceeding 20 sq.m. per building, with the permission of the Commissioner.</p> <p>o) Area of a separate letter box on the ground floor of residential and commercial buildings with five or more storeys to the satisfaction of the Commissioner.</p> <p>p) Area of a covered passage of clear width not more than 1.52 m. (5 ft.) leading from a lift exit at terrace level to the existing staircase so as to enable descent to lower floors in a building to reach tenements not having direct access to a new lift in a building without an existing lift.</p>
(c)	There shall be Welfare Hall and Balwadi in each project as a part of the construction of Rental Houses component. It shall be at the rate of 14.86 sq. Mts. for every multiple or part of 200 residential units but located so as to serve all the floors and buildings equitably and shall not be counted towards the FSI even while computing 4.00 FSI on site.
(d)	There shall be manager's office space of size 14.86 sq.mt. carpet area in the project for every multiple or part of 500 rental units, located as desired by MC, MMRDA as a part of construction of Rental Houses component and shall not be counted towards the FSI even while computing 4.00 FSI on site.
(e)	Total Construction Component shall mean the construction built up area of Rental Houses of self-contained 14.86 sq.m. carpet area (160 sq.ft.), including areas under passages with minimum 2.0 mt width, balwadis, welfare centers, manager's office, Non-residential units/convenient shopping of commercial use.

(IV) BUILDING DETAILS AND OTHER REQUIREMENTS:

Sr.No	Details
1	Size of Rental unit – A Rental unit shall be of 14.86 sq.mt. carpet area including cooking space, bath & water closet, but excluding common areas.
2	Density
(a)	Density shall be minimum 1500 Rental units of 14.86 Sq.mts. carpet area per net hectare.
3	Minimum plot size
(a)	Plot of minimum 500 sq.mt. is required for the project. However, for small plot size approval may be obtained from Metropolitan Commissioner, MMRDA.
4	Components of Rental Unit
(a)	Multipurpose Room: A multipurpose room shall be allowed with size up to 12.5 sq.mts with a minimum width of 2.4m.
(b)	Cooking space (alcove) – Provision of separate kitchen shall not be necessary. However, cooking space (alcove) shall be allowed with a minimum size of 2.4 sq.mts. with minimum width of 1.2 mts
(c)	Bath & WC: A Combined bath & WC shall be of minimum area of 1.85 sq.m. with minimum width of one meter. There shall be no stipulation of one wall abutting open space etc. as long as artificial light & ventilation through any means are provided. Water closet seat shall be of minimum length of 0.46 mt. A septic tank filter bed shall be permitted with a capacity of 150 lit per capita, where the municipal services are likely to be available within 4-5 years.
5	Height: The height of Multi purpose room shall be minimum 2.75 mt. and the height of building shall be as permissible by the Civil Aviation Authority.
6	Plinth: Minimum plinth height shall be 30 cm. and in areas subject to flooding the plinth shall be higher than the high flood level.
7	External Walls: Minimum 150 mm thick external brick wall without plaster shall be permitted. However, for use of modern construction technology and material etc, this thickness may be

Sr.No	Details											
		reduced with prior approval of Metropolitan Commissioner, MMRDA.										
8		Staircase: The staircase shall be of dogleg type. If a single flight staircase is accepted, the flight shall not be less than 1.5 mt.										
9	(a)	Front & marginal Open spaces: For buildings of Rental Housing Project having height up to 24 mt. the front & marginal open space shall be 3.6 mt. for these buildings. Provided, however that in case of these buildings having height more than 24 mts the minimum marginal open space shall be 6 mts. or as may be prescribed by Metropolitan Commissioner, MMRDA.										
	(b)	Notwithstanding the provisions in DCR where the location of the plot abuts DP Road, , the front marginal open space in layout shall not be insisted upon beyond 3.6 mt. provided subject to rules in force from time to time.										
	(c)	Where the location of plot abuts a nalla, the marginal open space along the nalla in the layout shall not be insisted upon beyond 3 mt. from the edge of the trained nalla.										
	(d)	The distance between any two buildings shall not be less than 4.5 mt.										
10		Any composite building (Rental Housing Project Building + commercial Building) shall contain at least 50% of the built up area for Rental Housing Project.										
11	(a)	Means of access: The ratio between the length of pathway and width thereof shall be as follows: <table style="margin-left: 40px; border: none;"> <tr> <td style="padding-right: 20px;">Length</td> <td>Width</td> </tr> <tr> <td>Upto 20 mt</td> <td>1.5 mt</td> </tr> <tr> <td>Up to 30 mt</td> <td>2.0 mt</td> </tr> <tr> <td>Up to 40 mt</td> <td>2.5 mt</td> </tr> <tr> <td>Up to 50 mt</td> <td>3.0 mt.</td> </tr> </table>	Length	Width	Upto 20 mt	1.5 mt	Up to 30 mt	2.0 mt	Up to 40 mt	2.5 mt	Up to 50 mt	3.0 mt.
Length	Width											
Upto 20 mt	1.5 mt											
Up to 30 mt	2.0 mt											
Up to 40 mt	2.5 mt											
Up to 50 mt	3.0 mt.											
	(b)	Between the dimensions prescribed for the pathway & marginal distances the larger of the two shall prevail. The pathway shall act as access wherever necessary. The building shall be permitted to touch pathway.										
	(C)	The means of access shall be normally governed by the provisions of DCR; however in the project wherever the design of the buildings in the same layout require relaxation it may be given. Access through existing pathways/layout roads but not less than 3.6 mt. in width, shall be considered adequate for any Rental Housing Project, containing buildings having height less than 24 mt. including stilts.										
12	(a)	Even if the amenities space is reduced to make the project viable, a minimum of at least 8% of amenity open space shall be maintained and while FSI computation for plot the area for recreational/amenity open space shall not be excluded.										
	(b)	Wherever more than the minimum front & marginal spaces have been provided such additional area provided may be considered as part of the amenity open space in the project without charging any premium in relaxation of the stipulation in DCR wherever it is necessary.										
13		Premium shall not be charged for exclusion of staircase & lift-well etc. as covered under the provision of III(b) above..										
14		All relaxation for the Commercial Building – Relaxation contained in sub regulation No. 9 (a), (b), (c), (d), 11 (b), (c), 12, 13 above, as well as other necessary relaxation shall be given to the Commercial building.										
15		In order to make the Rental Housing project viable, the relaxation in <u>these DCR</u> of MMR , such as providing viability gap etc ,shall be granted by Metropolitan Commissioner, MMRDA, if necessary.										

