

SANCTIONED
DEVELOPMENT CONTROL REGULATIONS
FOR
MATHERAN HILL STATION
MUNICIPAL COUNCIL

***SANCTIONED BY THE GOVERNMENT UNDER SECTION 31(1) OF M.R.& T.P. ACT, 1966
VIDE NOTIFICATION NO.TPS-1712/156/C.R.41/12/UD-12, DATED 1st APRIL, 2013 AS PER
SCHEDULE-A, EXCLUDING THE EXCLUDED PARTS (E P) PROPOSED BY THE
GOVERNMENT VIDE NOTICE NO.TPS-1712/156/C.R.41/12/UD-12, DATED 1st APRIL, 2013.***



MODIFICATIONS AS PER SUBMITTED UNDER SECTION 30 OF M.R.T.P.ACT 1966
SHOWN IN BLUE COLOUR

MODIFICATIONS SANCTIONED UNDER SECTION 31(1) OF M.R.T.P.ACT, 1966
SHOWN IN ORANGE COLOUR

EXCLUDED PART (EP) PUBLISHED UNDER SECTION 31(1) OF M.R.T.P.ACT, 1966
SHOWN IN GREEN COLOUR

sd/-
(ABHIRAJ GIRKAR)
Town Planning Officer
D.P. Matheran
&
Assist. Director of Town Planning

sd/-
(SUDAM DHUPE)
Chief Officer
Municipal Council
Matheran

sd/-
(AJAY SAWANT)
President
Municipal Council
Matheran

**SANCTIONED BY THE GOVERNMENT UNDER SECTION 31(1) OF M.R. & T.P. ACT, 1966
VIDE NOTIFICATION NO.TPS-1712/156/C.R.41/12/UD-12, DATED 1st APRIL, 2013 AS PER
SCHEDULE-A, EXCLUDING THE EXCLUDED PARTS (E P) PROPOSED BY THE
GOVERNMENT VIDE NOTICE NO.TPS-1712/156/C.R.41/12/UD-12, DATED 1st APRIL, 2013.**



**TOWN PLANNING OFFICER
DEVELOPMENT PLAN OF M.C.
MATHERAN
AND
ASSISTANT DIRECTOR,
TOWN PLANNING
RAIGAD - ALIBAG**



**JOINT DIRECTOR, TOWN PLANNING
KONKAN DIVISION
NAVI MUMBAI**



**DEPUTY SECRETARY
URBAN DEVELOPMENT DEPARTMENT
MANTRALAY, MUMBAI**

DEVELOPMENT CONTROL REGULATIONS FOR MATHERAN HILL STATION

PART I ADMINISTRATION

1. SHORT TITLE, EXTENT & COMMENCEMENT :-

- 1.1 These Regulations shall be called Development Control Regulations of Matheran Hill station hereinafter referred to "These regulations"
- 1.2 These Development Control Regulations shall apply to any building activity and development work in the areas under the entire jurisdiction of the Matheran Hill Station Municipal Council. (hereinafter referred as "The Municipal Council")
- 1.3 These regulations shall come into effect immediately from the date of Govt. sanction under section 31 of Maharashtra Regional & Town Planning 1966 and shall supercede all development control regulations framed and sanctioned earlier under the Maharashtra Regional & Town Planning Act. 1966 and The Maharashtra Municipal councils, Nagar panchayats and Industrial townships Act. 1965

2. DEFINITIONS OF TERMS & EXPRESSIONS :-

2.1 GENERAL :-

In these Regulations, unless the context otherwise requires, the definition given herein shall have the meaning indicated against each of them.

2.2 Terms & Expressions not defined in these regulations shall have the same meaning or sense as in the ,

- i) The Maharashtra Municipal councils, Nagar panchayats and Industrial townships Act. 1965 and
- ii) The Maharashtra Regional & Town Planning Act, 1966 (Mah. Act No. XXXVII of 1966)

3. DEFINITIONS :-

1) Accessory Building :-

A Building separated from the main building on a plot and containing one or more accessory uses.

2) Accessory Use :-

Any use of the premises subordinate to the principal use and customarily incidental to the principal use.



3) **Act :-**

- i) The Municipal Act shall mean the Maharashtra Municipal councils, Nagar panchayats and Industrial townships Act.1965
- ii) The Town Planning Act shall mean the Maharashtra Regional & Town Planning Act, 1966

4) **Advertising sign :-**

Any Surface or Structure with characters, letters or illustrations applied thereto and displayed in any manner whatsoever out of doors for purpose of advertising or to give information regarding or to attract the public to any place, persons, public performance, articles or merchandise what so ever and which surface or structure is attached to form part of it, 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.

5) **Air Conditioning :-**

The process of treating air so as to control simultaneously its temperature, humidity, cleanliness and distribution to meet the requirement of conditioned space.

6) **Addition and/or Alteration :-**

Addition and/or alteration means change from one occupancy to another or a structural change, such as addition to the area or height, or the removal of part of a building, or a change to the structure, such as the construction or cutting into or removal of any wall or 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 a change of fixtures or equipment, as provided in these regulations.

7) **Amenity :-**

Amenity means roads, streets, open spaces, parks, recreational grounds, play grounds, gardens, water supply, electric supply, street lighting, sewerage, drainage, public works and other utilities, services and conveniences.

8) **Approved :-**

Means approved by the Matheran Hill Station Municipal Council.

9) **Appropriate Authority :-**

Any relevant authority for the sake of implementation of development of physical and social infrastructre such as Planning Authority i.e. the Matheran Hill Station Municipal Council, Government, Maharashtra state Electricity Board, Maharashtra State Road Transport Corporation, Telecommunication Department,BSNL, Police department, Posts & Telegraph Department, or any such authority as may be applicable .

10) **Balcony :-**

A horizontal projection including a hand rail or balustrade to serve as passage or sitting out place.

11) **Basement or Cellar** ~~:-Deleted~~ **DELETED** EP-18

The lower storey of a building partly below ground level .



12) Building : -

"Building" means a structure, constructed with any material 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) Verandas, 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 any material in liquid form,
- vi) Tents, tarpaulin shelters

It shall include all types of buildings defined in a) to i) herein below

a) Assembly Buildings:-

These shall include any building or part of a building where groups of people congregate or gather for amusement, recreation, social, religious, patriotic, civil, travel and similar purposes, for example theatres, motion picture houses, assembly hall, city halls, town halls, auditoriums, exhibition halls, museums, mangal karyalayas, skating rinks, gymnasiums, 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.

b) Business Buildings :-

These shall include any building or part of a building which is used for transaction of business for the keeping of accounts and records for similar purposes; offices, banks, professional establishments, court houses and reference libraries shall be classified in this group in so far as principal function of those is transaction of public business and the keeping of books and records.

c) Educational Buildings :-

"Educational Building" means a building exclusively used for a school or College recognized by the appropriate Board or University or any other competent authority involving assembly for instruction, education or recreation incidental to educational use, and including a building for such other users 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.

d) Institutional Building :-

"Institutional Building" means a building constructed by Government, Semi-Government organizations of 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 and mental illness, handicap, disease or infirmity, care of orphans, abandoned women, children and infants, convalescents, destitute of aged Persons and includes Dharmshalas, Hospitals, Sanatoria etc.



e) Mercantile Building :-

These shall included any building of part of a building which is used as shops, stores, market for display and sale of merchandise either whole sale, retail. Office ,storage and service facilities incidental to the sale of merchandise and located in the same building shall be included under this group.

f) Office Building (Premises) :-

The premises whose sole or principal use is to be used as an office or for office purposes; "office purpose" includes the purpose of administration, clerical work, handling money, telephone and telegraph operating computers and "clerical work" includes writing, book-keeping, sorting papers, typing, filling, duplicating, punching cards or tapes, machine calculating, drawing of matter for publication and the editorial preparation of matter for publication.

g) Public Buildings :-

Except where otherwise defined means a building owned and used by Government or Semi-Government Authority, Public Registered Trust or such other public agency for public purposes such as public worship, education, health and public offices of Government or Semi-Government Authorities.

h) Residential Buildings :-

These shall include any building in which sleeping accommodation is provided for normal residential purposes with or without cooking or dining or bath facilities. It includes one or two or multi family dwelling, lodging or rooming houses, hostels, dormitories.

i) Storage Buildings :-

These shall include any building or part of a building used primarily for the storage or sheltering of goods, wares or merchandise like warehouses cold storages, freight deposit, transit sheds, store houses and stables.

13) Built Up Area :-

Built-up area means the area covered by a building on all floors, including mezzanine and cantilevered portion if any but except the areas excluded specifically under these regulations.

14) Building Height :-

The vertical distance measured up to the point where the external surface of the outer wall intersecting the finished surface of the sloping roof and in the case of gables facing the road, the midpoint between the eaves level and the ridge. Architectural features serving no function except that of decoration shall be excluded for the purposed of measuring heights.

15) Building Line :-

The line upto which the plinth of a building adjoining a street or an extension of a street or on a future street may lawfully extend and includes the lines prescribed, if any, in any scheme and/or Development Plan.



- 16) **Bazar Plot :-**
The plots in Bazar area which are identified as bazar plots with specific plot numbers by the Revenue Department.
- 17) **Cabin :-**
A non-residential enclosure constructed of non-load bearing partitions.
- 18) **Carpet Area :-**
The net usable floor area within a building excluding that covered by walls.
- 19) **Chhajja :-**
A sloping or horizontal structural overhang usually provided over openings on external walls to provide protection from sun and rain.
- 20) **Chimney :-**
The construction by means of which a flue is formed for the purpose of carrying products of combustion to the open air. Chimney includes Chimney Stack and the flue pipe.
- 21) **Courtyard or Chowk :-**
A space permanently open to the sky, enclosed fully or partially by building and at ground level or any other level within or adjacent to a building
- 22) **Chowk outer :-**
A chowk where one of the sides is not enclosed.
- 23) **Chowk inner :-**
A chowk enclosed on all sides.
- 24) **Convenience Shopping :-**
"Convenience Shopping" means shops each with a carpet area not exceeding 9.50 sq.mt.except where otherwise indicated , and comprising those dealing with day to day requirements as as distinguished from wholesale trade or shopping. It includes :-
- a. Food grain or ration shops, each with carpet area not exceeding 20 sq. m.
 - b. Pan shops.
 - c. Tobacconists.
 - d. Shops for collecting and distribution of clothes and other materials for cleaning and dyeing establishments.
 - e. Tailor or darning shops.
 - f. Groceries, confectioneries, wine and general provision shops
 - g. Hair dressing saloons and beauty parlors each with carpet area not exceeding 20 sq. m.
 - h. Bicycle hire and repair shops with carpet area not exceeding 20 sq.m.
 - i. Vegetable and fruit shops.
 - j. Milk and milk products shops.



- k. Medical and dental practitioners dispensaries or clinics, pathological or diagnostic clinics and pharmacies, each with a carpet area not exceeding 25 sq. m.
- l. Florists.
- m. Shops dealing in ladies ornaments such as bangles, etc.
- n. Shops selling bakery products.
- o. Newspaper, magazine stall and circulating libraries.
- p. Wood, coal and fuel shops, each with a carpet area not exceeding 20 sq. m.
- q. Books and stationery shops or stores.
- r. Cloth and garment shops with a carpet area not exceeding 20 sq. m.
- s. Plumbers, electricians, radio, television and video equipment repair shops and video libraries.
- t. Restaurants and eating houses each with a carpet area not exceeding 20 sq. m.
- u. Shoes and sports shops each not exceeding 20 sq. m. with carpet area.

Provided that with the approval of the Director of Town Planning, Maharashtra State, Pune the Chief Officer may, from time to time add to, or alter or amend the above list.

25) Corridor :-

The common passage or a circulation space including the common entrance hall.

26) Courtyard :-

means a space permanently open to the sky within the site around a structure and paved/concreted.

27) Detached Building :-

A building whose walls and roofs are independent of any other building with open spaces on all sides as specified.

28) Development :-

"Development" with grammatical variations means the carrying out of building, engineering, mining or other operation, in or over, or under land or water, or the making of any material change in the building or land, or in the use of any building or land or any material or structural change in any heritage building or its precinct and includes demolition of any existing building, structure or erection or part of such building, structure of erection and reclamation, redevelopment and layout and subdivision of any land, and "to develop" shall be construed accordingly.

29) Dharmshala :-

"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 a certain section of people have a right of or are granted residence without payment or on nominal payment.



30) Drain :-

"Drain" means a system or a line of pipes, with their fittings and accessories, such as manholes, inspection chambers, traps, gullies, floor traps used for drainage of building or yards appurtenant to the buildings within the same cartilage. A drain includes an open channel for conveying surface water or a system for the removal of any liquid.

31) Existing Building :-

a building or structure constructed with due permission and existing before the commencement of these Regulations.

32) Existing Use :-

The use of a building or a structure or of a plot being carried out with due permission prior to the commencement of these regulations.

33) Exit :-

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), (iii) respectively as under:

i) "Horizontal Exit" means an exit which is 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 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.

34) External Wall :-

An outer wall of a building not being a partition wall, even though adjoining to a wall of another building and also means a wall abutting on an interior open space of any building

35) Floor :-

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 first floor.

36) Floor Space Index (F.S.I.)

The quotient obtained by dividing the total covered area (plinth area) on all floors excepting areas specifically exempted under these regulations, by the area of the plot

$$\text{F.S.I.} = \frac{\text{Total covered area on all floors}}{\text{Plot Area}}$$

Note : The term F.S.I. is synonymous with Floor Area Ratio (F.A.R.)

37) Foundation :-

That part of the structure which is in direct contact with and transmitting loads to ground .



38) Front :-

The space between the boundary line of plot abutting the means of access/ roads/street and the building line. In case of plots facing two or more means of accesses/ roads/streets, the plot shall be deemed to front on all such means of accesses/roads/streets.

39) Gallery :-

An intermediate floor or platform projecting from a wall of an auditorium or a hall providing extra floor area, additional seating accommodation etc. These shall also include structures provided for seating accommodation including structures provided for seating in stadium.

40) Garage Private:- Deleted DELETED. EP-18

A building or a portion thereof designed and used for the parking of vehicles-

41) Garage Public:- Deleted DELETED. EP-18

Means a building or portion thereof operated for gain, designed and/or used for repairing, servicing, hiring, selling or storing or parking motor-driven or other vehicles.

42) Habitable Room :-

"Habitable Room" means a room occupied or designed for occupancy for human habitation and uses incidental thereto, including a kitchen if used as a living room but excluding a bath room, water closet compartment, laundry, serving and storing pantry, corridor, cellar, attic, store-room, pooja-room and spaces not frequently used.

43) Heritage building:-

"Heritage Building" means a building possessing architectural, aesthetic, historic or cultural values which is listed as heritage building by the Authority.

44) Heritage precinct:-

"Heritage precinct" means an area comprising heritage building or buildings and precincts thereof or related places and areas of natural scenery and landscape which are listed as heritage precinct by the authority.

45) Holding Contiguous :-

A contiguous piece of land in one ownership irrespective of separate property register cards.

46) Home Occupation :-

Occupation other than that of operating an eating or drinking place offering services to the general public, carried on by a member of the family residing on the premises without employing hired labour, 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 other purpose other than that as residential (dwelling) use and in connection with which no article or service is sold or exhibited 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 on the premises and no mechanical equipment is used except as is customarily used for purely domestic or household purposes and/or employing licensable goods.