(V) PAYMENTS:

MMRDA shall pay to the said Authority Rs. 450/- per sq.mt. (90% of Rs.500/-) for the built up area over and above the normal permissible FSI as infrastructural charges before occupation of rental housing.

APPENDIX - ABBB: REGULATIONS FOR DEVELOPMENT OF SPECIAL TOWNSHIP

(Regulation 7.3.1-c (iii) 6.13)

Development of Special Townships shall be as per the regulations mentioned hereby.

BBAB.1. APPLICABILITY-

These Regulations would be applicable to the area under sanctioned Development Plan of the Notified Area of 27 villages of Kalyan and Ambarnath Tehsils of Thane District, excluding the area under Maharashtra Industrial Development Corporation if any.

AB.1.1 AREA REQUIREMENTS:

Any suitable area having sufficiently wide means of access (not less than 18 m.wide) can be identified for the purpose of development as 'Special Township'. The area notified under Special Township shall be one, contiguous, unbroken and uninterrupted and in any case shall not be less than 40 ha. (100 acres) at one place which shall not include the area under forest, water bodies like river, creek, canal, reservoir, lands falling within the belt of 500 m. from the HFL of major lakes, dams and its surrounding restricted area, lands in the command area of irrigation projects, land falling within the belt of 200 m. from the historical monuments and places of Archeological importance, Archeological Monuments, Heritage precincts and places, any restricted areas, notified National Parks, existing and proposed Industrial Zone, Gaothan areas or congested areas, Truck Terminus specially earmarked on Regional Plan, wildlife corridors and biosphere reserves, Eco-sensitive Zone/area, quarry zone and Recreational Tourism Zone, catchment areas of water bodies, Defense areas, Cantonment areas, notified areas of SEZ, designated Port/Harbour areas, designated Airport areas, quarry zone.

BBAB. 1.2 MANNER OF DECLARATION:

Any area identified above and if found suitable can be Notified by Government in Urban Development Department by following procedure under section 37 of the Maharashtra Regional and Town Planning Act 1966 and also in such other manner as may be determined by it for the purpose of development as 'Special Township Project.' However, in cases where the proposal of Special Townships is submitted by the land owners by themselves or by the Developer who holds rights to develop the whole land under the Special Township, the procedure under section 37 of said act shall not be necessary.

BBAB. 1.3 INFRASTRUCTURE FACILITIES:

The entire Township should be an integrated one with all facilities within the boundaries of declared townships. All the one site infrastructure, i.e roads, including D.P._Roads, approach road, street lights, water supply and drainage system shall be provided and maintained in future by the developer till urban local body is constituted for such area and the developer shall also carry out development of amenity or proposals, if any designated in the Development Plan, in accordance with the prevailing regulations.

(A) WATER SUPPLY: The developer shall be required to develop the source for drinking water (excluding the groundwater source) or secure firm commitment from any water supply authority including the Planning Authority for meeting the daily water requirement of minimum 140 liters per capita per day exclusive of requirement of water for fire fighting and gardening. 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 developer would be required to develop proper internal distribution and maintenance system and shall specially undertake rainwater harvesting groundwater recharging and waste water recycling projects within the Township.

(B) DRAINAGE AND GARBAGE DISPOSAL: The developer shall make suitable and environment friendly arrangements for the disposal and Treatment of sewage and solid waste as per

requirements of Maharashtra Pollution Control Board. Recycling sewage for gardening shall be undertaken by the developer.

The developer shall develop Eco-friendly garbage disposal system by adopting the recycling and bio- degradation system in consultation with Maharashtra Pollution Control Board.

(C) POWER: The developer shall ensure continuous and good quality power supply to township area. The developer may draw the power from existing supply system or may go in for arrangement of captive power generation with the approval from concerned authority. If power is drawn from an existing supply system, the developer shall before commencement of development, procure a firm commitment of power for the entire township from the power supply company.

BBAB. 1.4 ENVIRONMENT:

The development contemplated in townships shall not cause damage to ecology. In no case it shall involve topographical changes, changes in alignment of cross section of existing water course if any in the scheme area or adjacent to scheme area. Environmental clearance shall be obtained from the Ministry of Environment and Forest, Government of India as per directions issued by the MOEF's notification dated 7th July 2004 and as amended from time to time. The Township shall provide at least 20% of the total area as park/ garden/ play ground as mentioned in BBAB.4 (F) below with proper landscaping and open uses designated in the Township which shall be developed by owner/ developer. This amenity shall be open to general public without any restriction or discrimination.