- 47) **Ledge or Tand :-**
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.
- 48) **Licensed Architect/Engineer/Structural Engineer/Surveyor**
A qualified architect, engineer, surveyor, structural engineer, who has been licensed by the Planning Authority or who is entitled to practice as an Architect under the Architects Registration Act, 1972
- 49) **Lift :-**
An appliance designed to transport persons or materials between two or more levels in a vertical or substantially vertical directions by means of mechanically guided car platform.
- 50) **Loft :-**
An intermediary floor between two floors or a residual space in a pitched roof, above normal floor level which is constructed and adopted only for storage purpose.
- 51) **Lessor :-**
The owner of land who has leased out land for specific user.
- 52) **Lessee :-**
The person/firm/institution who has held land/plot through lease-deed.
- 53) **Mezzanine Floor :-**
An intermediate floor between two floors (not being loft) above ground level accessible only from the lower floor.
- 54) **Matheran Plots :-**
The plots outside bazar area which are identified as Matheran Plots with specific plot numbers by Revenue Department.
- 55) **Occupancy or Use Group :-**
The principal occupancy for which a building or a part of a building is used or intended to be used for the purpose of classification of a building according to the occupancy, an occupancy shall be deemed to include subsidiary occupancies which are contingent upto it. Buildings with mixed occupancies are those buildings in which more than one occupancy are present in different portions of the buildings.
The occupancy classification shall have the meaning given from (a) to (i) of (12) above unless otherwise spelt out in Development Plan or any other plan of scheme.
- 56) **Owner :-**
"Owner" means a person who receives rent for the use of the land or building or would be entitled to do so if it were let, and includes :



- i) An authorized agent or trustee who receives such rent on behalf of the owner;
- ii) A receiver, executor or administrator, or a manager appointed by any court of competent jurisdiction to have the charge of or to exercise the rights of the owner;
- iii) An agent or trustee who receives the rent of or is entrusted with or is concerned with any building devoted to religious or charitable purposes;
- iv) A mortgagee in possession.

57) Open Space :-

Means an area forming an integral part of a site left open to the sky.

58) Parapet :-

A low wall or railing built along the edge of roof or a floor.

59) Parking Space :- Deleted DELETED EP-18

An area enclosed or un-enclosed, covered or open, sufficient in size to park vehicles, together with a driveway connecting the parking space with the street or alley and permitting ingress and egress of the vehicles, but only at Dasturi where parking is permitted.

60) Partition :-

An interior non-load bearing divider one storey or part storey in height.

61) Partition Wall :-

-It Includes,

- a) 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
- b) A wall forming part of a building and standing in a 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.

62) Permanent Open Air Space :-

Air space is deemed to be permanently open if :-

- a) it is a street or any other area not encroached by any structure of any kind and
- b) its freedom from encroachment in future by a structure of any kind is assured either by law or by contract or by the fact the ground below it is a street or is permanently and irrevocably appropriate as an open space .
- c) in determining the open air space required for the construction of a building, any space occupied by an existing structure may, if it is ultimately to become the permanently open space to be treated as if it were already such a place.

63) Permission :-

Means a valid permission or authorization in writing by the competent authority to carry out development or a work regulated by the regulations



- 64) **Planning Authority :-**
Means Matheran Hill Station Municipal Council and the Chief Officer where he has been delegated with such powers.
- 65) **Plinth :-**
The portion of a structure between the surface of the surrounding ground and surface of the floor immediately above the ground.
- 66) **Plinth Area :-**
The maximum built-up covered area measured externally at the ~~ground-~~ ground floor level or the basement or of any storey. **DELETED EP-18**
- 67) **Porch :-**
A covered surface supported on pillars or otherwise for the purpose of pedestrian approach to a building .
- 68) **Public Authority :-**
Means any Government/Semi Govt. or such authorities created by Government as may be applicable and created for any particular purpose.
- 69) **Residential Zone R- 1 Residential Zone R₁ :- Deleted RETAINED EP-18**
~~Residential zone wherein residential plots/buildings are situated only on Bazar Plots.~~
Residential zone wherein residential plots/buildings are situated only on Bazar Plots.
- 70) **Residential Zone R- 2 Residential Zone R₂ :- Deleted RETAINED EP-18**
~~Residential zone wherein plots/buildings are situated only on Matheran Plots.~~
Residential zone wherein plots/buildings are situated only on Matheran Plots.
- 71) **Revas Projection :-**
"Revas Projection" means a part of a room or rooms of staircase landing projection in the open space beyond the building line.
- 72) **Road/Street :-**
"Road / Street" Means any street, lane, pathway, alley, stairway, passageway, carriageway, footway, square, place or bridge, whether a throughfare or not, over which the public have a right of passage or access or have passed and had access uninterruptedly for a specified period, whether existing or proposed in any scheme, and included all bunds, channels, ditches, storm-water drains, culverts, sidewalks, road-side trees and hedges, retaining walls, fences, barriers and railings within the street lines.
"Road / Street Level or Grade" means the officially established elevation or grade of the centre 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 midpoint.
"Road / Street Line" means the line defining the side limits of a road street.
"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.



73) Room Height :-

The vertical distance measured from the finished floor surface to the finished ceiling/slab surface. In case of pitched roofs, the room height shall be the vertical distance measured from the finished floor surface upto the midpoint of the sloping roof.

74) Row Housing :-

A row of houses, the houses excepting end houses, with only front, rear and interior open spaces.

75) Semi Detached Building :-

A building detached on three sides with open spaces as specified in these regulations.

76) Set-back line :-

A line usually parallel to the plot boundaries and laid down in each case by the Planning Authority beyond which nothing can be constructed towards the plot boundaries.

77) Site or Plot :-

A parcel/piece of land enclosed by definite boundaries.

78) Site or plot at Corner :-

A site at the junctions of and fronting on two or more intersecting streets.

79) Site/plot Depth of :-

The mean horizontal distance between the front and rear site boundaries.

80) Site/plot with Double Frontage :-

A site, having a frontage on two streets other than a corner plot.

81) Site/plot, Interior or Tandem :-

A site, access to which is by a passage from a road whether such passage forms part of the site or not.

82) Staircase cover :-

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 the weather, and not used for human habitation.

83) Stilt:- Deleted DELETED EP-18

"Stilt" means a part of a building at ground level open from at least two sides used only as play field or for swimming activity.



84) Storey :-

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 the ceiling next above it

85) To Erect :-

"To erect" means

- a) to erect a new building on any site, whether previously built upon or not, or
- b) to re-erect any building of which portions above the plinth level have been pulled down, burnt or destroyed, or
- c) to change from one occupancy to another and sub-division of occupancy into more than one

86) Theatre :-

Means a place of exhibition of motion picture and/ or dramas and other social or cultural programs.

87) Volume-Plot Ratio (V.P.R.) :-

The ratio expressed in meters of the volume of a building measured in cubic meters to the area of the plot measured in square meters.

88) Water Closet (W.C.) :-

A privy with arrangement for flushing the pan with water. It does not include a bathroom.

89) Water Course :-

A natural channel or an artificial one formed by training or diversion of a natural channel meant for carrying storm and waste water.

90) Window :-

Means an opening, other than a door, to the outside of a building, which provides all or part of the required natural light, ventilation or both to an interior space.

91) Zone :- SM-11

Zone is the part of Matheran Hill Station Which is specifically designated for a particular user and shown clearly by separate colour on the Development plan and shall includes :

a) Residential Zone :-

The Part of hill station clearly shown by yellow colour on the Development Plan to be used for residential and other allied permitted activities.

b) Public-Semi Public Zone :-

The lands which are specifically marked with pink colour on the development plan which are permitted to be used for public and semi-public users.

c) Commercial Zone :-

The lands which are marked in Blue colour on the development plan which are permitted to be used mainly for commercial purposes.



d) Transport and Communication Zone :-

The lands which are marked in Gray colour permitted to be used for railway traffic, station, their terminal facilities and for parking areas.

e) Forest Zone :-

The part of the hill station clearly shown by Green colour with green rounds or hatches either owned by forest department or otherwise which is reserved for conservation of forest, green cover and afforestation.

f) ~~Tree Conservation Zone:-~~

~~Part of Matheran plots specifically shown by green colour on the Development plan to be used for maintaining & growing the tree cover existing in the plot permanently.~~

4. INTERPRETATION :-

In these regulations the use of present tense includes the future tense, the masculine gender includes the feminine and the neutral, the singular includes the plural and the plural includes the singular, The word 'Person' includes a Planning Authority and the 'signature' includes thumb impression made by a person who cannot write if his name is written near to such thumb impression. Whenever sizes and dimensions of rooms and spaces within buildings are specified, they shall mean the clear dimensions unless otherwise specified in these regulations. If any question or dispute arises with regard to interpretation of any of these Regulations the matter shall be referred to the Director of Town Planning 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 Director of Town Planning on the interpretation of these Regulations shall be final and binding on the concerned party or parties.

5. APPLICABILITY :-

1. Development and Construction :-

Except as hereinafter otherwise provided these regulations shall apply to all development, redevelopment, erection and/or re-erection of a building, change of user etc. as well as to the design, construction or reconstruction of, and addition and alterations to a building.

2. Part Construction :-

Where the whole or part of a building is demolished, or altered or reconstructed/stipulated, these regulations apply only to the extent of the work involved.

3. Change of Occupancy :-

Where the occupancy of the building is changed except where otherwise specifically stipulated these regulations apply to all parts of the building affected by the change.

4. 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.



- 6. DEVELOPMENT PERMISSION /COMMENCEMENT CERTIFICATE REQUIRED :-**
- A)** No person shall carry out any development or redevelopment, erect, re-erect or make alterations or demolition of any building or cause the same to be done without first obtaining a separate development permission /commencement certificate for each such development work from the Planning Authority. Any-change in the use of the land or building excluding those specified in clauses from i) to ix) of Section 43 of the M.R. & T.P. act 1966 shall also require permission of the Planning Authority.
- B)** The following operational construction of the Government, whether temporary or permanent which is necessary for the operation maintenance, development, execution or any of the following services may be exempted from the purview of the regulations.
- i)** Railway
 - ii)** Rope way
 - iii)** Natural waterways
 - iv)** Helipad
 - v)** Posts and Telegraphs, Telephones, wireless, Broadcasting and other like forms of communication.
 - vi)** Regional grid for electricity and
 - vii)** Any other service which the state Government may, if it is of opinion that the operation, maintenance, development or execution of such service is essential to the life of the community by notification declare to be a service for the purpose of this clause.
- C)** However the following constructions of the Government Department do not come under the purview of operational construction for the purpose of exemption under Regulation no.6(B)
- 1) Residential buildings, commercial Buildings, office Buildings, roads and drains, railway colonies, hospitals, clubs, institutes and schools in the case of railways and
 - 2) A new building, new construction, or new installation or any extension thereof in the case of any other services.
- D)** In the context of Regulation No.6(B) for the purpose of deciding what constitutes operational construction the following may be used as the basis.
- i)** Repairs, renovations etc. to the following works in the existing installation, buildings, etc of the railways
 - a)** All railway tracks in and outside the yards including the formation, culverts, bridges, tunnels and side drains
 - b)** Buildings, platforms, foot over bridges, subway, sheds over platforms, yard master's and train dispatcher's offices, weigh bridges, turn tables, lifting towers, gantries.
 - c)** Running (LOCO) sheds, carriage and wagon depots, carriage washing arrangements, running rooms, Train examiner's office and depots in the yards, permanent way inspector's and signal inspector's stores in the yard, water tanks over-head and ground level, pipe lines and pumping stations.
 - d)** Goods sheds, parcel offices, goods platforms
 - e)** Store sheds, Sub-Stations



- f) Signals, signal cabins, control cabins in hump yards
- ii) Fencing or walling for protection of railways and yards.
- iii) All overhead electric equipments for electric traction

Note 1 :- In the case of new railway lines, the Railway Administration should make a reference to the State Government for their views before finalizing the project.

Note 2 :- For the construction of new station buildings, goods sheds, parcel offices, goods platforms and workshops or their major remodelling distinct from repairs, renovations etc, referred to under item D(i) (a) to (f) above, reference to the planning authority will be necessary

7. VALIDITY OF DEVELOPMENT PERMISSION :-

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

8. APPLICABILITY TO PARTIALLY COMPLETED WORKS :-

For partially completed works, started with due permission before these Regulations 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 regulating for extending the period of the development permission which shall not exceed that specified in section 48 of the Maharashtra Regional and Town Planning Act, 1966

9. PROCEDURE FOR OBTAINING DEVELOPMENT PERMISSION / COMMENCEMENT CERTIFICATE :-

A. Notice :-

Every person who intends to carry out development or redevelopment and/or erect, re-erect or make alterations in a building or demolish any building or part of building, shall give notice in writing to the Planning Authority of his said intention in the prescribed form, as prescribed in Appendix I, and such notice shall be accompanied by plans and statements in sufficient copies as stated herein. The plans may be ordinary prints on Ferro paper or ammonia prints or computer prints or any other type. Provided, however, that in the case of change in the use of land or building not entailing any construction work, the owner shall submit a copy of the sanctioned plan of the premises in which the change in use is proposed showing the original and proposed use.

B. Copies of plans and statements:-

- i) **Notice** – The notice referred to in sub regulation (A) of Regulation 9 shall be accompanied by as many copies of plans as the Chief Officer may prescribe after taking into consideration the clearances required from other agencies.



ii) **Size** – The size of drawing sheets shall be any of those specified in Table- 1 hereunder.

TABLE 1
Drawing Sheet Sizes

Serial No.	Designation	Trimmed Size
1	A0	841X1189
2	A1	594X841
3	A2	420X594
4	A3	297X420
5	A4	210X297
6	A5	148X210

iii) **Coloring notations for plans** – The plans shall be coloured as specified in Table 2 hereunder. The prints of the plans shall be on one side of the paper only.

Table-2
Coloring 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 Spaces	No colour	.....
6	Work proposed to be demolished	Yellow hatched	.....
7	Proposed work	Red filled in	.....
8	Drainage and Sewerage	Red dotted	.....
9	Work	Blue dotted thin	.....
10	Water supply work	Red hatched	.....
11	Deviations	Green wash	.....
12	Recreation Ground / 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.



C. Information accompanying notice :-

The notice shall be accompanied by the key (location) plan, site plan with all trees marked there on, sub-division lay-out plan, building plan, services plan, specifications and certificate of supervision, scrutiny fee, security deposit, development charges, and ownership title as prescribed in sub-regulation D of Regulation 9.

D. Ownership title :-

Every application for a development permission/commencement certificate shall be accompanied by the following for verifying the proof of ownership.

- i) Latest Extracts of the property register card and,
- ii) Other documents if requisitioned by the Planning Authority.
- iii) Copy of indemnity bond about ownership title on specified stamp paper.
- iv) Copy of lease deed.

E. Key plan or location plan :-

A key plan drawn to scale of not less than 1:10000 shall be submitted along with the application for development permission/commencement certificate showing the boundary locations of the site with respect to neighbourhood land marks.

F. Site plan :-

The site plan sent with an application for permission shall be drawn to a scale of 1:500 or such other nearest scale available 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(s) in which the building is proposed to be situated if any.
- d) All existing buildings standing on, over or under the site or approved earlier having the valid permission on the date of application for this development permission.
- 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 (a) in relation to,
 - i) The boundaries of the site and in case where the site has been partitioned, the boundaries of the portion owned by the applicant and also of the portions owned by others.
 - ii) Adjacent streets and buildings on adjoining plots (with number of storeys and height and marginal open spaces)
 - iii) If there is no street within a distance of 12mt. of the site, the nearest existing street.
- f) The means of access from the street to the building and to all other buildings (if any) which the applicant intends to erect upon his contiguous land referred to in (a).



- g) Space to be left around the building to secure a free circulation of air, admission of light and access for scavenging purpose.
- h) The width of the street (if any) in front and of the street (if any) at the side or near the buildings.
- i) The direction of north point relative to the plan of the buildings.
- j) Any existing physical features, such as wells, drains, trees etc..
- k) The ground area of the whole property and the break-up 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 the regulations governing the coverage of the area.
- l) Electric supply line, water supply and drainage line.
- m) Such other particulars as may be prescribed by the planning authority.
- n) Any piece of land which does not vest with the applicant but surrounding which the applicants land under permission exists.
- o) The extent to which the land is effected by any excavation or including the road widening line of the D.P. The extent to which the land is affected by other regulations in force.
- p) All the existing trees in the plot with details of trees. **EP-18**

G. Sub-division layout plan :- Deleted. Sub-division layout Plan RETAINED **EP-18**

Subject to provision of sub regulation 20, the application for "sub-division" layout plan shall be accompanied by a key plan showing the location of the plot in the ward, drawn to a scale of not less than 1:4000 and a sub-division layout plan to a scale of not less than 1:5000, which shall be duly authenticated by the appropriate officer of District Inspector of land records / Superintendent of land records containing the followings :

- a) Scale used and North Point.
- b) The location of all proposed and existing roads with their existing proposed prescribed width, within the land.
- c) Dimensions of plot along with building lines showing the set backs with dimensions within each plot.
- d) The location of drains, sewers, public facilities and services and electrical lines etc.
- e) Table indicating size, area and use of all the plots in the subdivision layout plan.
- f) A statement indicating the total area of the site, area utilized under roads, open spaces for parks, play grounds, recreational spaces and development plan reservations, schools, shopping and other public



places along with their percentage with reference to the total area of the site proposed to be sub-divided.

g) In case of sub-division of plot, In addition to the above, the means of access to the sub-division from existing streets.”