BBAB. 2. SPECIAL CONCESSIONS:

(A) N.A PERMISSION: Non- agriculture permission will be automatic. As soon as the scheme is notified, lands notified under Special Township area as per Regulation No.1.2 will be deemed to have been converted into non agriculture and no separate permission is required. Non- agriculture assessment however will commence from the date of sanction of scheme as per Regulation No.7 (c).

(B) STAMP DUTY: The stamp duty rates applicable in Notified Special Township area shall be 50% of the prevailing rates of the Mumbai Stamp Act.

(C) DEVELOPMENT CHARGES: A special Township Project shall be exempted from payment of Development charges to the extent of 50%.

(D) GRANT OF GOVERNMENT LAND: Any Government land falling under township area shall be leased out to the developer at the prevailing market rate on usual terms and conditions, without any subsidy.

(E) 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 in Special Township area.

(F) CEILING OF AGRICULTURE LAND: There shall be no ceiling limit for holding agriculture land to be purchased by the owner/developer for such project.

(G) EXEMPTION FROM URBAN LAND (CEILING AND REGULATION) ACT, 1976: Special Township Projects will be exempted from the purview of Urban Land (Ceiling and Regulation) Act.1976.

(H) SCRUTINY FEE: A Special Township Project shall be partially exempted from payment of scrutiny fee being levied by the respective authority for processing the development proposal on certain terms and conditions as may be decided by the authority on time to time..

(I) FLOATING FSI: There will be floating FSI in the township Unused FSI of one plot can be used anywhere in the whole township.

(j) Special benefits/concessions in respect of Star Category Hotels, Hospitals and Multiplexes / Property Tax shall be provided.

BBAB. 3. PLANNING CONSIDERATIONS:

The Township project has to be an integrated township project. It should necessarily provide land for following users:-

- (a) Residential
- (b) Commercial
- (c) Educational
- (d) Amenity Spaces
- (e) Health Facilities
- (f) Parks, Gardens and Play Grounds.
- (g) Public Utilities.

BBAB. 4. GENERAL NORMS FOR DIFFERENT LAND USES:

The overall planning of the special townships shall be such that the project shall meet with the specifications spelt out in the prevailing planning standards approved by Government. Further, the planning of Special Township shall take care of following land uses in particular.

(A) RESIDENTIAL: The residential area should be well defined in clusters or neighborhoods or in plotted development with proper road grid. Out of the total built up area proposed to be utilised which is permissible as proportionate to zoning of area under such township at least 60% of the area shall be used for purely residential development and further out of the total built up area proposed to be utilised for residential development, 10% of the same shall be built for residential tenements having built up area upto 40 sq.mt.

(B) COMMERCIAL: The commercial area shall be properly distributed in hierarchical manner such as convenient shopping, community centre etc.

(C) EDUCATIONAL: Comprehensive educational system providing education from primary to secondary should be provided as per the requirement. The area allocation should be on projected population base and as far as possible the educational complex should not be concentrated at one place. All such complexes should have adequate area for playground. Minimum area required for educational purpose shall be as per prevailing planning standards.

(D) AMENITY SPACES: The area allocation for amenity space providing amenities like market, essential shopping area, recreation centers, town hall, library etc. should not be less than 5% of gross area of township and should be evenly placed.

(E) HEALTH FACILITIES: Adequate area allocation for health facilities for primary health shall be provided. Minimum area required for health facilities shall be as per prevailing planning standards.

(F) PARKS, GARDENS & PLAY GROUNDS: The Township shall also provide at least 20% of the gross area of township as parks/gardens/play grounds without changing the topography. This should be exclusive of the statutory open spaces to be kept in smaller layout and should be distributed in all residential clusters. This 20% area should be developed by the developer for such purposes and kept open to general public without any restriction of discrimination.

(G) PUBLIC UTILITIES: Appropriate area allocation should be provided for (a) power receiving station / substation, (b) water supply system, (c) sewerage and garbage disposal system, (d) police station, (e) public parking, (f) cemetery/cremation ground, (g) bus station, fire brigade station, and other public utilities as per requirements.

(H) TRANSPORT AND COMMUNICATION: The entire area of township shall be well knitted with proper road pattern, taking into consideration the linkages with existing roads within the township and outside area as well. All such roads shall be developed by the developer as per standard and road widths shall be as given below.

Classified Road - as prescribed

Main road/Ring road – Minimum 18 to 24 meter wide.

Internal road – as per prevailing bye laws applicable to Development Plan subject to minimum road width 9 m.

(I) SERVICE INDUSTRIES: In the Special Township area, lands required for commercial uses, industrial uses, permissible in residential user, may also be earmarked. However, the predominant land use shall be residential use.

Notes:-

I) All the amenities referred to above shall be inclusive of designated amenities and Amenity space required as per regulations of Development Plan.

II) Location of Development Plan reservation can be shifted anywhere in the Township Area with the approval of planning authority.

III) Development Plan reservations in the Township area, shall not be handed over to the Planning Authority but the same shall be developed by the developer for the designated amenity

IV) Development Plan roads in the township area shall be developed and maintained by developer and the same shall be always open for general public without any restrictions there upon.

V) Minimum parking shall be provided as per “these development control regulations” provided that for hotel, restaurant, college, school, educational, institute, educational classes hospitals, polyclinics and diagnostic centers, offices, Mangal Karyalaya, town hall, clubs, etc. onsite parking shall be provided. For buildings having mixed users, in addition to the regular parking area as mentioned above a space of 3.0 m. wide strip within the plot area along the road on front/side shall be provided for visitor’s parking.

BBAB. 5. DEVELOPMENT CONTROL REGULATIONS:

Prevailing Development Control Regulations of sanctioned Development Plan as well as provisions of MOEF CRZ notification dtd.19.2.1991 amended from time to time shall be applicable mutadis mutandis except those expressly provided in these Special Regulations.

BBAB. 5.1 SPECIAL TOWNSHIP IN RESIDENTIAL, RESIDENTIAL WITH AGRICULTURAL ZONE/NO DEVELOPMENT ZONE.

(i) The Total built-up area/FSI of entire gross area of the Special Township declared as per Regulation AB.1.1 above excluding the area under Agriculture/No Development Zone, if any, included in the project shall be 1.00. The FSI for Agriculture/No Development Zone if any included in Special Township Zone shall be 0.2 0.50 only in proportion to such area of the zone. There will be no limit of total built up area/FSI for the development of individual plots. Height of building shall be as per prevailing regulations of the Notified Area. However, it may be increased subject to provisions of fire fighting arrangements with prior approval of competent fire authority. Utilization of DRC’s originated from any other area i.e. outside Special Township area shall not be permissible in Special Township area.

(ii) In case area Notified under Special Township falls in Residential Zone and partly in Agricultural/No Development Zone the provisions applicable to such scheme shall be proportionate to the area under the respective zoning as per sanctioned Development Plan.

BBAB. 5.2 SPECIAL TOWNSHIP IN AGRICULTURAL/NO DEVELOPMENT ZONE.

(i) Development of Special Township Project in Agricultural/No Development Zone, contained in the Development Plan shall be permissible subject to conditions that 50% of the gross area of the project shall be kept open while the projects of Special Township shall be executed on the remaining 50% land with gross built up area/FSI of ~~0-20~~ 0.50 worked out on the entire gross area of the project. Further, while developing such projects, it would be obligatory on the part of the developer to provide and develop all the infrastructure facilities including sites required for public purposes as per the prescribed planning norms. As regards 50% of land which is required to be kept open, the same shall be free of encumbrances and no development except town level open amenities shall be permissible therein.

(ii) All provision of Regulations except BBAB.4 (f) shall apply to the development of Township in Agricultural/No Development Zone.

BBAB. 5.3 GENERAL REGULATIONS:

(i) In the event the special township project contains sites reserved for public purposes (buildable reservations) in Development Plan, for which the Appropriate Authority is any department of State Govt./Central Govt. or any Government undertaking, the developer shall construct the amenity as per requirement of the concerned department and handover the constructed amenity free of cost to that Department. Upon such handing over the constructed amenity the developer would be entitled to utilize additional floor space, over and above the FSI permissible (equivalent to the built-up area of the constructed amenity) anywhere within the Special Township project.

(ii) In every Special Township proposal the structural designer of developer has to submit declaration with project report to Collector/Planning Authority about the constructions of building as below:

'I have confirmed that the proposed construction in the scheme are as per norms as specified by Indian Standards Institute, for the resistance of earthquake, fire safety and natural calamities.'

iii) Upper and lower ground floor type construction shall not be allowed.

iv) In Special Township schemes under Residential Zone and Agricultural/No Development Zone trees at the rate of minimum 150 trees per ha. and 400 trees per ha. respectively shall be planted and maintained by the developer.

(v) The following shall not be included in covered area for built up area and F.S.I. calculations:

(a) Area covered by the staircase rooms for stair flights of width 0.75m & above, in case of row housing & pent houses and duplexes, 1m in case of residential building, 1.2m & above in case for commercial (mercantile) buildings and 2m & above in case of Public-Semi public subject to payment of premium in consultation with Town Planning & Valuation Department or appropriate authority.

(b) Area covered by lift room for a building with height up to 16m.

(c) Stilt floor space (exclusively for parking space) constructed under building of maximum cleared height 2.4m and which shall be open at least from three sides.

(d) Balcony or balconies of a minimum width for one m. may be permitted free of F.S.I at any upper floor, subject to maximum of 1/3rd length of perimeter of building and such balcony projection shall be subject to the following conditions:

(i) No balcony shall be allowed on ground floor.

(ii) Balcony or balconies shall be permitted to project in the marginal open space of not less than 3 m. in width.

(iii) Notwithstanding anything contained in any other laws, rules, regulations or bye-laws in force, a balcony shall not be permitted to be enclosed.

~~(iv) In special Township schemes at the rate of minimum 150 trees per ha. and 400 trees per ha. Respectively shall be planted and maintained by the developer.~~

(v) Once the proposal for Special Township is submitted to the Government under Regulation No. AB.7, (A) no change of zone proposal in such Township area shall be considered by Government.

BBAB. 6. SALE PERMISSION:

It would be obligatory on the part of the developer firstly to provide for basic infrastructure and as such no permission for sale of plot/flat shall be allowed unless the basic infrastructure as per Regulation no. BBAB. 1.3 is provided by the developer to the satisfaction of the Planning Authority. In case the development is proposed in Phases and sale permission is accepted after completion of Phase wise basic infrastructure, such permission may be granted by the Planning Authority. Before granting such sale permission, Developer has to submit undertaking about the basic infrastructure to be provided & completed phase wise. The plots earmarked for amenities, facilities and utilities shall be also simultaneously developed phase wise along with residential/allied development.