In the case of development work, the notice shall be accompanied by a key-plan showing the location of the plot in the ward at a scale of not less than 1:4000, and a subdivision layout plan to a scale of not less than 1:500, which shall be duly authenticated by the appropriate officer of District Inspector of Land Records / Superintendent of Land Records containing the followings:

- a) Scale used and North Point.
- b) The location of all proposed and existing roads with their existing/proposed prescribed widths within the land.
- c) Dimensions of plot along with building lines showing the set-backs with dimensions within each plot.
- d) The location of drains, sewers, public facilities and services and electrical lines etc.
- e) Table indicating size, area and use of all the plots in the sub-division lay-out plan.
- f) A statement indicating the total area of the site, area utilized under roads, open spaces for parks, playgrounds, recreation spaces and development plan reservations, schools, shopping and other public places along with their percentage with reference to the total area of the site proposed to be sub divided.

g) In case of plots which are sub-divided in built-up areas in addition to the above, the means to access to the sub division from existing streets.

H. Building plan :

The plans of the buildings and elevations and sections accompanying the notice shall be drawn to a scale of 1:100 The building plan shall

a) Include floor plans of all floors together with the covered area clearly indicating the sizes of rooms and position and width of staircase, ramps and other exit ways, lift wells, lift machine room and lift pit details. It shall also include ground floor plans as well as basement plans and shall indicate the details of parking space, loading and unloading spaces provided around and within building as also the access ways and the appurtenant open spaces with projections in dotted line, distance from any building existing on the plot in figured dimensions along with accessory building.

- b) Show the use of occupancy of all parts of the building.
- c) Show exact location of essential services for example w.c., sink, bath and the like.
- d) Include sectional drawings showing clearly the sizes of the footings,



thickness of basement wall, wall construction, size and spacing of framing members, floor slabs and roof slabs with their materials. The section shall indicate the heights of the 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. The structural plan giving details of all structural elements and materials used along with structural calculations can be submitted separately but in any circumstances before the issue of the development permission/commencement certificate.

- e) Show all street elevations. Show relative level of streets.
- f) Give dimensions of projected portions beyond the permissible building line.
- g) Include terrace plan indicating the drainage and slope of the roof.
- h) Give dimensions of doors, windows & ventilators .
- i) Such other particulars as may be prescribed by the planing authority.

I. Service plan :

Details of private water supply, sewage disposal system and details of buildings services, wherever required by the planning authority, shall be made available on a scale not less than 1:100, before undertaking such works.

J. Specifications :

General specifications of the proposed constructions type and grade of materials to be used in the prescribed form duly signed by licensed Architect/Engineer/Structural Engineer/ Supervisor as the case may be shall accompany the notice. "General Specifications of the proposed construction should be such as to withstand to the earthquake and the Architect/Structural Engineer should certify that the proposed construction is safe so as to withstand the earthquake."

K. Supervision :

The notice shall be further accompanied by a certificate of supervision by the licensed Architect/Engineer 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 person is appointed and his certificate of supervision along with a certificate for the previous work erected (either from the old Architect or new) is accepted by the planning authority.

L. Payment of fees, deposit, charges etc.:

a) Scrutiny fee :

Person applying for a permission for carrying out building operation on any land shall with his application pay to Municipal Council Scrutiny fee at the following rates.



TABLE 3

	• Purpose	• Scale of fees
1	To construct or Reconstruct a building	Rs.50/- per 10 Sq.m.or part thereof with a minimum of Rs.500/-
2	For alteration and/or additions to the existing buildings where additional area is proposed.	Rs.50/- per 10 Sq.m.or part thereof with a minimum of Rs.500/-
3	For alterations where no additional area is involved.	Rs.500/- per proposal
4	In case of amended plans for sanctioned proposal.	With every amended proposal a fee of Rs.500/- where in no extra floor area is proposed Rs.50/- per 10 Sq.m. or part thereof with a minimum of Rs.500/-

Explanation

- 1) Fees will be charged for compound wall, storage tank, garages and uncovered structures at the rate of Rs.200/- per proposal if received separately.
- 2) For the purpose of working out the proposed built -up area, sanctioned built-up area for the proposal will be taken as the basis for charging fees .
- 3) The above scale of fees shall be considered as basic scale and will be applicable for dwelling houses only.
- 4) All the registered Co-operative Housing Societies shall be charged at 50 percent of the above basic scale subject to minimum of Rs. 300/-.
- 5) in case of proposals for medical, educational, religious purposes run by charitable institutions which are duly registered, fees shall be charged at 1/3rd of the basic scale subject to minimum of Rs.250/-
- 6) In case of proposal for Business and commercial buildings, Cinema Theatres and Entertainment Halls, Hotels and lodging Houses, fees shall be charged at double the basic scale, subject to a minimum of Rs.1,500, For the purpose of this clause actual floor areas under different uses shall be calculated separately for charging the fees, where the buildings are proposed for mixed users.

b) Revalidation Fee :

The fee for revalidation of development permission shall be as under :



TABLE 4

Purpose	Scale of revalidation fee	
	"A" for purely residential occupancy	"B" for occupancies other than residential.
1	2	3
i) where application for revalidation is submitted within one month of expiry of C.C.	1000.00	2000.00
ii) where application for re validation is submitted after expiry of one month but before expiry of 3 month of C.C.	1000.00 plus 500/- late fee	2000.00 plus 1000/- late fee
iii) where application for re-validation is submitted after expiry of three months of the valid date C.C. but in any case not later than 2 years from the date of approval	Rs. 1000/- plus late fee at Rs.200/- per month or part thereof for the period	Rs. 2000/- plus fee at Rs.500/- per month or part thereof for the period

c) Fees for Development of land/sub-division/amaigamation and lay-out of land Deleted EP-18

The fees for submitting proposals for development of land/Sub division/amaigamation and lay-out of land shall be Rs.500/- for every 1000.00 Sq.m. or part thereof for residential commercial and any other purpose.

c) Fees for Development of land/sub-division/amalgamation and lay-out of land

The fees for submitting proposals for development of land/Sub-division/amalgamation and lay-out of land shall be Rs.500/- for every 1000.00 Sq.m. or part thereof for residential commercial and any other purpose.

d) Fees for Enclosure of balconies :- Deleted DELETED EP-18

A balcony in a building permitted as per approved plan may be enclosed otherwise upon the payment of additional fee at Rs.200/- per balcony up to first five Sq. mtrs. of floor area and Rs.100/- for every additional floor area of 2.50 Sq.mtr. or part thereof.



† however enclosing balcony shall not mean inclusion of balcony in the adjoining room or hall.

e) Fee for Additional Copies of Approved Plans :

A person applying for additional copies of approved plans or development permission etc., shall have to pay fees as follows :

Purpose	Scale of Fees
To furnish a copy of set of approved plans and other documents in respect of building permission to the bonafide person who may make an application in writing for this purpose.	Minimum of Rs. 100/- per copy

f) Security Deposit :

The applicant shall deposit and keep deposited an amount as a security for the due performance of the conditions attached to the permission granted under the commencement certificate. The amount shall be deposited along with application and shall be calculated at the following rates.

i) Rs.5/- per Sq.m. of the total floor area proposed to be constructed for residential user and Rs. 10/- per Sq.m. for all the land uses except in case of development for hospital, dispensary, school or college.

ii) Rs.5/- per Sq.m. of the total floor area of the development for hospital, dispensary, school or college or for any other purpose which the planning Authority may specify by general or special order. The total amount to be deposited in such case shall not exceed Rs. 1000/-.

iii) Rs.250/- for every 100 Sq.m. of plot area or part thereof if the intended development is within the scheme for allotment of plots of land to the project affected land-holders in the defined area.

iv) These rates are liable to be revised after every 5 years from the day on which these regulations comes into force.

v) The Security deposit shall be refunded within a month after the grant of that Occupancy certificate.

vi) The security Deposit shall be forfeited either in whole or in part is the absolute discretion of chief officer for breach of any of the provisions of these regulation and conditions attached to the permission covered by the commencement certificate. Such a forfeiture shall be without prejudice to any other remedy or right of the Planning Authority.



M. No objection certificate :-

In the case of certain occupancies, requiring clearance from the authorities like M.T.D.C., Railways, Maharashtra pollution Control Board, District Magistrate, etc., the relevant No objection certificate from these authorities applicable to the occupancy, shall also accompany the application.

N. Signing of plans

All the plans shall be duly signed by the owner or lessee or a holder of power of Attorney from the owner and the licensed Architect/ Engineer/Structural Engineer as the case may be and shall indicate their names, addresses and licence numbers allotted by the planning Authority.

O. Qualification and competence of the licenced architect / engineer / structural engineer / surveyor :

Architect Engineer, Structural Engineer and surveyor shall be licensed by the planning Authority as competent to do the various works as given. The qualifications and procedure for licensing the Architect, Engineer, Structural Engineer and surveyor shall be as given in Appendix III.

10. PROCESSING OF THE DEVELOPMENT PERMISSION APPLICATION:

1. Grant of permission or Refusal :

The Chief Officer may either sanction or refuse to sanction the plans and specifications or may sanction them with such modifications/conditions or directions as he may deem necessary and thereupon, he shall communicate his decision to the person giving the notice accordingly.

2. Deemed permission :

If within sixty (60) days of the receipt of the notice or within sixty (60) days of the re-submission of plan the planning authority fails to intimate in writing to the person, who has given the notice of its refusal or sanction or sanction with such modifications/conditions or directions, the notice with its plans and statements shall be deemed to have been sanctioned, provided that this shall not be construed to authorise any person to do anything on the site of the work on contravention of or against the terms of lease or title of the land, development plan and these regulations or any law in force.

3. Revised Plans :

Once the plans have been scrutinized and objections have been pointed out, the owner giving notice shall modify the plans, comply with the objection raised and resubmit it. The prints of plans submitted for final approval shall not contain superimposed corrections. The planning Authority shall grant or refuse the commencement certificate/building permission within 60 days from the date of resubmission.

11. COMMENCEMENT OF WORK :

A 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 along with necessary fees as detailed out in Regulation 9(L) above. 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.

For the purpose of this Regulation, "Commencement" shall mean as under :

a)	For a building work including additions and alterations.	Up to Plinth level
b)	For Bridges and Overhead tanks.	Foundation and construction work up to the base floor.
c)	For Underground works.	Foundation and construction work upto floor of underground floor.
d)	For Lay-out, Sub-division and amalgamation proposals. Deleted RETAINED	Final demarcation and provision of infrastructure and service upto the following stages: i) Roads : water bound macadam complete. ii) Sewerage, drainage and water supply: excavation and base concreting complete.
d)	For Lay-out, Sub-division and amalgamation proposals.	Final demarcation and provision of infrastructure and service upto the following stages. i) Roads : water bound macadam complete. ii) Sewerage, drainage and water supply: excavation and base concreting complete.

12. REVOCATION OF PERMISSION :

In addition to the provisions of section 51 of Maharashtra Regional and Town Planning Act, 1966 the Planning Authority may revoke any building permission issued under the provisions of the 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 the whole work shall be treated as unauthorized. In the case of revocation of the permission based on false statements or any material misrepresentation of fact in the application no compensation would be payable.

13. PROCEDURE DURING CONSTRUCTION :

1. Construction to be in conformity with regulation :

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



shall in any way relieve the owner of such building from full responsibility for carrying out the work in accordance with the requirements of the regulations.

2. Notice for start of Work :

The owner shall give notice to the Planning Authority of his intention to start work on the building site. The owner may start the work after 7 days have elapsed from the date of the service notice to the Planning Authority or earlier, if so permitted.

3. Documents at site :

Where tests of any materials are made to ensure conformity with the requirements of the 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.

The person to whom a building permission is issued during construction keep :

- (a) Pasted in a conspicuous place on the site in respect of which the permission was issued, a copy of the building permission and,
- (b) a copy of approved drawings and specifications referred to in Regulations 9 on the site for which the permit was issued.

4. Checking of Plinth Column upto Plinth Level :

The owner shall give notice to the Planning Authority after the completion of work upto plinth level with a view to enable the Planning Authority to ensure that the work is carried out in accordance with the sanctioned Plans. The Planning Authority shall carry out the inspection within seven days from the receipt of such notice and give them permission for carrying out further construction work as per sanctioned plan. If the permission is not refused within the above period the permission shall be deemed to have been given, provided the work is done as per these regulations and approved plans.

5. Deviation during Construction :

If during the construction of a building any departure which is not of a substantial nature from the sanctioned plan is intended to be made by way of addition which does not violate any provisions regarding general building requirements, structural stability, alteration may be made and sanction of the Planning Authority shall be obtained immediately and in any case before application for occupation certificate and the procedure laid down for original plan shall apply to all such amended plans. Provided further that if any such alterations are likely to result in increasing the number of tenements, the built-up area/F.S.I. or open spaces or the height of the building, no such alterations shall be carried out unless sanction to the amended plan is obtained.

6. Completion Certificate :

The owner through his licensed plumber, shall furnish a drainage completion certificate to the Chief Officer in the prescribed form. The owner through his licensed surveyor/engineer/structural engineer / supervisor or his architect, who has supervised the construction, shall furnish a building completion certificate, along with 3 sets of completion plans and alongwith certificate of the structural engineer regarding the compliance of the structural requirements prescribed for Seismic Zone IV to the Chief Officer in the prescribed form. The completion certificate shall be accompanied by plans



of the completed development. One of the sets duly certified as completion plan shall be returned to the owner alongwith the issue of completion certificate. The notice shall accompany all such other documents, fulfilling the conditions mentioned in the commencement certificate or any other condition specified otherwise also.

7. Occupancy certificate :

The planning authority on receipt of the completion certificate alongwith all the required documents shall inspect the work and after satisfying himself that there is no deviation from sanctioned plans, sanction or refuse an occupancy certificate within 1 month from the date of receipt of 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 and these regulations. One set of plans, certified by the Chief Officer as the completed plans, shall be returned to the owner along with the occupancy certificate. Where the occupancy certificate is refused or rejected, the various reasons shall be quoted for rejection, at the first instance itself.

8. Part Occupancy Certificate :

Upon the request of the holder of the development permission the Planning Authority may issue a part occupancy certificate for a building or part thereof before completion of the entire work as per development permission to ensure public safety and health safety. The occupancy certificate shall be given by the planning authority shall be subject to the owner indemnifying the planning authority regarding safety of the occupants during further construction.

14. AMENDMENT/MODIFICATION TO APPENDICES

Except where the same are prescribed in Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965. or Maharashtra Regional and Town planning Act, 1966 or the rules or bye-laws framed thereunder, the Chief Officer may from time to time, add to, alter or amend Appendices I to XIV in consultation with the Deputy Director of Town Planning, Konkan Division.

15. INSPECTION

1) **Inspection at various stages** - The Chief Officer/Municipal Officer may at any time during erection of a building or the execution of any work/development make an inspection thereof without giving previous notice of his intention to do so.

2) **Unsafe building** - 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 Chief Officer.

3) **Unauthorised development** - In case of unauthorised development, the Chief Officer shall,

a) take suitable action which may include stopping of unauthorised works as provided in section 54 or demolition of unauthorised works as provided in section 53 of the Maharashtra Regional and Town Planning Act, 1966 and the relevant provisions of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965.



b) take suitable action against the Owner/lessee, lessee, licensed technical persons or the architect concerned under section 52 of the Maharashtra Regional and Town planning Act, 1966 . **EP-18**

4) Unauthorised occupation of building - The Chief Officer shall recover from the concerned land owner / developer / occupier of any building which is found occupied before obtaining occupation certificate as required under these Regulations, an additional amount equal to the 100 % of the consolidated property tax levied in respect of such occupied built-up portion alongwith the normal property tax till a requisite occupation certificate is obtained.