BBAB. 7. PROCEDURE:

A) LOCATIONAL CLEARANCE: The proposal for development of Special Township, along with details of ownership of land or Development rights of lands in the proposed scheme, site plan, part plan of sanction development plan, shall be submitted to Government in Urban Development Department alongwith a copy to Director of Town Planning Maharashtra State, Pune; Environment Department and Irrigation Department of Maharashtra State, for grant of locational clearance. Upon receipt of such proposal, depending upon the merits of the case locational clearance may be granted by Government u/s 45 of M.R. & T.P. Act, 1966 in consultation with the Director of Town Planning and Environment Department and other respective departments of the State Government within a period of 90 days from the date of receipt of the proposal & after completion of all prescribed procedure specified in Regulation No. BBAB.1.2 above and compliance of any such document as may be required by Government. This locational clearance will be valid for one year from the date of issue and if within such period the letter of intent and final approval is not taken or not applied for, such clearance/approval will stand lapsed unless it is renewed by Govt. for sufficient reasons. Application for renewal has to be made to Govt. before expiry of one year. These special Regulations shall not be applicable to the area on which clearance/approval has lapsed.

B) LETTER OF INTENT: Upon receipt of locational clearance from the Government, the developer shall submit the proposal in respect of Special Township to Commissioner, along with the environmental clearance as mentioned in Regulation No. BB-AB 1.4 for issue of letter of intent. The proposal shall contain ownership rights/development rights document in respect of at least 50% of area under scheme and other particulars as decided and directed by planning authority, details of qualified technical staff and consultant in technical and law field. Letter of intent shall be issued within a period of 45 days from the date of receipt of the final proposal completed in all respect. The letter of intent shall be valid for six months unless renewed.

C) (I) FINAL APPROVAL: The Developer shall submit the layout plan of the entire township area, sector wise detailed building plans and details of phasing, for final sanction to the planning authority. The developer shall also submit an undertaking and execute an agreement about development and maintenance of basic infrastructural amenities in future with bank guarantee of 15% of its development costs. The Planning Authority shall conduct proper enquiry and ensure the correctness of title and ownership etc. Only after such verification, planning authority shall grant approval to layout plan and sector wise detailed building plan in consultation with Deputy Director of Town Planning, Konkan Division Greater Mumbai, Mumbai within the stipulated period on terms

& conditions as may be determined by Planning Authority & Deputy Director of Town Planning, Greater Mumbai, Mumbai.

The period required for Technical consultation with Deputy Director of Town Planning, Planning Authority Mumbai Konkan Division shall not be computed.

Any one aggrieved by an order passed under prevailing D.C. Regulation may within ~~forty~~ forty days of the date of communication of the order prefer an appeal to the State Govt.

(II) EVERY APPLICATION SHALL BE ACCOMPANIED BY-

(a) Ownership Document: - 7/12 extract/ Property Card, ownership right Document in original with list of such documents.

(b) Extent - Village maps showing the extent of area and authenticated measurement plan/gut book of the land in original and list of such documents.

(c) Authenticated copies for locational clearance and letter of intent environmental clearance is applicable.

(d) Layout and building (Prepared & designed by experts in respective field and team headed by an Architect Town Planner).

(i) Layout plan showing all details of area utilized under roads, open spaces for parks, garden and playground amenities.

(ii) Detail layout plan building plans of all development with area of all sector and individual plots and built up area/FSI proposed on each sector and plot.

(iii) Detail Report comprising of expected population, requirement of amenities and proposed amenities with reference to prevailing planning standards approved by Government and sources of all basic amenities and its details about implementation and maintenance & Taxes.

(iv) Details of zoning of all areas included in the Scheme as per sanctioned R.P and area under such zone.

(v) Details of FSI/Total built up area proposed to be utilized in scheme.

(vi) Details of Eco friendly amenities provided.

(vii) Plan showing Road hierarchy and road widths, pedestrian facility, street furniture, plantation, side walk, subways with area details.

(viii) Details of solid waste management plan.

(ix) Plan showing HFL of major lakes, river if any certified by Irrigation Department.

(x) Plan showing details of distribution of total built up area/ space.

(xi) Plan showing water supply distribution system, including reservoirs, recycling system, details of rainwater harvesting system.

(xii) Details of storm water drainage scheme.

(xiii) Details of fire fighting mechanism, fire brigade station.

(xiv) All other documents as determined and directed by Planning Authority/Collector, Thane, Raigad.

Note: The above prescribed periods shall be computed after compliance of all the requirements listed above and any other additional information called for from the owner/ developer by the Government/ Collector/ Commissioner.

BBAB. 8. IMPLEMENTATION & COMPLETION:

- i) Development of Basic infrastructure & amenity shall be completed by the developer to the satisfaction of the planning authority as per phases of Scheme. Development of the scheme shall be completed within 10 years from the date of final sanction to the layout plan of scheme.
- ii) No building in the scheme is permitted to be occupied in any manner unless occupancy's certificate is issued by planning authority.
- iii) Final completion certificate for the scheme is to be issued by Planning Authority in consultation with Maharashtra Pollution Control Board, Forest Department as far as tree plantation is concerned and competent fire authority.
- iv) Application for occupation certificate or final completion certificate shall be submitted along with a declaration and undertaking by the developer and his structural consultant, Architect/ Town Planner as follows: -
- (a) We confirm that all buildings constructed in the scheme area are as per norms as specified by Indian Standard Institute for the resistance for earthquake, fire safety and natural calamities.
- (b) Work is done as per sanctioned plan.
- (c) Built up area and FSI consumed in scheme is as per sanctioned plan.
- (d) No balcony is enclosed.
- (e) If it is found that extra built up area/FSI is consumed in that scheme at any item, it shall be demolished by developer at his own cost as directed by planning authority.