PART II GENERAL PLANNING REQUIREMENTS

16. LAND USES AND THE MANNER OF DEVELOPMENT

The users of all lands situated within the municipal limits of MATHERAN, which have been allocated, designated or reserved for certain purposes in the development plan, shall be regulated in regard to type and manner of development / re-development, according to Table 5 hereunder subject to the following conditions.

(i) The reservations / public sites designated in the name of the Municipal Council, or in any Appropriate Authority in the development plan could be developed by owner or any other person / institution only after obtaining prior permission either of the Chief Officer or of the concerned Appropriate Authority as the case may be.

(ii) The reservation / public site designated in the name of the Municipal Council, or in any Appropriate Authority in the development plan shall be developed by owner or any other person/institution only as per the specifications and requirement of the Chief Officer, or of the Appropriate Authority in respect to such reservation.

(iii) The powers vested in these Regulations shall be exercised by the Chief Officer and shall have right to impose terms and conditions as he may deem fit.

(iv) Where development of sites designated for play grounds and for similar users is permitted, ancillary structures under gymnasiums, gymkhanas, clubs, stadium, spectator's gallery swimming pools, etc. shall not exceed in ground coverage of 10 % of the area of site with FSI of 0.15. Further, location of such structures shall be such that they shall keep remaining large area suitable for the principal user. RETAINED WITH MODIFIED. **EP-18**

(v) Where an owner in terms of column (3) in table 5 above is permitted to develop certain categories of reservations, allocations or designations by the Chief Officer, the Municipal Council or the concerned Appropriate authority may at any time acquire the land thereunder. **EP-18**



Table-5
Land Uses and the manner of Development

Sr. No.	Use(Allocation, designation or reservation)	Person/Authority who may develop	Condition subject to which development is permissible
1	<p>(a) Residential(R) (i) Bazar Plots R_B {Residential(R-B)} ii)Matheran Plots R_M {Residential R-M} MODIFIED EP-18 (b)Housing for DP affected persons</p>	<p>The owner or lessee <input type="text"/></p> <p>Mun. Council/ The lessee DELETED EP-18</p>	<p>Municipal Council may develop the land after acquiring in accordance with the law. OR DELETED EP-18</p> <p>With prior approval of Govt., the lessee may develop the land for housing with normal permissible FSI on such terms as are agreed between him and the Chief Officer provided that in the development, a min. density of 40 units per net hectare with not less than 50 percent tenements having a carpet area of 25.00 sq.m. shall be achieved and 25 percent of the total built up area from the tenements of carpet area of 25.00 sq. m each in the building either on ground floor or first floor so constructed by him shall be handed over to the Chief Officer free of cost for equivalent FSI for allotment of persons affected by implementation of development plan who are occupying existing structures to be pulled down.</p> <p>Thereafter, the lessee is free to utilize the FSI permissible to this plot without considering the FSI utilized for the tenements surrendered free of cost. DELETED EP-18</p>
2	<p>Commercial(c) Municipal Market/</p>	<p>Mun. Council./</p>	<p>Municipal Council may develop the land</p>



	Shopping Centre/ Market	The lessee DELETED EP-18	after acquiring in accordance with the law. OR DELETED EP-18
			The lessee may develop the reservation on his agreeing to give 25% of the permissible built-up area for Market/ Shopping Centre as per the requirement of the Chief officer, to the Municipal Council at the cost of construction cost plus 15% amount of it. free of cost. The lessee, thereafter, will be entitled to have the permissible FSI of the plot for other permissible users without taking into account the built up area of Market/ Shopping Centre to be handed over to Council.
3	Transportation a) Proposed Road/Street b) Proposed widening of existing road c) Parking, Bus stand, Logistic hub	Municipal Council Municipal Council Mun.Council / The lessee DELETED EP-18 Forest Dept	-- -- Municipal Council may develop the land after acquiring in accordance with the law.MP plot after acquiring in accordance of law. Forest dept may develop the parking site at Dasturi which is being used by them for parking of vehicles on payment. OR DELETED EP-18
			The lessee may be allowed to develop the parking for the public according to the design, specifications & conditions as prescribed by the Chief Officer 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.



	d)Bus Stand	M.S.R.T.C /Public Authority/Municipal Council	
4	Health a) Municipal clinic b) Meditation Centre	Mun. Council Mun. Council	Municipal council may develop the land after acquiring it in accordance with the law.
5	Educational a) Primary School b) Nursary/K.G., c) Ashramshala for tribals	Mun.Council Mun.Council Mun. Council / The lessee DELETED EP-18	Municipal Council may develop the land after acquiring in accordance with the law. Mun.Council may entrust the primary school to registered Institution or trust for operation OR DELETED EP-18 The lessee may be allowed to develop the School/Educational purpose for the public according to the design, specifications & conditions as prescribed by the Chief Officer utilizing the full built-up area equal to the FSI available on the plot for the purpose of providing the school/Education purpose. The operation and maintenance of the facility will be decided by the Chief Officer. EP-18
6	Govt. or Semi-public a) Govt, Office b) Mun. Office c) Telephone exchange	Govt. Department Mun.Council BSNL	Govt/Council may develop the land after acquiring in accordance with the law. -- ---
7	Assembly and Recreation Amenity & Services		



	<p>a) Tourist information centre</p> <p>b) Museum & Nature park</p> <p>c) Garden</p> <p>d) Playground</p> <p>e) Stadium/ Racecourse</p> <p>f) Library</p> <p>g) civic centre</p> <p>h) community centre</p>	<p>Municipal Council</p> <p>Municipal Council</p> <p>Municipal Council</p> <p>Municipal Council</p> <p>Municipal Council</p> <p>Municipal Council</p> <p>Municipal Council / The lessee</p> <p>Municipal Council / The lessee</p> <p>DELETED EP-18</p>	<p>Municipal Council shall develop the land after acquiring it in accordance with law.</p> <p>OR DELETED EP-18</p> <p>The lessee may develop the reservation on his agreeing to give 25% of the permissible built-up area for civic / community center as per the requirement of the Chief officer, to the Municipal Council free of cost. The lessee, thereafter, will be entitled to have the permissible FSI of the plot for other permissible users without taking into account the built up area of civic / community center to be handed over to Council..</p> <p>DELETED EP-18</p>
8	<p>Open Space recreation</p> <p>a) Garden / ropeway station/ pay master park/ Park/play ground</p>	<p>Municipal Council</p>	<p>The Municipal Council shall develop the reservation in accordance with law and maintain it or may hand over the amenity to a public organization for operation & maintenance on terms decided by it.</p>
9	<p>Public Utilities</p> <p>a) Extn.to water filtration work</p> <p>b) Horse stables</p> <p>c) Slaughter house</p> <p>d) Solid waste management</p> <p>e) Horse care centre</p> <p>f) Cemetary/ Cremation Ground/burial</p>	<p>Municipal Council</p> <p>Municipal Council</p> <p>Municipal Council</p> <p>Municipal Council / The lessee</p> <p>DELETED EP-18</p> <p>Municipal Council/ Public Authority/ The lessee</p>	<p>Municipal Council may shall develop the land after acquiring in accordance with the law.</p> <p>OR DELETED EP-18</p> <p>The lessee may be allowed to develop the reservation for the public according to the design, specifications & conditions as prescribed by the Chief Officer utilizing the full built-up area equal to the FSI available on the plot for the purpose of providing the reservation. The operation and maintenance of the facility will be decided by the Chief Officer.</p> <p>The Municipal Council or Public Authority may develop the land after acquiring in accordance with the law.</p>



	Ground		<p style="text-align: center;">OR DELETED EP-18</p> <p>The lessee trust may be permitted to develop land for cemetery or cremation ground with the approval of the Municipal Council on such terms and conditions as it may specify</p>
--	--------	--	--

17. PROHIBITION OF FACTORIES :

**PROHIBITION OF FACTORIES IN RESIDENTIAL BUILDING
RETAINED **EP-18****

Notwithstanding anything contained in these regulations, no permission shall be granted for erecting any factory, work shop or work place wholly or partly on lands used for residential purposes within municipal limit even if such use is in conformity with these regulations.

Notwithstanding anything contained in these regulations, no permission shall be granted for erecting any factory, work shop or work place wholly or partly on lands used for residential purposes even if such use is in conformity with these regulations.

18. REQUIREMENTS OF SITES :-

- (1) **No piece of land shall be used as a site for the construction of building,**
- i) If the planning authority considers that the site is insanitary or that it is dangerous to construct a building on it or no water supply is likely to be available within a reasonable period of time.
 - ii) If the site is adjacent to any water course shown on the Development Plan or any other plan.

Provided, however, that the Planning Authority may allow the construction of buildings in such a site after determining the water way required and subject to the condition that required protection work is constructed by the Applicant at his cost at the edge of such water way.

Provided further that where a water course passes through a low lying land without well defined bank, the owner of the property may be permitted by the authority to restrict or divert the water course to an alignment and cross section as determined by the Planning Authority.

Notwithstanding the above, the Planning Authority shall be entitled to take cognizance of the existence of all water courses whether shown on the Development Plan or any other plan or not while sanctioning layouts and no person shall take any action without the permission of Planning



Authority which results in reducing the water way of closing or filling up of any existing water course.

- iii) If the site is not drained properly or is incapable of being well drained.
- iv) If the owner of the building has not shown to the satisfaction of the Planning Authorities all the measures required to safeguard the construction from constantly getting damp.
- v) If the building is proposed on any area filled up with carcasses, excreta filthy and offensive matter unless the planning Authority considers to be fit to be built upon from sanitary point of view.
- vi) If the plot has not been approved as a building site by planning authority.
- vii) For assembly use for cinemas, theatres, places of public worship, residential hotels, lodging and boarding houses, unless the site has been previously approved by the Planning Authority and the Commissioner of Police.
- viii) Within 30 mt. from the burial or cremation ground-buildings for human habitation.
- ix) If the construction involve major tree cutting or misfits in the environment.
- x) If the proposed development is likely to involve damage to or have deleterious impact on or is against urban aesthetics of environment or ecology and/or on historical/heritage/ architectural/aesthetical buildings and precincts or is not in the public interest.
- xi) If the general slope of the land is 20 degrees or more.

(2) Distance of site from electric lines :

No verandah, balcony or the like shall be allowed to be erected or re-erected or any additions or alternations made to a building on a site within the distance quoted below in accordance with the current Indian Electricity Rules and its amendments from time to time between the building and any over head electric supply line.

TABLE 6

		Vertically in metres	Horizontally in metres
a)	Low and medium voltage lines & service lines	2.50	1.20
b)	High voltage lines upto and including 33,000 V.	3.70	2.00
c)	Extra high voltage	3.70(plus 0.3m. for	2.00 (plus 0.3m.



	beyond 33,000 V.	every additional 33,000 V. or part thereof)	for every additional 33,000 V. or part thereof)
--	------------------	---	---

(3) The minimum clearance specified in Table 6 above shall be measured from maximum sag for vertical clearance and from maximum deflection due to wind pressure for horizontal clearance.

19. (A) MEANS OF ACCESS :

(1) Every building existing or proposed shall have public or internal means of access as required in these regulations.

(2) Every person who erects a building shall not at any time erect or cause or permit to erect or re-erect any building which in any way encroaches upon or diminishes the area set apart as means of access.

(B) WIDTH OF MEANS OF ACCESS :

(1) The plot shall abut on public means of access like street/road. Plot which do not abut on a street shall abut/front on a means of access, the width of which shall be 3.0 m. as minimum.

20. SUB-DIVISION OR LAYOUT OF LAND :

"MANNER OF SUB DIVISION/LAYOUT OF LAND IN CERTAIN CIRCUMSTANCES." SM-12

a) No further sub-division of any Bazar plot or any Matheran plot shall be permitted.

Provided that in case of leased lands, such sub-division may be permitted for reasons to be recorded and with the express consent of the Lessor for utilizing Matheran plot for public, semi-public purposes or for providing amenities and facilities for tourists. However, such sub-division shall not involve any tree cutting.

Further, the State Govt. as Lessor may sub- divide the Matheran plots which are bigger in areas at the time of renewal or revision of lease-deed so as to allot lesser area to the lessee to take out excess area from the concerned Matheran Plot for conservation of forest or for afforestation.

b) No Matheran Plot shall be sub-divided to form area lesser than 0.4 Hectare.

c) No Bazar Plot shall be further sub-divided.

d) The lands which are not under Bazar or Matheran Plots shall not be sub-divided.



21. F.S.I./BUILT-UP AREA :

- a) For the purpose of F.S.I./Built-up area calculations, the Matheran/Bazar plot area on record shall only be considered.
- b) The Built-up area, F.S.I. permissible for various occupancies shall be as given in the following Table :

TABLE 7 MODIFIED [EP-18]

Sr.No. Occupancy	Nature of	Maximum F.S.I.	Built-up area (Max.) (coverage on Land) Maximum plinth area
i) <i>Purely Residential</i>	a) Bazar Plot (R-1)	1.80-1.50 Subject to max built-up area of 2000 sq.mt	2/3 rd 3/4 th of plot area
	b) Matheran Plot (R-2)	0.10 Upto 4000sq.m.- 0.10 4001-8000 - 0.08 8001-20000 - 0.06 Above 20000 - 0.04	10% of Matheran plot area
i) <i>Commercial/ Commercial with Residential</i>	a) Bazar Plot (R-1)	1.33	2/3 rd of plot area
	b) Matheran Plot (R-2)	0.10	10% of plot area
ii) Hotels, lodging, Holiday Homes, Rest houses, Lodging houses.	(A) Upto 2 Star Category	1.33 1.50	2/3 rd 3/4 th of plot area
	a) Bazar Plot (R-1)	0.15 0.10	
	b) Matheran Plot (R-2)		10% of Matheran plot area
	(B) 3-Star and above Category		---
a) Bazar Plot (R-1)		---	10% of the Matheran plot area
	b) Matheran Plot (R-2)	0.15	10% of the Matheran plot area
iv) Educational & Medical facilities (including Staff Quarters)		0.15	10% of the Matheran plot area
v) Govt. /Semi-Govt. Buildings		0.15	10% of the Matheran plot area



vi) Other public buildings including religious users and all types of and all types of assembly buildings	0.10	10% of the Matheran plot area
Table No. 7 MODIFIED EP-18		
Nature Occupancy	Max. FSI	Max. plinth area
i) All users except in (ii)		
a) Bazar plot-R _B	1.33	2/3 of plot area.
b) Matheran plot R _M	0.10	10% of plot area.
ii) Tourist Amenities	0.2	10% of Matheran plot area.

Note - In Matheran plots, where part area is falling in Tree Conservation Zone, the built up area shall be calculated considering the F.S.I. prescribed above and area of entire Matheran plot. However the built area shall be utilized in portion included in residential zone.

C) Exclusion from F.S.I. Computation.

The following shall not be counted towards F.S.I. **MODIFIED EP-18**

- i) Architectural features, elevated tanks of permissible dimensions, lift wells, lift room above top-most storey.
- ii) Cantilever balcony as per clause 52
- iii) Area of fire escape stairways and cantilever for fire escape passages only in respect of public and semi public buildings, assembly buildings and in hotel buildings.
- iv) Area of basement if used only as store or for used for electric generator and Air Conditioning Plant room.
- iii)-Porches, electrical meter room, pump room.
- iv) Swimming pool tank (excluding changing rooms) and its filter house.
- V) Pagodas and like land-scaping structures in gardens including fountains.

22) ADDITIONAL FLOOR SPACE INDEX WHICH MAY BE ALLOWED IN CERTAIN CATEGORIES- Deleted DELETED EP-18

1) Road widening and construction of new Roads

The Chief Officer may permit additional floor space index on 100 per cent of the area required for road widening or for construction of new roads proposed under the development plan or those proposed as regular lines of streets under the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 excluding areas of internal means of access, if the owner (including the lessee) of such land



surrenders such land for road widening or new road construction without claiming any compensation in lieu thereof and hands over the same to the Municipal Council free of encumbrances to the satisfaction of the Chief Officer. Such 100 per cent of the FSI on land so surrendered to the Municipal Council will be utilizable on the remainder of the land upto a limit of 40 per cent of the area of the plot remaining after such surrender. Thereafter the road land shall be transferred in the city survey records in the name of Municipal Council and shall vest it in becoming part of a public street as defined in Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965

23) HEIGHT OF THE BUILDINGS/NUMBER OF STOREYS :

- a) The maximum storeys in a main building shall not exceed ground plus one upper storey. However, subsidiary building shall have only ground floor.
- b) The maximum height of main building shall not exceed 9.0 m. Further, subsidiary building shall not exceed 5.0 m. in height. However, following appurtenant structures shall not be included in the height of a building.

Roof tanks and their supports, ventilating shafts, air-conditioning shafts, lift-rooms. Chimneys, architectural features not exceeding 1.5 m. in height, television or booster antenna, wireless transmitting and receiving towers

24) MARGINAL OPEN SPACES & SET-BACKS

MARGINAL OPEN SPACES & SET-BACKS : RENAMED EP-18

Exterior Open Spaces at the front side and rear of the building depending upon the occupancy, plot size, nature of development shall be as below :-

TABLE 8

Sr.No.	Use /Nature of Building	Front Space(m)	Rear Space(m)	Side Space (m)
I)	Residential and Commercial			
	<i>A) Bazar Plots</i>			
	a) Area upto 50 sq. m.	1.0	Nil	Nil
	b) Area above 50 sq.m. and upto 100 sq. m.	1.0	1.0	Nil
	c) Area above 100 sq. m. and upto 200 sq. m.	1.50	1.50	1.00
	d) Area above 200 sq. m.	1.50	1.50	1.50
	<i>B) Matheran Plots</i>	9.00	6.00	6.00
II)	Public / Semi – Public			
	a) Bazar Plots	3.0	1.50	1.50
	b) Matheran Plots	12.0	6.00	6.00



III)	Educational & Medical			
	a) Bazar Plots	3.00	1.50	1.50
	b) Matheran Plots	12.00	6.00	6.00
IV)	Hotels, Lodging	RETAINED		
	houses, Holiday Homes, RestHouses, Sanitoriums	EP-18		
	a) Bazar Plots	3.00	1.50	1.50
	b) Matheran Plots	9.00	6.00	6.00
V)	Assembly Halls, Theatres, Community Centers & Religious places			
	a) Bazar Plots	4.50	3.00	3.00
	b) Matheran Plots	12.00	6.00	6.00

25) EXEMPTIONS TO OPEN SPACES :

Features permitted in open space.

Certain features may be permitted in the prescribed side/rear or front open spaces as enumerated below.

(i) Permitted in the side or rear marginal open spaces.

(a) Where the facilities in an existing building are inadequate. A sanitary block only in a building in Bazar area.

1. not exceeding 2.80 m. in height and 2.50sq.m. in carpet area.
2. atleast 5.00 m. from the road line or the front boundary and 1.50 m. from rear boundaries and
3. atleast 1.5 m away from main building.

(b) 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 etc.

(ii) Other features permitted in open space

(a) 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, ramps to basement, compound wall.

(b) A cantilevered and unenclosed canopy over common entrance and each common staircase not more than 5.5 m long and atleast 2.2 m. above ground level. The outer edge of the canopy shall be atleast 2.0 m. from the plot boundary.



(c) An unenclosed porch open 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 to such porch shall be less than 2.0 from the plot boundary. **DELETED. EP-18**

(d) A balcony for a residential building constructed in conformity with Regulation, 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 4.5 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.

(e) A chajja, cornice, weather shed, sun breaker and other ornamental projections projecting not more than 1.2 m. from the face of the building. No chajja, cornice, weather shed, sun-breaker or other ornamental projections, etc. shall be permissible, which will reduce the width of the required open space, to less than 2.5 m.

26) MINIMUM SIZE OF BUILDABLE PLOT : REARRANGED EP-18

(a) The area of plot to be considered as buildable plot shall not be less than 0.40 hectare in respect of Matheran Plots and 100 sq.m. in respect of Matheran Plots and Bazar Plots respectively. However, the Bazar or Matheran Plots which are formed by Govt. having lesser area than the proscribed area shall be considered as buildable plots if building activity is possible observing the marginal and set-back distances.

The area of plot to be considered as buildable plot shall not be less than 0.40 hectare in respect of Matheran Plots and 100 Sq.m. in respect of Bazar Plots respectively. However, the Bazar or Matheran Plots which are formed by Govt. having lesser area than the prescribed area shall be considered as buildable plots if building activity is possible observing the marginal and set-back distances. EP-18

(b) Further building plot even if it is admeasuring more than the minimum areas mentioned in (a) above, shall not be considered as buildable if development involves cutting of existing trees.

27) BUILDING ABUTTING TWO OR MORE ROADS :

When a building abuts two or more roads, the set-backs from the roads shall be such as if the building is fronting each such road.

28) RESIDENTIAL BUILDING IN A PLOT :

Only one main building together with any subsidiary buildings shall be permitted for residential occupancy in the Bazar or Matheran plot. However, such main building



shall be only in bungalow form or in a form of semi-detached house. The building constructed for ownership flats or apartments shall not be permitted in Matheran Plots.

29) DISTANCES BETWEEN BUILDING :

The main building shall have minimum distance of at least 6.0 m. between them. However, such distance between main building and subsidiary building shall be at least of 3.0 m.

30) ROOM-DENSITY IN HOTELS/LODGING HOUSES /HOLIDAY HOMES :

In the hotels, Lodging Houses or Holiday Homes and Rest Houses where accommodation on daily or tariff basis is provided for tourists, visitors etc, the number of rooms shall not exceed 25 rooms per 0.4 hectare plot.

31) INNER CHOWK :

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 levels of not less than 10.00 sq. m.

32) OUTER CHOWK :

The minimum width of an outer chowk (as distinguished from its depth) shall be not less than 2.4 m. If the width of the outer chowk is less than 2.4 m. then it shall be treated as a notch and the side rooms shall not be considered admitting ventilation through the windows opening on outer chowk.

33) DISTANCE OF BUILDING FROM BURIAL/ CREMATION GROUNDS :

A building used for human habitation shall not be constructed within 30.0 m. from any existing or proposed cemetery/burial ground, or from cremation ground.

34) DISTANCE OF BUILDING FROM WATERCOURSE :

A building shall not be constructed from any water course within a distance of 9.00 m. Further, the owner/developer shall construct compound wall along such water course in the form of retaining wall so as to avoid scouring action. This distance may be relaxed by the Chief Officer in respect of building activity in Bazar Plots considering the size and shape of such plots as well as the safety of the residents and nature of water course.

35) MINING AND QUARRYING :

The mining and quarrying shall not be permitted anywhere in the area included in the Development Plan including operation of crusher or storing of magazine etc.



PART III REQUIREMENTS OF PARTS OF BUILDINGS

36) PLINTH :

(i) The minimum height of plinth for any building shall be 60 cm. above the surrounding ground provided that in the case of special housing schemes for LIG & EWS Housing, the plinth height may be allowed to be reduced to 30 cm.

(ii) Out-houses and subsidiary buildings shall have minimum height of plinth of 30 cm.

37) HABITABLE ROOMS :

**TABLE 9
MINIMUM SIZE AND WIDTH OF HABITABLE ROOMS**

Sr.No. (1)	Occupancy (2)	Minimum size in sq.m. (3)	Minimum width in m. (4)
i)	Any habitable room	10.0	3.0
ii)	Single-bedded room in a hostel of a recognized educational institution	7.5	2.4
iii)	Special Housing Scheme for LIG/EWS, the size of single room tenement	12.5	2.4
iv)	Shop	10.0	3.0
v)	Class room in an educational building	38.0 or area at the rate of 0.8sq. m. per student, whichever is more.	5.5
vi)	Institutional building (a) Special room (b) General Ward	9.5 40.0	3.5 5.5
vii)	Cinema hall, theatre, auditorium, assembly hall etc.	In conformity with the Maharashtra Cinema Rules	
viii)	Rooms in Hotel a) Single-bedded Room b) Double-bedded Room	8.0 10.0	2.5 3.0

38) HEIGHT :

The minimum and maximum height of a habitable room shall be as given in table here under.



**TABLE 10
HEIGHT OF HABITABLE ROOM**

Sr.No (1)	Occupancy (2)	Minimum height (in m.) (3)	Minimum height (in m.) (4)
(a)	Any habitable room	3.0	4.2
(b)	Habitable room in LIG and EWS	2.6	4.2
(c)	Air conditioned habitable room/common corridor	2.4	4.2
(d)	Assembly halls, residential hotels of 3 star category and above, rooms in institutional, educational, or storage occupancies, departmental stores, entrance halls and lobbies to departmental stores. and assembly halls.	3.6	4.2 Subject to the Written permission of the Appropriate Authority, greater height may be permitted considering the hardship and utility.

Provided that –

(i) The minimum clear head-way under any beam shall be 2.4 m.

(ii) In all occupancies, except those included in Serial No. (d) in the table above, any height in excess of 4.2m. shall be deemed to have consumed an additional FSI of 50 % of the relevant floor area.

(iii) Other requirements – one full side of a habitable room must abut an exterior open space.

(iv) In case of pitched roof, these heights shall be of average heights with 2.1 m. height at the lowest point.

39) KITCHEN :

(i) Size : The area of the kitchen shall be not less than 8.0 sq.m. with a minimum width of 2.8 m., but in a two room tenement, the minimum area of kitchen shall be 10.0 sq. m. with a minimum width of 3.0 m.

(For two-room tenement, a kitchen is treated as kitchen-cum-dining room)

(ii) In the case of special housing schemes, no kitchen need to be provided an alcove (cooking space with direct access from the main room without a communicating door) will suffice; its size shall not be less than 2.4 sq.m. with a minimum width of 1.5 m.

(iii) Height : The height of a kitchen shall be the same as that of a habitable room.



- (iv) Other requirements : Every room to be used as Kitchen shall have,
- (a) Unless separately provided in a pantry, means for washing kitchen utensils which shall lead directly through a sink to grated and trapped connection to waste pipe.
- (b) Window of not less than 1 sq. m. in area, opening directly on to an interior or exterior open space excepting a shaft.

40) BATH ROOMS & WATER CLOSETS :

(i) SIZE :

- (a) General : The area and floor dimensions of a bathroom or water closet shall not be less than the values given below :-

Sr. No.	Type	Area (in sq.m.)	Size (in m.)
(a)	Bathroom	1.8	1.2
(b)	Water Closet (WC)	1.1	0.9
(c)	Combined Bathroom & Water Closet (WC)	2.8	1.2

- (ii) In the case of special housing schemes, the minimum sizes of bathroom/water closets shall be as follows :

- (a) Independent Water Closet 1.1 × 0.9 m.
- (b) Independent Bathroom 1.3 × 1.1 m.
- (c) Combined Bathroom and 1.85 sq. m. with min. Water Closet width 1.1 m.

(iii) Height -

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.

(iv) Other requirements :

Every bathroom or water closet shall :-

- (a) Be so situated that at least one of its walls shall open to external air with the side of opening (windows, ventilators, louvers) not less than 0.3 sq. m. in area and size not less than 0.3 m.

(b) Not be directly over any room other than another water closet, washing place or bathroom, unless the said floor is made impervious with adequate water proofing treatment but not over a kitchen.

(c) Have the platform or flooring or seat made of watertight non absorbent material.

(d) 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; and



(e) Be provided with an impervious floor covering, sloping towards the drain with a suitable grade and not towards or any other room.

(v) No room containing water closets 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.

(vi) Every water closet and/or a set of urinals shall have a flushing cistern of adequate capacity attached to it. In LIG and EWS however, no such flushing cistern need to be provided.

(vii) All the sewerage outlets shall be connected to the sewerage system as approved by the Planning Authority. Where no such system exists, a septic tank shall be provided within the plot conforming to the standards.

41) LOFT :

(i) **Location and size :**

The loft shall be provided only over kitchens, bathrooms, corridors and over shops subject to following :

Serial No.	Rooms over which permitted	Coverage (Percentage to area of room below)
1	2	3
1.	Kitchen room	25
2.	Bathroom, water closet, corridor	100
3.	Shops with width upto 3 m.	33 1/3
4.	Shops with width exceeding 3 m.	50

Provided that -

- (a) Lofts in commercial buildings shall be located atleast 2 m. away from the entrance; and
 - (b) lofts area shall not be counted in F.S.I. computation, subject to (ii) below.
- (ii) The clear head room under the loft shall not be less than 2.2 m. and above it shall not more than 1.5 m.(If it exceeds 1.5 m , it shall be counted towards F.S.I.)

42) MEZZANINE FLOOR : Deleted **DELETED. EP-18**

- (i) Size -



The aggregate area of the mezzanine floor shall not exceed 33 % of the built-up area of that floor. The minimum size of a mezzanine floor if it is used as a living room shall not be less than 9.5 sq. m.

NOTE : Mezzanine floor area shall be counted towards F.S.I. and is permissible on ground floor only.

(ii) Height -

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

(iii) Other requirements :

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

a) It conforms to the standards of living rooms in regard to lighting and ventilation in case the size of mezzanine floor is 9.5 sq. m. or more.

b) It is so constructed as not to interfere under any circumstances with the ventilation of the space over and under it.

c) Such mezzanine floor or any part of it shall not be used as a kitchen or store.

d) In no case a mezzanine floor shall be closed so as to make it liable to be converted into unventilated compartments.

e) It is at least 1.8 m. away from the front wall of such room,

f) access to the mezzanine floor is from within the respective room below only.

43) LEDGE OR TAND :

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

(ii) Height - The clear head room below the ledge shall not be less than 2.2 m.

(iii) Projections -The Projections (cantilever) of cupboards and shelves may be permitted under the window sill and would be exempted from covered area calculations. Such projections may project upto 1 m. in the set backs for residential buildings, provided the width of such cupboard/shelves does not exceed 2.4 m. and there is not more than one such cupboard/shelf in each room.

44) STORE ROOM :

(i) Size -The area of a store room in a residential building where light, ventilation and height are provided at special standards lower than as required for living rooms shall not be more than 3 sq. m..



(ii) Height - The height of a store room shall not be less than 2.2 m.

Note : The area of store room shall be counted in F.S.I. & it should be attached to the kitchen room in residential building. In case of other users, it shall be as per requirement.

45) BASEMENT Deleted DELETED. EP-18

i) The construction of the basement shall only be allowed by the Planning Authority in accordance with the land use and other provisions specified under these regulations. If natural gradient prevails such basement construction.

ii) No basement shall be constructed within the proscribed set-backs and proscribed building lines and shall not exceed 50 % area of the maximum coverage of floor above (entrance floor) and digging below ground more than 1.0m.

iii) Basement may be put to the following uses only :

(a) Storage of household or other goods of ordinarily non-combustible material and ancillary storage to main users.

(b) Strong Rooms, Bank Cellars, Bank lockers or independent safe deposit vaults.

(c) Air conditioning equipment and other machines used for services and utilities of the building, and

(d) Laundry and boiler for in-house use only in hotels.

iv) The Basement shall not be used for any habitable purposes, or for kitchen rooms.

(a) Height – The height of the basement from the floor to the underside of the roof slab or ceiling or underside of a beam, when the basement has a beam, shall not be less than 2.4 m.

(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 regulations. Any deficiency may be met by providing adequate mechanical ventilation in the form of blowers, exhaust fans, air conditioning system etc.

(c) The minimum height of the ceiling of any basement shall be 0.9 m. and maximum of 1.2 m. above the average surrounding ground level.

(d) Adequate arrangements shall be made such that surface drainage does not enter the basement.

(e) The walls and floors of the basement shall be water-tight and be so designed that the effect of the surrounding soil and moisture, if any, are 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 to the basement shall be permitted in the open spaces except the front open space subject to the provision of (d) above.

46) STILT :-Deleted DELETED. EP-18

A stilt portion shall be permitted on ground floor only, constructed below 1st floor level. The height between ground floor level and ceiling of the stilt portion shall not be more than 2.4 m. and at least two sides of the stilt portion shall be open. The stilt portion



shall not be used for any purpose other than for swimming pool or for play field. Plinth of stilt shall be 15 cm. above from surrounding ground level.