BBAB. 9. INTERPRETATION:

If any question or dispute arises with regard to interpretation of any of these regulations, the matter shall be referred to the State Government. The Government after considering the matter and, if necessary, after giving hearing to the parties, shall give a decision on the interpretation of the provisions of the Regulations. The decision of Government on the interpretation of "these Regulations" shall be final and binding on all concerned.

**APPENDIX - ACCG: GUIDELINES FOR PERMITTING QUARRIES
(Regulation 4.12)**

1.
 - a) No quarrying operations shall be carried out without obtaining Development Permission of the Planning Authority under the provisions of the Maharashtra Regional and Town Planning Act, 1966.
 - b) The quarrying and mining operations shall be permitted outside CRZ but only at specific locations decided by the Competent Authority. The development permission shall be granted subject to production of order to carry out these activities from the Revenue Authority concerned under the Minor Minerals Act and NOC of the MPCB.
2. The application for Development Permission of quarrying shall include:
 - a) A location plan at 1:5000 scale of the quarry site and an area upto 500 meters around the quarry site showing important natural and manmade features and contours ;
 - b) A site plan at 1 : 500 scale showing site boundaries, contours, all existing natural and man-made features such as hills, water courses, trees and other important landscape features, access roads, building and other structures ;
 - c) Proposed excavation plan and cross sections at 1 : 500 or larger scale showing proposed phasing ; terracing ; stepping ; benching slopes; locations of process equipment ; diversion of water courses; impounding lake ; storage areas for top soil, waste material, quarried material ; workers housing ; landscaping including screen planting, mounding and measures against visual intrusion etc.
 - d) A restoration plan including landscaping proposals, phasing and proposal for reuse of the area after quarrying;
 - e) a report supplementing the excavation and restoration plans, costs and implementation programme;
 - f) Scrutiny fee shall be paid by the owner at the rate given in Regulation C.1.1.1 of Appendix C.
 - g) Development Charge for the land under Quarrying shall be paid by the owner, as per the provisions of section 124B of the MR & TP Act 1966, at 0.50% of the rates of developed land mentioned in the Stamp Duty Ready Reckoner.
3. No quarrying shall commence until the excavation plan is proved also by the Director of Geology and Mining, Government of Maharashtra, Nagpur.
4. The Restoration Plan approved by the Planning Authority shall be carried out in consultation with concerned Conservator of Forest or District Forests Officer, and/or the Revenue Authority.
5. Natural gradient of slope should be maintained during quarrying operations slope of the foot-wall side (Slope in the direction in which mining does not exist) should be properly stabilised by planting adequate trees of suitable species so as to have soil binding vegetation.
6. In the case of murum quarrying entire weathered soil or murum shall not be excavated exposing hard rock ; instead, a capping of at least half a metre be left so that it can support vegetation and plantation that be done later on. Similarly, these operations shall not cause depression below the average ground level.
7. Water course, if any from a higher slope, should be properly diverted out of quarry area so that minimum water flows into the quarry and is safely channeled out of any nearby human settlement.
8. During quarrying operations, the water should be sprayed at least once in a day over the roads at quarry sites and nearby area.
9. Kachha road leading to quarry site shall be invariably sprayed by water during the period when trucks use carrying murum. In addition, in order to minimize dust pollution, measures such as adoption of hoods at transfer points, vulcanizing of conveyer belt joints, under belt cleaning devices, apart from installation of dust extrication system for conveyance shall be adopted. The kachha road leading to the quarry shall have roadside plantation in order to arrest the dust pollution.
10. No blasting shall be permitted if a public road, railway line or any human settlement is located with 500 meters from the quarrying site~~No Quarrying and crushing shall be permitted if a highway or public road having width of 30m. or more, railway line or any human settlement is located~~

within 200m. from the quarrying site. However, for quarrying with blasting operations, the distance shall be at least 500 m.

11. Residences for labourers and related temporary structures should be constructed at least 500 meters away from the place of blasting as well as from the place of quarrying. Heavy blasting by use of heavy machinery shall be prohibited.
- ~~12. The Development Permission for quarrying shall be granted for a specific period, after which fresh permission for further quarrying will be necessary. In granting such fresh permission, the Planning Authority shall have regard to the applicant's performance in observing the approved excavation plans and restoration plans, and in carrying out the quarrying operations in accordance with these guidelines.~~
13. The development permission for quarrying shall be granted for period of 1 year and may be revalidated every year for a maximum period of 3 years. After this fresh permission for further quarrying will be necessary. In granting such fresh permission, the Planning Authority shall have regard to the applicant's performance in observing the approved excavation and restoration plans, and in carrying out the quarrying operations in accordance with these guidelines.