Note : The area of stilt shall not be counted in F.S. I. and only one storey over such stilt shall be permitted. If it is used only as play area during monsoon and in other seasons. Open swimming tank is also permitted in still portion. Any violation in the height or in the use of such stilt will attract the area under stilt to be counted in FSI. A stilt provided for primary school/high school buildings may be permitted with more height upto 3.20 m for using it for open gathering of the students, free of FSI .

47) CHIMNEYS FOR FIRE PLACES IN BUNGALOWS/HOTELS :
CHIMNEYS FOR FIRE PLACE IN BUNGALOWS/HOTELS :
RENAMED EP-18

(i) Chimneys where provided shall conform to the requirements.

(ii) The chimneys shall be built atleast 0.9 m. above flat roofs, provided the top of the chimney shall not be below the tops of adjacent parapet wall. In the case of sloping roofs, the chimneys top shall not be less than 0.6 m. above the ridge of the roof in which the chimney penetrates.

48) RAMPS : Deleted RAMPS : MODIFIED EP-18

(i) — *Ramps for pedestrians*

(a) General -The provisions applicable stairways shall generally apply to ramps. A ramp in a hospital shall not be less than 2.25 m. wide.

(b) Slope -A ramp shall have a slope of not more than 1 in 10. It shall be of non slippery material.

(c) A handrail shall be provided on both sides of the ramp.

(ii) — *Ramps for basement.*

For the basement, ramp of adequate width and slope may be provided. Such ramps may be permitted in the side and rear marginal open spaces after leaving sufficient space for movement of fire-fighting vehicles.

Ramp wherever necessary for any building, only for handicapped persons shall be permitted with its maximum width as 1.5 mt.

49) CORRIDORS :

(a) The minimum width of a corridor shall be not less than 0.9 m. for residential buildings and in case of hotels and other buildings width shall not be less than 1.2 m.

(b) In case of more than one main staircase of the building, inter-connected 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.

50) PORCH : Deleted PORCH : RETAINED [EP-18]

A porch, if any shall be at least 3.0 m clear of the front plot boundary; the area of a porch upto 5.5 m. in length (parallel to the main building) shall not be counted towards F.S.I. A parapet wall of 0.23 m. in height is permissible over a porch. The Planning Authority may permit larger porches for mercantile, hotel and public buildings. The porch shall be only at front entrance portion.

A porch, if any shall be at least 3.0 m clear of the front plot boundary; the area of a porch upto 5.5 m. in length (parallel to the main building) shall not be counted towards F.S.I. A parapet wall of 0.23 m. in height is permissible over a porch. The Planning Authority may permit larger porches for mercantile, hotel and public buildings. The porch shall be only at front entrance portion.

51) CANOPY :

A cantilevered and un-enclosed canopy may be permitted over each entrance and staircase, if a clear distance of at least 1.5 m. is maintained between the plot boundary and the outer edge of the canopy. The minimum clear height of the canopy shall be 2.2 m.

52) BALCONY :

In any residential building in residential zone (R-1) and residential zone (R-2), or in purely residential building in any other zone, "balconies of a width of 1.2 m. from building line (measured perpendicular to the building line) to the outermost line of a balcony" may be permitted free of F.S.I. at first floor, excluding the ground and terrace floors, of an area not more than 10 % of the area of the floor from which such balcony projects subject to the following conditions :

(i) No balcony shall reduce the minimum marginal open space to less than 3 m. at the rear and sides and in the front. The width of the balcony will be measured perpendicular to the building line and reckoned from that line to the balcony'

(ii) Balconies may be allowed to be enclosed with written permission of the Planning Authority. When balconies are enclosed. One-third of 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. Fees for enclosures shall have to be paid at the rate of Rs. 250/- per sq. m.

ii)-" Balconies may be allowed to be enclosed without removing internal wall and without amalgamating the balcony area into the room, with written permission of Planning Authority. When balconies are enclosed, one third of 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. Fees for enclosures shall have to be paid at the rate of Rs.250/- per sqm." MODIFIED EP-18

53) REVAS PROJECTION :-Deleted RETAINED EP-18

(i) A revas projection of 1.20 m. in width may be permitted in the front open space. To facilitate the construction of a stair case such revas projection may be permitted in the side or rear open space provided that such 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 which reduces that marginal distance less than 3.0 m.

(iii) The areas of all revas projections shall be taken into account for the computation of F.S.I.

(i) A revas projection of 1.20 m. in width may be permitted in the front open space. To facilitate the construction of a stair case such revas projection may be permitted in the side or rear open space provided that such 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 which reduces that marginal distance less than 3.0 m.

(iii) The areas of all revas projections shall be taken into account for the computation of F.S.I.

54) ROOFS :

(i) Only pitched or sloping roof shall be permitted.

(ii) The roof of a building shall be so constructed or framed as to permit effectual drainage of the rain water there from by means of sufficient rain-water pipes of a adequate size, wherever required, so arranged, joined 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 building.

(iii) The planning Authority may require rain-water pipes to be connected to a drain or sewer through a covered channel formed beneath the public foot-path or in any other approved manner.

(iv) Terrace shall not be permitted in a building.

55) PARAPET : WORD REPLACED EP-18

Parapet walls and handrails provided on the edges of roof any terraces, balcony etc. shall not be less than 1.15 m. and not more than 1.30 m. in height.



56) WELLS

- (i) The well shall be located :
 - (a) Not less than 15 m. from any ash pit, refuge 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, refuge pit; soakway or borehole latrine and shall be located on a site upwards from the earth closet or privy.
 - (c) That contamination by the movement of subsoil 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 roof.
- (ii) 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.

57) EXIT REQUIREMENTS :

- (a) Doorway- No doorway shall be less than 75 cm. in width in the case of residential buildings and 100 cm in the case of other buildings, doorways shall not be less than 200 cm. in height. No door, gate, ground floor window shall be placed so as to open outwards upon any street.
- (b) Staircase -
 - (i) The minimum width of an internal staircase shall be 75 cm. in the case of residential buildings, 100 cm. in the case of commercial (mercantile) buildings and 150 cm. in the case of public and semi-public buildings.
 - (ii) The minimum width of treads without nosing shall be 25 cm. for and internal staircase of residential buildings. 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.
 - (iii) The maximum height of riser shall be 19 cm. in the case of residential buildings and 15 cm. in case of other buildings. They shall be limited to 12 per flight.
 - (iv) Handrails shall be provided with a minimum height of 90 cm.
 - (v) No windings should be provided in a public building except in the case of emergency exists.
 - (vi) The headroom for staircase shall not be less than 2.2 m.



58) SEPTIC TANKS :

(i) Location of septic tanks and sub-surface dispersion system:-

A sub-soil 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 structure.

(ii) 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 suitable material as approved by the planning 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 degrees 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. diameters. 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 a building in the area. Generally, the ventilating pipe may extend to a height of about 2 m. when the septic tank is at least 15 m. away from the nearest building and to 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 a seepage pit, the seepage pit may be of any suitable shape with the least cross 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 R.C.C. cover slabs. Where no lining is used, specially near trees the entire pit should be filled with loose stones. A masonry ring should be constructed at the top of the pit to prevent damage by flooding of the pit by surface run-off. The inlet pipe should be taken down to a depth of 90 cm. from the top as an anti-mosquito measure.

(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 m.m. No dispersion trench shall be longer than 30m and trenches shall not be placed to closer than 1.8 m. to each other.

Note : Sewage treatment plant is mandatory for all large hotels



"Note- sewage treatment plant is mandatory for all large hotels in Residential Zone R_M & for all hotels on bazaar plots more than 2000 sqm." **EP-18**

59) BOUNDARY WALL/COMPOUND WALL :

(a) Except with the special permission of the Planning Authority, the maximum height of the compound wall shall be 1.5 m. above the centre line of the front street. Compound wall upto 2.4 m. height may be permitted if the top 0.9 m. is of open type construction of a design to be approved.

(b) In case of corner plot, the height of the boundary wall shall be restricted to 0.75m. for a length of 10 m. on the front and side of the inter-sections and balance height of 0.75 m. if required in accordance with (a) above may be made up of open type construction (through railings) and of design to be approved by the Planning Authority.

(c) The provisions of (a) and (b) are not applicable to boundary walls of jails, industrial buildings, electric sub-stations, crematorium, burial grounds, transformer stations, institutional buildings like sanatoria, hospitals, industrial buildings like workshops, factories and educational buildings like schools, colleges, including the hostels and other uses of public utility undertakings where height upto 2.4 m may be permitted by the Planning Authority.

(d) Compound gate should open entirely inside the property and shall not open on any access/path-way/street.

60) LIGHTING & VENTILATION OF ROOMS :

(a) *Adequacy and manner of provision-*

(i). All habitable rooms including kitchen shall have, for the admission of light and air, one or more apertures as windows and fan light opening directly to the external air or into an open verandah not more than 2.4 in width.

(ii) Where the lighting and Ventilation requirements are not meet through day lighting and natural Ventilation, the same shall be ensured through artificial lighting and mechanical ventilation as per latest version of Part VIII Building Services, Section-I lighting and ventilation of National Building Code of India.

(iii) In the case of special types of buildings requiring artificial lighting and air-conditioning for special types of manufacturing or other process the requirements about natural day lighting and ventilation may be duly considered for relaxation by the Planning Authority.

(iv) The minimum aggregate area of openings of habitable rooms and kitchens excluding doors, shall be not less than 1/6 th of the floor area.

However, a staircase shall be deemed to be adequately lighted and ventilated if it has one or more openings, their area taken together measures not less than 1.00 sq. m. per landing on the external wall.

(v) Minimum opening of area of 1.0 sq. m. in any habitable room including a kitchen and 0.3 sq. m. with one dimension of 0.3 m. for any bathroom, water closet or store.

(vi) No part of habitable room including kitchen shall be assumed to be lighted if it is more than 7.5 m. from the opening assumed for lighting that portion. However, a room meant for non-residential uses shall be considered as adequately lighted and



ventilated if its depth from the side abutting the required open space does not exceed 12 m.

(b) 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 2.8 sq. m. in area and width of 1.2 m.

61) REQUIREMENTS OF EDUCATIONAL BUILDING

In addition to the class-rooms and other areas, every educational building shall be provided with –

- a) Minimum 40% of the plot area at one place shall be provided for play ground.
- b) a tiffin room with a minimum area of 18.0 sq.m. for every 800 students or part thereof;
- c) a separate tiffin room for teachers where strength of students, exceed 1000;
- d) a room with drinking water facilities for every 300 students or less on each of the floors. These requirements may be amended by the Chief Officer in consultation with the Director of Town Planning.
- e) at least one building with stilt for open gathering of students in rainy seasons.

62) SPECIAL AMENITIES FOR PHYSICALLY HANDICAPPED PERSONS :

Special facilities for physically handicapped persons as specified in Appendix XVI shall be provided in all buildings, either existing or proposed, to be used for public and/or semipublic offices, business/professional establishments, educational and medical purpose, recreational/ amusement/community or cultural activities, stadiums or like uses or any public purpose where people gather for common activities.

63) INSTALATION OF SOLAR ASSISTED WATER HEATING SYSTEM

Solar water heating system should be made in the buildings for Hospitals, Hotels, Guest Houses, Policemen / Army Barracks, Canteens, Laboratories, Research Institutions of Hospitals, Schools and Colleges and other Institutions. The detail requirements of this system is given in the Appendix XV attached herewith

64) DESIGN AND CONSTRUCTION QUALITY

(1) Structural design :

The structural design of foundations, elements made of masonry, timber, plain concrete, reinforced concrete, prestressed concrete and structural steel shall be carried out in accordance with Part VI Structural Design. Section 1 – Loads, Section 2 – Foundation concrete, Section 3 – Wood, Section 4 – Masonry, Section 5 – Concrete, Section 6 – Steel, of National Building Code of India.

(2) quality of materials & workmanship :

(i) All materials and workmanship shall be of good quality conforming generally to accepted standards of Public Works Department of Maharashtra and Indian Standard Specifications and Codes as included in Part V Building Materials and Part VII Constructional Practices and Safety of National Building Code of India.

(ii) All burrow pits dug in the course of construction and repair of buildings, roads, embankments, etc. 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 burrow pit which is likely to cause accumulation of water which may breed mosquitoes.

(3) alternative materials methods of design and construction and tests.

(i)The provisions of the regulations are not intended to prevent the use of any material or method of design or construction not specifically prescribed by the regulations provided any such alternative has been approved.

(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 Authority may approve any such alternative provided it is found that the proposed alternative is satisfactory and confirm to the provisions of relevant parts regarding material, design and construction and that material and method of work offered is, for the purpose intended, at least equivalent to that prescribed in the regulations, in quality, strength, compatibility, effectiveness fire and water resistance, durability and safety.

65) TESTS :

(i)Whenever there is insufficient evidence of compliance with the provisions of the regulations or evidence that any material or method of design or construction does not conform to the requirements of the regulations or in order to substantiate claims for alternative materials, design or methods of construction the Authority may require tests sufficiently in advance 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 or construction in question. If there are no appropriate test methods specified in the regulations, the Authority shall determine the test procedure. For methods of tests for building materials, reference shall be made to relevant Indian standards as given in the National Building Code of India.

(iii)copies of the result of all such test shall be retained by the authority for a period of not less then two years after the acceptance of the alternative material.

66) BUILDING SERVICES :

(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 Building Services, Section – 2 Electrical Installations, Section – 3 – Air conditioning and Heating of National Building Code of India.

(2) Lifts –

(a) Planning and Design :

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

(b) Maintenance -



(i)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 an 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 person responsible for the maintenance and replacement, where necessary, to the satisfaction of the competent authority (Lift Inspector of the Government of Maharashtra)

(ii)Any accident arising out of operation of maintenance of the lifts shall be duly reported to the competent authority i.e. Lift Inspector of the Government of Maharashtra

(3)Plumbing Services :

The planning, design ,construction and installation of water supply, drainage, sanitation and gas supply systems shall be in accordance with the provisions of water supply and drainage regulations of Municipal Council and Part IX Plumbing Services-Section 1-Water Supply Section 2- Drainage and Sanitation and Sanitation and section 3- Gas supply of National Building Code of India.

(4)Requirements Of Water Supply In Buildings :

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

Occupancy	Basis
Residential Building ..	5 persons/tenement.
Other Buildings	No. of persons based on occupant load and of floors given in these regulations.

The requirements of water supply for various occupancies shall be as per these regulation or as specified by the planning Authority from time to time.

(5)Sanitary Requirements :

The fittings and installations for different occupancies shall be as specified by the planning Authority from time to time.

67) SIGNS & OUTDOOR DISPLAY STRUCTURS :

(1)National Buildings Code application -- The display of advertising signs on building and land shall be in accordance with part X , Signs and outdoor display structures of National Building Code of India.



(2) Other Conditions – In addition to the provisions of Regulation 64(1), the following provisions shall be complied with for permitting advertising signs in different land zones.

(i) Residential Zone : R 2 DELETED **EP-18** *(Matheran Plots)*

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 zone 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) Residential Zone – R 1 DELETED **EP-18** *(Bazaar Plots)*

Non-flashing business signs placed flat against the wall and not exceeding 2 sq. m. in area per establishment.

(iii) Commercial Buildings/Sites :

Flashing or non-flashing business signs placed that against the wall, not exceeding 5 sq. m. in area and covering not more than 15 per cent of the area of such wall including doors and windows and overhanging signs shall be in conformity with the following and provided that such signs do not face residential buildings.

- (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 1sq. m except that for each 0.9 m. of plot frontage above the first 4.5 m an increase in area of 0.2 sq. m. shall be permitted.

(3) Prohibition of advertising sign and outdoor display structures-
in certain cases. Notwithstanding the provision of sub-regulations (1) and (2), no advertising sign or outdoor display structures shall be permitted on buildings of architectural, aesthetical, historical, or heritage importance, as may be decided by the planning Authority or on 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.

Trees shall not be used for advertisement purposes. Such advertisements shall be at least of 100 m. away from any natural scenic point.