APPENDIX - AD: REGULATIONS FOR HERITAGE STRUCTURES/SITES/PRECINCTS

(Regulation 6.15)

- 1. Preamble:** These regulations are imposed with a view to regulate and conserve the listed buildings, areas, artifacts, structures and precincts of historical and/or aesthetic and/or architectural and/or cultural value, i.e. heritage buildings and heritage precincts.
- 2. Applicability:** These regulations will apply to those buildings, artifacts, structures and/or precincts of historical and/or aesthetic and/or architectural and/or cultural value (hereinafter referred to as listed building/heritage buildings and listed precincts/heritage precincts). These shall also apply to heritage buildings / heritage precincts as may be listed in notification(s) to be issued by Government, from time to time.
- 3. Restriction on Development/Redevelopment/Repairs etc.:**
 - i.** No development or redevelopment or engineering operation or additions, alternations, repairs, renovation including the painting of buildings, replacement of special features or demolition of the whole or any part thereof or plastering of said listed/heritage buildings or listed/ heritage precincts shall be allowed except with the prior written permission of the Competent Authority. The Competent Authority shall act on the advice the Heritage Conservation Committee to be appointed by Government (hereinafter called "the said Heritage Conservation Committee").

Provided that in exceptional cases for reasons to be recorded in writing the Competent Authority may overrule the recommendation of the Heritage Conservation Committee.
 - ii.** Changes, repairs, additions, alterations and renovations required in respect of religious buildings, on religious grounds mentioned in sacred texts, or as a part of holy practices laid down in religious codes shall be treated as permissible, subject to their being in accordance and consonance with the original structure and architecture, designs, aesthetics and other special features thereof. However, before arriving at its decision, the Competent Authority shall take into consideration the recommendations of the Heritage Conservation Committee.
 - iii.** The State Government shall by notification list the structures and sites having heritage values. The said list of buildings, artifacts, structures and precincts of historical, and/or aesthetic, and/or architectural and/or cultural value to which these regulations apply shall not form part of this Regulation for the purpose of Section 37 of the Maharashtra Regional and Town Planning Act, 1966. This list may be supplemented, altered, deleted or modified from time to time by Government on receipt of proposals from the Competent Authority or from the said Heritage Conservation Committee, or by Government suo-moto provided that before the list is supplemented, altered, deleted or modified, objections and suggestions from the public are invited and duly considered by the Competent Authority and/or by Government.
 - iv.** Power to alter, modify or relax Regulations - With the approval of Government and after consultation with the said Heritage Conservation Committee, the Competent Authority shall have the power to alter, modify or relax the provisions of other Regulations of the Development Control Regulations applicable to and in force if it is needed for the conservation, preservation or retention of historical, aesthetical, cultural or architectural quality of any listed buildings/heritage buildings or listed precincts/heritage precincts.
 - v.** Hearing etc. to persons likely to be affected shall be given in case any alterations modifications or relaxation of any of the provisions of the Development Control Regulations cause undue loss to the owner/lessee and to the public.
 - vi.** Grant of compensation in cases of loss of Development Rights: - If any application for development is refused under this Regulation or conditions are imposed while permitting

such development which deprive the owner/lessee of any unconsumed FSI the said owner/lessee shall be compensated by grant of Development Rights Certificate (herein referred to as TDR) of the nature set out in Development Control Regulation no. 7.5.8 and as may be prescribed by the Government from time to time. The TDR from heritage buildings will be consumed in designated areas. The extent of TDR certificates to be granted may be determined by the Planning Authority, if required in consultation with the Heritage Conservation Committee and will not be awarded unless sanctioned by the Government.

vii. Restrictive Covenants:- Restrictions existing as on date of this notification imposed under covenants, terms and conditions on the leasehold plots by State Government shall continue to be imposed in addition to Development Control Regulations. However, in case of any conflict with the heritage preservation interest, the stringent of the two regulations shall prevail.

viii. Grading of the Listed Buildings/Listed Precincts: In the said list of Heritage buildings, Heritage Precincts. "Grades" as I and II shall be mentioned. The meaning of these Grades and basic guidelines for development permissions are as follows :-

Listing does not prevent change of ownership or usage. However, such usage should be in harmony with the said listed precinct/building. Care will be taken to ensure that the development permission relating to these buildings is given without delay.

MEASURES TO CONSERVE HERITAGE SITES

<u>Sr No.</u>	<u>Grade - I</u>	<u>Grade -II</u>	<u>Grade - III</u>
<u>A.</u>	<u>Definition : Heritage Grade-I comprises of buildings, and precincts of national or historical importance, embodying excellence in architectural style, design, technology and material/usage, they may be associated with a great historical event, personality, movement or institution. They have been and are the prime landmarks of the Sub Region.</u>	<u>Heritage Grade-II comprises of buildings, and precincts of importance for townscape, they evoke architectural, aesthetic or sociological interest though not as much as in Heritage Grade-I. These contribute to determine the character of the locality, and can be representative of life style of a particular community or region and may also be distinguished by setting on a street line or special character of the façade and uniformity of height, width and scale.</u>	<u>Heritage Grade III Comprises of buildings, and precincts of importance for town scape; they evoke architectural aesthetic or sociological interest though not as much as in Heritage Grade-II. These contribute to determine the character of the locality, and can be representative of life style of a particular community or region and may also be distinguished by setting on a streetline, or special character of the façade and uniformity of height, width and scale.</u>
<u>B.</u>	<u>Objective : Heritage Grade-I richly deserves careful preservation.</u>	<u>Heritage Grade II deserves protection of unique features and attributes.</u>	<u>Heritage Grade III deserves protection of unique features and attributes.</u>
<u>C.</u>	<u>Scope for Changes : No interventions would be permitted either on the exterior or interior unless it is necessary in the interest of strengthening, and prolonging, the life of the buildings or precincts or any part or features thereof. For this purpose, absolutely essential and minimal changes would be allowed and they must</u>	<u>Grade – II(A) Internal changes, adaptive reuse and external changes will be generally allowed but will be subject to strict scrutiny. Care would be taken to ensure the conservation of all special aspects for which it is included in Heritage Grade – II(A). Grade – II(B)</u>	<u>External and internal changes and adaptive reuse would generally be allowed. Changes can include extensions, additional buildings in the same plot or compound provided that extension /additional building is in harmony with and does not detract from the existing heritage building/ precinct especially in terms of height and/or façade. Reconstruction may be allowed when the building is</u>

	<u>be in accordance with the original</u>	<u>In addition to above extension or addition buildings in the same plot or compound could in certain circumstances, be allowed provided that the extension/additional building is in harmony (and does not detract) existing heritage building(s) or precincts especially in terms of height and façade.</u>	<u>structurally weak or unsafe or when it has been affected by accidental fire or any other calamity or if reconstruction is required to consume the permissible FSI and no option other than reconstruction is available.</u> <u>However, unless absolutely essential, nothing should spoil or destroy any special features or attributes for which it is placed in the Heritage List.</u>
<u>D.</u>	<u>Procedure -- Development permission for the changes would be given by the Competent Authority on the advice of the Heritage Conservation Committee to be appointed by State Government.</u>	<u>Development permission for changes would be given by the Competent Authority but in consonance with guidelines, which are to be laid down by Government in consultation with the Heritage Conservation Committee.</u>	<u>Development permission would be given for changes by the Competent Authority itself but in consonance with guidelines, which are to be laid down by Government in consultation with the Heritage Conservation Committee.</u>
<u>E.</u>	<u>Vistas/Surrounding Development. : All development in areas surrounding Heritage Grade-I shall be regulated and controlled, ensuring that it does not mar the grandeur of or views from, Heritage Grade-I.</u>		

**APPENDIX - AE: REGULATIONS FOR DEVELOPMENT/REDEVELOPMENT OF HOUSING SCHEMES
OF MAHARASHTRA HOUSING AND AREA DEVELOPMENT AUTHORITY**

(Regulation 6.16)

1. The FSI for a new scheme on vacant lands of Low Cost Housing Schemes for Economically Weaker Section, Low Income Groups and Middle Income Group of the MHADA having at least 60% built-up area in the form of tenements under EWS, LIG and MIG categories shall be 2.50.
 2. For redevelopment of existing housing scheme of MHADA, undertaken by the MHADA departmentally or jointly with societies/occupiers of buildings or by housing societies/occupiers of building or by lessees of MHADA or by the developer, the FSI shall be as under :-
 - (a) Total permissible FSI shall be 2.5 on gross plot area.
 - (b) The incentive FSI admissible against the FSI required for rehab shall be as under :-
 - (i) In congested area, for the area upto 4000 sq.m. the Incentive FSI admissible will be 50%.
 - (ii) In congested area, for the area above 4000 sq.m. the Incentive FSI admissible will be 60%.
 - (iii) Outside congested area for the area upto 4000 sq.m. the incentive FSI admissible will be 60%.
 - (iv) Outside congested area for the area above 4000 sq.m. the incentive FSI will be 75%.
 - (c) In the redevelopment scheme either-
 - (i) Difference between 2.5 FSI and the FSI required for “rehab + incentive” shall be shared between MHADA and Society/Developer in the ratio of 2:1.

OR

 - (ii) for additional built-up area over and above permissible FSI MHADA shall charge premium at the rate decided by Govt. in Housing Department from time to time.
 - (d) In the scheme, for the land allotted for societies of MIG and HIG and developed plot allotted individually to MIG and HIG group the permissible FSI shall be as per Regulation no. 7.5.2.
3. In case of grant of NOC with additional permissible Built-up area over and above the permissible FSI by Konkan Board/MHADA for the purpose of undertaking Redevelopment/Utilization, MHADA shall charge premium at the rate decided by Government in Housing Department from time to time.
4. For the purpose of calculating the FSI, the entire area of the layout including development plan roads and internal roads but excluding the land under the reservation of public amenities shall be considered. Sub-division of plots will be permissible on the basis or compulsory open spaces as in these Regulations. For Low Cost Housing Schemes of MHADA for EWS, LIG categories, the Regulations in Appendix G (excluding regulation No. 2(b) above shall apply).
5. For the purpose of this Regulation the carpet areas for EWS, LIG or MIG tenements shall be as determined by the Government from time to time.
6. For the off site infrastructure, MHADA shall pay to the Planning Authority 12.5% of the charges collected by MHADA for the grant of additional FSI (FSI over and above the normally permissible FSI) for the Redevelopment Schemes.
7. Notwithstanding anything contained in these Regulations, the relaxations incorporated in Appendix- I of these regulations shall apply for Housing Schemes under this regulation for tenements under EWS/LIG and MIG categories. However, the front open space in any case shall not be less than 3.6 m.
8. In any Redevelopment scheme where the Co-operative Housing Society/Developer appointed by the Co-operative Housing Society has obtained No Objection Certificate from the MHADA/Konkan Board thereby sanctioning additional balance FSI with a consent of 70% of its members and where such NOC holder has made provision for alternative accommodation in the proposed building (including transit accommodation) then it shall be obligatory for all the occupiers/members to participate in the Redevelopment scheme and vacate the existing tenement for the purpose of redevelopment. In case of failure to vacate the existing tenements the provisions of section 95A of the MHADA Act mutatis mutandis shall apply for the purpose of getting the tenements vacated from the non co-operative members.
9. A corpus fund, as may be decided by MHADA, shall be created by the Developer which will remain with the societies for its maintenance.