(4) *Advertising Signs and outdoor display structures may be permitted with the permission of Municipal Council. While granting permission, Municipal Council shall ensure that the outdoor display Structures & Signages are erected in an aesthetic way and in harmony with the surroundings.* **EP-18**



PART IV

LAND USE CLASSIFICATION AND USES PERMITTED

68) USES AND ANCILLARY USES :

The uses and specified ancillary uses as indicated in these regulations will be permitted in each of the predominant use zones as shown in the development plan. Such ancillary uses will be subject to fulfillment of the prescribed conditions.

69) 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 Chief officer after consulting the standing Committee.

70) RESIDENTIAL ZONE R-1 (in Bazar Plots area)

RESIDENTIAL BAZAR ZONE R_B RENAMED **EP-18.**

The following uses and accessory uses to the extent of 50 percent of principal use shall be permitted in building or premises in Bazar Plots .

- (i) Any Residence.
- (ii) Customary Home Occupations, i.e. occupations customarily carried out by the members of the house hold without employing hired labour and shall include stitching., embroidery, button making etc. with or without motive power. If motive power is used the total electricity load should not exceed one H.P.
- (iii) Medical and Dental Practitioner's Dispensaries/Clinics including Pathological and/or Diagnostic Clinics only on ground floor of a building or on first floor level where building is on stilts.
- (iv) Maternity Home/Nursing Home in independent buildings or parts of buildings but on separate floors thereof, with separate staircase access thereto, with the written permission of the Planning Authority, who will take into consideration the suitability of the site, size and shape of the site, means of access, water and sanitary arrangements etc.
- (v) Professional Offices and Studies of a resident of the premises and incidental to such residential use and medical and dental practitioner's dispensaries or clinics of the resident of the building with outpatients facilities only, each not occupying a floor area exceeding 20 sq. m
- (vi) Restaurants, eating houses and Residential Hotels in independent buildings on Mahatma Gandhi and Kasturba Gandhi roads.
- (vii) Lodging Houses in independent buildings or part of the building on Mahatma Gandhi and Kasturba Gandhi Roads.

Note :- Users in sub-clause (vi and vii) above, may be permitted in parts of building, but on separate floors thereof with the written permission of the Chief Officer who will see the suitability of the site, size and shape of the building, means of access, water and sanitary arrangements etc. before granting the permission.

(viii) Educational Buildings including students hostels in independent buildings, Religious buildings, Community halls and Welfare Centres and Gymnasiums except



trade schools. Provided that the Planning Authority may, by order, permit Montessori schools, kindergarten classes or balmandirs in 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.

Provided further that in 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 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.

(ix) Public Parks or Private Parks, Gardens, Stadium, Playfields, which are not utilised for business purposes.

(x) Horse stand, Railway Stations, hand-cart stands on independent plot.

(xi) Radio Broad-casting and Television Studios, Sound Recording and Dubbing Studios in independent buildings or part of a building, with the special written permission of the Planning Authority and any other such authority.

(xii) Police Station, Telephone Exchanges, Government and Municipal Sub-Offices, Post and Telegraph Offices, Sub-Offices of Electric Supply Companies, Branch Offices of Banks, with Safe Deposit Vaults and/or independent lockers vaults, Electrical Sub-Stations, Receiving Stations, fire Stations, Civil defence, Warden Posts, and first Aid posts along with Homeguards and civil defence centers, pumping stations and Water installations and Ancillary Structures thereof required to cater to the local area facing on road of width not less than 12m.

(xiii) Video Theatres and video Games Clubs on Mahatma Gandhi road and kasturba Gandhi road with special written permission of the Authority and subject to all other regulation applicable to video theatres. However residential user in combination with that of a video theater shall not be allowed in the same building or on same floor.

(xiv) Flour mill in a single storey detached or Semidetached/ detached building not using more than 10 H.P. motor power.

(xv) Storage of liquefied petroleum gas cylinders (bottled gas) for domestic consumption not exceeding 300 Kg. at any one time with special permission of the planning Authority and subject to compliance with statutory safety requirements.

(xvi) Domestic poultry and piggery in a outhouse/independent structure in the plots not fronting on Mahatma Gandhi Road but plots situated to the East of Mahatma Gandhi Road up to a keeping of 30 birds or 10 pigs in a plot.

(xvii) Convenience shops, other Commercial shops catering, only daily needs of the residents, institutions and of the tourists.

71) RESIDENTIAL ZONE-R-2 (in Matheran Plots area)

RESIDENTIAL ZONE R_M MODIFIED EP-18

i) Any Residence.

ii) Residential Hotels, Sanatorium.

Lodging Houses, Room Houses,

iii) Holiday Resorts, Amusement Parks, Tourists facilities for recreation.

iv) Museums, art galleries, exhibition hall and conference halls.

v) Community Centers and auditoriums.

vi) Medical and Educational institutions, Sanatoriums, Health centers, health forming institutions.



- vii) Vrudhashram orphanage and tribal welfare centers.
- viii) Club house, assembly or concert hall, dance and music studios with the special written permission of the planning authority.
- ix) Trade or other similar schools.
- x) Bulk storage of kerosene and bottle gas for domestic consumptions with the special written permission of planning authority
- xi) Vegetable, Fruit, Flower, Fish or Meat Market place with the approval of the Planning Authority.
- xii) Government and Semi-Government offices with staff quarters.

(A) Uses permitted in the Residential Zone - R-2 (in Matheran plots area).

The following uses shall be permitted in buildings, premises or plots situated only along Mahatma Gandhi Road and Kasturba Gandhi Road between junction of Mahatma Gandhi Road and Kasturba Gandhi Road at north and Matheran plots No.235, on Mahatma Gandhi Road at South.

- i) — All uses permitted in residential zone (R-1)
- ii) — stores or shops for the conduct of retail business. (Storage and of combustible materials shall not normally be permitted except with of special permission of the Planning Authority.)
- iii) — Personal services establishments.
- iv) — Hair dressing saloon and beauty parlours;
- v) — Frozen food lockers;
- vi) — Hat repair, shoe repair and sports shops.
- vii) — Professional Offices, each not exceeding 100 sq.m.
- viii) — Shops for the collection and distribution of clothes and other materials for cleaning, pressing and dyeing establishments.
- ix) — Tailors Shops, embroidery shops and button hole making shops not employing more than 9 persons with individual motors not exceeding 1 H.P.
- x) — Cleaning and pressing establishments for clothes and not employing solvents with a flash point lower than 59 deg.C. machines with dry load capacity not exceeding 30 kg. and more than 9 persons and provided that the total power requirement does not exceed 4 kw.
- xi) — Shops for gold-smiths, lock-smiths, watch and clock repairs, bicycle rental and repairs, optical glass grinding and repairs, musical instrument repairs, picture framing, radio and household appliances repairs, umbrella repair and upholstery work not employing more than 9 persons.
- xii) — Coffee grinding with electric motive power not exceeding 1 H.P.
- xiii) — Restaurants, eating houses, cafeterias, ice cream and milk bars with area not exceeding 100 sq. m. on ground and/first floor.
- xiv) — Bakeries with no floor above, not occupying for production an area in excess of 75 sq. m. and not employing more than nine persons provided that the power requirement does not exceed 4 KW and heating load to a maximum of 12 KVA.
- xv) — Establishments for preparation and sale of confectionaries/ catables not occupying for production an area in excess of 75 sq. m. per establishment and not employing more than 9 persons
- xvi) — Sugarcane and fruit juice crushers not employing more than six persons with motive power not exceeding 1.5 H.P. and area not exceeding 25 sq. m.



xvii) Printing press with aggregate motive power not exceeding 10 H.P. not employing more than nine persons in the industrial activity and individual electric motors of not more than 2 H.P. or Computer Aid Center.

xviii) Trade Schools or other similar schools not involving any danger of fire or explosion nor of, offensive noise, vibration, smoke, dust odour, glare, heat or other objectionable influences provided that the motor driving school shall not be permitted.

xix) Repairing Shops not employing more than 9 persons and 2 H.P. motive power in the industrial activity with no floor above with the special written permission of the Planning Authority

xx) Vegetable, fruit, flower, fish or meat shop;

xxi) Photographic studios and Laboratories with not more than 50 Sq. meter area not employing more than nine persons and not using power more than 5 H.P.

xxii) Battery charging and repairing and repairing not employing more than six persons and with an area not more than 25 sq. m. and not more than two charges with power not exceeding 5 KW.

xxiii) Local Sub-offices of any public utility.

xxiv) Showroom for distribution and sale of LPG

xxv) Coal and Fire Wood shops.

xxvi) Repairing of refrigeration/air Conditioning (and not manufacturing type) with the special permission of the Planning Authority. with following restrictions;

(a) Restricted on ground floor only with area not exceeding 50 sq. m.

(b) Total electric power inclusive of motive power and heating load not exceeding 5 H.P.

(c) Number of persons employed not exceeding nine.

xxvii) Group medical centers on separate floors preferably ground floors with separate staircase and separate water and sanitary facilities with the permission of the Planning Authority

xxviii) Art Galleries.

xxix) Data processing unit with use of computers.

xxx) Veterinary Clinics.

xxxi) Travel Agencies, ticket booking and selling agencies for air, surface or water travel or transport of any other modes of travel or transport.

xxxii) Residential Hotels, Restaurants, Lodging Houses, Rest Houses.

xxxiii) Accessory uses customarily incidental to any permitted principal use including storage upto 50 % of the total floor area for the principal use;

71(A).1 Conditions governing additional uses permitted in the above plots.

The uses permissible in the R-2 Zone shall be restricted and subject to the conditions, below.

(i) A depth of 7.5 m. measured from the building line along the front portion abutting the street only shall be provided.

(ii) 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.

(iii) Shops shall be permitted only on the ground floor of a building unless specified otherwise.

(iv) Area of each shop will not exceed 25 sq. m. unless otherwise specified.



71(A).2 With the special permission of the planning authority, shopping uses and departmental stores for Tourism Industry and for local needs may be permitted on the entire ground floor of the building, subject to the following conditions ;

(i) — The side and rear marginal open spaces shall not be less than nine m. in width.

(ii) — No back to back shops would be permitted unless they are separated by a corridor at least 1.8m. in width which shall be properly lighted and ventilated.

(iii) — 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 departmental stores may be permitted in the entire building where the whole building is in occupation of one establishment and subject to the above conditions.

(B) — The following users shall be permitted in buildings premises for plots in the area outside the area as specified in (A) above.

1. Any Residence.
2. Residential Hotels, Sanatorium, Lodging Houses, Room Houses.
3. Holiday Resorts, Amusement Parks, Tourists facilities for recreation.
4. Museums, art galleries, exhibition hall and conference halls.
5. Community Centers and auditoriums.
6. Medical and Educational institutions, Sanatoriums, Health centers, health forming institutions.
7. — Swimming pools, water sports, play fields, stadiums, aquariums.
8. — Vrudhashram, orphanage and tribal welfare centers.
9. — Theatres, cinema house, club house, assembly or concert halls dance and music studios and such other places of entertainment with the special written permission of the planning authority.
10. — Trade or other similar schools.
11. Bulk storage of kerosene and bottle gas for domestic consumptions with the special written permission of planning authority.
12. — Vegetable, Fruit, Flower, Fish or Meat Market place with the approval of the planning authority.
13. — Government and Semi-Government offices with staff quarters.
14. — Domestic poultry in a outhouse/independence structure upto a keeping of 20 birds in a plot with a space requirement of 0.25 sq.m. per bird.

72) COMMERCIAL SITES :

(1) General conditions governing the uses :

The buildings or premises shall be used only for the uses and purposes given hereunder, subject to the conditions that, all goods offered for sale shall be displayed within the building excluding passages and marginal open spaces.

(2) Use permitted :

- (i) Any uses permitted in residential zone for Commercial Activity.
- (ii) Confectioneries, bakeries and establishments for the preparation and sale of eatables, each not occupying for production an area in excess of 250 sq.m. per establishment and not employing more than 25 persons and power not exceeding 15 H.P. with no upper floors over the furnace portion.



- (iii) Sale of used or second hand goods or merchandise (not junk, cotton waste, rags or other material of offensive nature)
- (iv) Business offices and exchanges, Public utility buildings, offices of a commercial organization/firms.
- (v) Club Houses or other recreational activities conducted as business.
- (vi) Storage of furniture and household goods.
- (viii) Retailing of building materials, open or enclosed with not more than 500 sq.m. of area per establishment.
- (viii) Fruit canning.
- (ix) Printing, book-binding, engraving and block making with an area not exceeding 120 sq. m. and motive power not exceeding 10 H.P. per establishment. In independent building, this could be allowed on unlimited scale subject to conditions as prescribed by the Planning Authority.
- (x) Veterinary dispensaries and hospitals and kennels;
- (x) Supari and Masala grinding/pounding using motive power not exceeding 10 H.P. or occupying more than 25 sq. m. area with the special written permission of the Planning Authority.
- (xii) Animal Pounds.
- (xiii) Mattress making and cotton cleaning not employing more than 6 persons, with motive power not exceeding 3 H.P.
- (xiv) Establishments requiring power for sealing tins, packages etc., not employing more the 9 persons. With motive power not exceeding 3 H.P.
- (xv) Ice-cream manufacturing.
- (xvi) Whole-sale establishments with storage not exceeding 200 sq. m. subject to fire protection requirements.
- (xvii) Accessory uses customarily incidental to any permitted principal use, including storage space upto 50 percent of the total floor area used for the principal use.

73) SERVICE INDUSTRIES – not permitted.

74) INDUSTRIES – not permitted.

75) PUBLIC – SEMIPUBLIC ZONE .

The following uses shall be permissible in the land included under this zone.

- i) Govt. and semi-Govt. offices and staff quarters, rest houses.
- ii) Offices of the public authorities, institutions and registered trusts with their related public activities (excluding residential activities)
- iii) All educational activities with hostels and staff quarters.
- iv) All medical activities with essential staff quarters.
- v) Cultural and charitable social activities.
- vi) Religious activities permitted by the "District Magistrate or home Deptt."
- vii) Other activities of public or semipublic in nature with the special approval of the planning authority.



76) NO DEVELOPMENT ZONE- TREE CONSERVATION ZONE

Development of any sort for whatsoever shall not be permissible other than those mentioned below.

- i) Activities listed under regulation no. 6 (B).
- ii) Play ground, Gardens, Parks and nurseries.
- iii) ~~Golf Courses, Swimming Pools, Race Courses, Camping Grounds, Water Sports.~~
- iv) ~~Agriculture and Horticulture, Forestry.~~
- v) ~~Bird sanctuary & forest park/nature park~~

76) NO DEVELOPMENT ZONE : SM-13

Development of any sort for whatsoever shall not be permissible other than those mentioned below.

- i) Activities listed under regulation no. 6 (B).
- ii) Play ground, Gardens, Parks and nurseries.
- iii) Golf-Courses, Swimming Pools, Race Courses, Camping Grounds, Water Sports.
- iv) Agriculture and Horticulture, Forestry.

77) FOREST ZONE

Development of any sort shall not be permitted for any reason except the following.

- i. Activities listed under regulation no.6 (B) with the approval of state Govt.
- ii. Forest parks, Nurseries.
- iii. Afforestation.
- iv. Adventure sports such as River crossing, Valley crossing, Rappelling etc. without cutting of trees." **EP-18**

78) AREA UNDER HERITAGE STRUCTURES / SITES / PRECINCTS REPLACED **EP-18**

The development of the identified heritage structures, sites or the precincts shall be permitted and controlled as per the regulations given in the Appendix XVII till regulations for heritage structures, sites or the precincts are sanctioned independently by Govt.

Heritage Regulations at Appendix XVII are proposed to be replaced as per final decision on proposal of Heritage Regulations already submitted to Govt.

79) PERMISSION FOR CONSTRUCTIONS OF TEMPORARY USERS

1) The Chief Officer may grant permission for construction of temporary nature and use for a period not exceeding six months at a time, but in aggregate not exceeding a period of three years. Such temporary permission may be granted for the constructions of the following uses :-

- i) Structures without RCC frames and/or walls for protection from the rain;
- ii) Pandals for fairs, ceremonies, religious function, etc.
- iii) Structures for godowns/storage of materials within the site during construction;



- iv) Temporary site offices and watchmen chowkies within the site only during the phase of construction of the main buildings;
- v) Structure for exhibitions/circuses, etc.
- vi) Structures for storage of machinery,
- vii) Structures for ancillary works for quarrying operations in conforming zones;
- viii) Stalls for sale of goods for specific period;
- ix) Milk booths and telephone booths;
- x) Transit accommodation for persons to be rehabilitated in a new construction;

Provided that temporary constructions for structures, etc. mentioned at (iii), (iv), (vi) and (x) may be permitted to be continued temporarily by Chief Officer but in any case not beyond completion of construction of the main structure or building. The structures in (ix) may be continued beyond three years on annual renewable basis .

2) Applications of permissions for temporary uses and for relevant constructions need not be submitted through a Technical Person .

80) LAYING OF OPTICAL FIBRE CABLE

Laying of optical fiber cables underground by the companies authorized by the State Government shall be permitted on the lands falling under the jurisdiction of the Government of Maharashtra, Municipal Council or of any other authority or owner (if permitted by them) for a period of thirty years on license basis subject to conditions prescribed by the State Government and subject to further special conditions of the Chief Officer.

81) RAIN WATER HARVESTING

In every proposal of residential and / or commercial nature, a developer shall make necessary arrangements of installation of Rain Water Harvesting system, as prescribed in Appendix XVIII

81A) DESIGN CONTROL AND REGULATIONS FOR THE PRESERVATION OF EXISTING TOWNSCAPE CHARACTER IN MATHERAN [EP-18]

A. URBAN SCAPE:

1. The historic pattern of the main, secondary streets and paths that lead up to individual properties within the Bazaar areas and rest of Matheran shall be preserved.
2. Widening of existing streets and roads shall not be permitted.
3. Change of location of entrances / gates to traditional sites shall be dissuaded.
4. The grain and texture of the urban scape as set in a hilly topography emphasizes significant urban character with typical, views and vistas. Such character shall be maintained and no change to traditional building lines along streets (as open spaces and settings) shall be allowed.



5. All Green spaces (having forest or vegetation) as gaps between buildings and plots, forecourt greens and open spaces as existing in the original pattern shall be protected and maintained.

6. The setting pattern of existing buildings on either side of the roads in the Bazaar Area and adjacent roads such as Kasturba Road; being set on high grounds along the western edges and low grounds along the eastern fringes shall be respected and maintained. The control on plinth heights shall be stringent.

7. The traditional form of bungalow format being projected verandahs with cast iron decorative railings, sloping roofs (more than 22 deg. gradient and intercepting gables and dormers) covered in tiles/sheets with decorative fascia boards and occasional double height living rooms with clear storey lights shall be maintained.

8. Parks and gardens as essential townscape (vastness and valley views) character shall be enhanced while protecting the characteristic street edge, the forecourt open space, the boundary walls, signage, gate posts, plaques, trees and green leafy character etc.

9. **SIGNAGE / ADVERTISEMENTS ON ROCKS AND TREES SHALL BE PROHIBITED.**

B. ADDITIONS, ALTERATIONS AND EXTENSIONS TO BUILDINGS:

1. Additions, alterations and extensions to buildings shall aim at preservation and/or enhancement to the character and appearance of the area and shall not deter in any way from the original set - up.

2. Additions, alterations and extensions to buildings adversely affecting the character (architecture - form, scale) or appearance (treatment, materials, colour) of neighborhood setting shall not be accepted.

3. All existing resources such as building materials (Laterite stone), timber etc, shall be recycled and reused as far as possible and local/ traditional techniques of construction shall be used.

4. R.C.C slabs replacing traditional pitched roofs and framed constructions in R.C.C. shall not be permitted.

5. Additions/ extensions shall not result in the obstruction of views from the surrounding buildings, streets and other views.

6. Extensions shall be confined to the rear or least important facades and should not upset the scale or proportions of the building or adversely affect the character, appearance or setting of neighboring buildings.

7. Roofs over the extensions shall be in conformity of the existing pattern (more than 22 deg. gradient and intercepting gables and dormers) and shall in no case attempt to diminish the character of the principal building. The materials may be Mangalore tiles or corrugated/ plain metal sheets.



8. Appurtenant structures such as roof tanks, ventilating shafts, air-conditioning shafts, lift rooms, chimneys, telecommunication equipments, satellite dishes or other roof plant shall be sensitively located and shall not adversely affect the character or appearance of the buildings.

C. MATERIALS AND ARCHITECTURAL DETAILS:

1. All new development / alterations / extensions shall use traditional or other durable natural materials which preserve and/or enhance the character or appearance of the area.
2. Buildings shall retain existing features such as doors or windows, or to replace them in facsimile.
3. Colour of roofs shall be restricted to leaf green and terracotta red.
4. The materials for construction shall be as far as of traditional material such as laterite (red) stone (exposed / plastered and painted) using the load bearing type of structural system.

D. SIGN AND ADVERTISEMENT:

1. Signs and advertisements shall be well designed and sensitively located within the town. When considering outdoor advertisements due regard to the circumstances of each case and the interests of amenity and public safety.
2. Signs and advertisements should be carefully related to the character, scale and architectural features of the building on which they are placed.
3. **Signs at High Level:** No signs and advertisements suspended across the streets, balloon advertising, portal gateways, proposal for promotional banners, mobile, rotating or static electronic signs, whether freestanding or attached to buildings, moving digital displays and message boards and intermittent or flashing signs will be permitted.
4. **Hoardings:** No hoardings shall be permitted in the town.

E. BOUNDARY WALLS AND FENCING AND RAILINGS:

1. Existing traditional boundary walls in stone masonry (laterite/ other) shall be protected and properly maintained. Demolition or unsuitable replacement shall not be permitted.
2. New Boundary walls shall be in conformity with traditional patterns using laterite/ dry rubble/ other stone masonry designed with or without part railing/fencing (open type).
3. Boundary walls shall not exceed an overall height of 1.2m inclusive of coping/other features and maintain such height with respect to the contour of the land by creating a stepped formation.



4. Retaining Walls in traditional patterns of exposed laterite, inclination & pitch with weep holes and drainage patterns shall be considered akin to boundary walls. Such walls shall be preserved and restored using traditional techniques of dry rubble masonry without plastering.

5. Live fencing consisting of hedge plantation, temporary fencing karvi sticks/ dried twigs/ barbed wire along street edges shall be permitted for regeneration of forest cover and to prevent encroachment and trampling into forest areas.

F. STREET FURNITURE :

Street Furniture applies to an assorted mix of typologies like soft landscape (planters, hanging baskets/brackets/tree guards/tree grills), pedestrian facilities (seating, litter bins, advertising display posts/panels, shelters, street toilets), lighting (street lights & poles, overhead wiring), free standing control/junction boxes and public amenity features (telephone kiosk, telephone equipments, benches), post boxes, newspaper dispenser, fountains (drinking & other), statues & sculpture, memorials and facilities like animal troughs .

1. The aim for all specifiers and designers for street furniture must be to provide solutions which are attractive, functional and with low maintain cost.

2. It shall be ensured that all types of street furniture is of good design, unobtrusive to the local scene and harmonious with the streetscape, is sited so as to minimize visual clutter, and allow clear and safe passage for people.

3. The design and layout of street furniture and urban landscape details shall aim at enhancement of the area and shall be planned inconsonance with the general character of Matheran. The placement and setting of street furniture like telephone booths, kiosks and/or other similar equipments will not allow encroachments of street lines.

4. Existing details of street furniture can be suitably re-designed so as to conform to enhanced landscape design.

5. Containers such as bottle and can banks and other community bins for refuse and recyclable materials, should be properly sited so as to minimise visual intrusion and to allow clear passage for people as well as minimize disturbance.

6. Fountains, pools, and sculptures having incongruous to the character of the Matheran in public places and at points shall not be permitted.

81B) " All the routes shall be paved with laterite stones and available for non motorized vehicles in Matheran. " **EP-18**



PART V
SUPPLIMENTAL & MISCELLANEOUS PROVISIONS

82) DELEGATION OF POWERS

Except where the Chief Officer's special permission is expressly stipulated, the powers and functions vested in the Chief Officer by these Regulations may be delegated to the Engineer/Town Planner under his control subject to his revision if necessary and to such conditions and limitations, if any, as he may prescribe. In each of the said regulations, the words "the Chief Officer", shall to the extent to which municipal official is so empowered be deemed to include such official.

83) DISCRETIONARY POWERS

(a) In conformity with the intent and spirit of these Regulations, the Chief Officer may,

(i) decide on merits where it is alleged that there is an error in any order, requirement, decision, determination, made by any Chief Officer under delegation of powers in Regulation or interpretation in the application of these Regulations

(ii) interpret the provisions of these regulations where a street layout actually on the ground varies from the street layout shown on the Development Plan

(iii) modify the limit of a zone where the boundary line of the zone divides a plot with the previous approval of the Divisional Deputy Director of Town Planning.

iii) modify the limit of zone, where the boundary line of the zone divides a plot, with the previous approval of the Director of Town Planning. **EP-18**

(iv) authorize the erection of a building or the use of premises for a public service undertaking only for public utility purposes, where he finds that such an authorization to be reasonably necessary for the public convenience and welfare, even if it is not permitted in any land use classification.

(b) In specific cases where a clear demonstrable hardship is caused, the Chief Officer may for reasons to be recorded in writing, and with the prior approval of the Divisional Deputy Director of Town Planning, by special permission permit any of the dimensions prescribed in these Regulations to be modified, except those relating to floor space indices unless otherwise permitted in these Regulations, provided that such relaxation will not affect the health safety, fire safety, structural safety and public safety of the inhabitants of the building and the neighborhood and subject to the premium as decided by the Chief Officer.

(c) In specific cases where a clear demonstrable hardship is caused, the Chief Officer may, for reasons to be recorded in writing, and with the prior approval of the Divisional Deputy Director of Town Planning, by special permission, permit on merit development of any land included in public and semipublic zone for users permissible in the adjoining predominant zone if existing public and semipublic use is discontinued or abandoned.



APPENDIX I
FORMS OF NOTICE AND FIRST APPLICATION FOR DEVELOPMENT

(Regulation 9 A)

(Form of Notice and first Application for development Under Sections 44, 45, 58, 69 of the Maharashtra Regional and Town Planning Act, 1966 and to erect a building under Maharashtra Municipalities, Nagar Panchayats and Industrial Townships Act, 1965)

The Chief Officer
Matheran Municipal Council
Matheran

Sir,

1. I intend to carry out development in site/to erect, to re-erect / to make material alternation in the building..... on/in matheran/bazaar Plot No.-----Situated on Road / Street and in accordance with section 44, 45, 58, 69 of the Maharashtra Regional and Town Planning Act, 1966 and provisions of the Maharashtra Development Plan Rules, 1970 and the Maharashtra Municipalities, Nagar Panchayats and Industrial Townships Act, 1965 .

2. I enclose the following plans and statements (Items 1 to 6 wherever applicable, in quad-duplicate, signed by (Name in block letters)licensed surveyor / engineer / structural engineers/supervisor, licensed No. ... or architect, who has prepared the plans and designs son my behalf and a copies of other statements/documents as applicable (Item 7 to 12).

1. Key Plan (Location Plan).
2. Site Plan.
3. Sub-division / layout plan.
4. Building Plan.
5. Particulars of development in the form in Annexure – I.
6. Ownership Title.
7. Attested copy of receipt for payment of building permit fee.
8. Clearance certificate of municipal tax arrears.
9. No objection certificates, where required.
10. Appointment letter in favour of licensed technical person or architect.
11. Supervision memorandum of licensed technical personnel or architect.
12. Property register card, and city survey plan for plot in original signed by the Competent Cite Survey Authority, owner's affidavit regarding area of the plot and Architects' certificate for plot area alongwith area calculations by triangulation methods. Please approve the proposed development/construction and permit me to execute the work.

Yours faithfully

Date:

Signature of Owner.

Name & Address of Owner.....



ANNEXURE –I
(Part of Appendix I Item 2(5))
Particulars of Development

1. a) i) Applicant's Full Name :.....
(In block letters)
- (ii) Applicant's address.....
.....
- b) Name and address of Licensed Surveyor/Engineer/structural Engineer or supervisor/Architect employed.....
- c) No. and date of issues of license.:
Valid upto :.....
2. Is the plot affected by any reservation or road lines? If so, are these correctly and clearly marked on the block plan?
3. a) What is the total area of the plot according to the document?
b) Does it tally with the revenue record?
c) What is the actual area available on site measured by the licensed surveyor / architect / engineer / structural engineer / supervisor or architect?
d) If there is any deduction in the original area of the plot on account of road lines or reservation? Please state the total area of such deductions.
e) If so what is the net area?
(Permission will be based on the minimum of areas in (a), (b) or (c) above).
- (Note: Indicate details on the site/building plan as in form 1)
4. Are all plans as required under Regulation 9 enclosed?
5. a) Is the plot part of a city triangulation survey number, revenue survey number or hissa or a matheran/bazaar Plot No.
b) Please state sanction number and date of sub-division/layout.
6. a) In what zone does the plot fall?
b) What is the permissible Floor Space Index of the Zone?
c) What is the number of tenements per net hectare permissible in the zone?
7. a) Is the use of every room in the proposed work marked on the plans?
b) Is it in accordance with the Regulations?
8. a) What is the average-
i) Prescribed width? And
ii) Existing width of the street?



(If the plot abuts two or more streets, information for all streets should be given).

- b) What is the height of the building
i) above the centre of the street?
ii) above the average ground level of the plot?

c) Does it comply with Regulation 23 ?

9 a) If there are existing structures on the plot-

- i) Are they correctly marked and numbered on the site plan?
ii) Are those proposed to be demolished immediately coloured yellow?
iii) What is the plinth area and total floor area of all existing structures to be retained?
(Please indicate in the appended statement 'A' with details)
iv) what is the number of existing tenements in the structure (s) to be retained.

b) What is the plinth area and total floor area of the proposed work or building?

c) What is the number of tenements proposed?

Note – indicate details of the building plan as in form 1.

10 a) Please state the plinth area and total floor area, existing and proposed (i.e. totals of items 9 (a) (iii) and 9 (b).

b) Please state the overall floor space index (Item 10(a) divided by Item 3(e)

c) Does the work consume the full floor space index of the plot, as given in item 6(b)? If not, why not?

d) Is the building proposed with setbacks on upper floors?

e) What is the total number of tenements (Item 9(a) (iv) plus Item 9(c)).

Note – indicate details on the building plan as in form 1.

11. a) What is the width of the front open space? If the building abut two or more streets, does the front open space comply with Regulation 25 ?

b) Please state which of the sub-regulation of regulation 25 and or any other regulation is applicable for the open space. Does the front open space comply with the Regulation?

12 a) What is –

i) the width of side open space (s)?

ii) the width of rear open space (s)?

iii) the distance between buildings ?

13. a) What are the dimensions of the inner or outer chowk?

b) i) Does any room depend for its light and ventilation on the chowk? If so, are the dimensions are required for building?

ii) Does it Comply with Regulation 31 and 32 ?

14. a) i) what are maximum width of balconies?

ii) Will they reduce the required open space to less than the provisions of the Regulation?



- iii) Do they serve as a passage to any part of the building?
What is their total area?
- b) What is the maximum width of weather-frames, sun-shades (chajja), sunbreakers, cornices, eaves, or other projections?
- c) i) Are any porches/canopies proposed?
ii) Do they comply with requirements of Regulation 51 and 52 ?

- 15. a) What is the width of the means of access?
b) What is its clear height?
c) Will it be paved, drained and kept free of encroachment?

- 16. a) Are any accessory building proposed? If so far what purpose?
b) What are their heights?
c) Is their area calculated in floor space Index?

- 17. a) What is the proposed height of the compound wall? Is it at a junction?
b) Does it comply with Regulation 59 ?

- 18. a) Does any natural water course pass through the land under development?
Is the necessary set back provided according to Regulation 34 ?

19. Is the plinth level proposed to be above the level of the surrounding grounding level?

20.. The details of the materials to be used in construction with specifications are as follows.

Roofs.....
 Floors.....
 Walls.....
 Columns.....
 Beams.....
 Any other aterial.....

21.. The number of water closets, urinals, kitchens, baths to be provided are as follows:-

Water Closets	Baths	Urinals	Kitchens
Existing			
Proposed			

22. Details of the source of water to be used in the construction.

23.. Distance from the sewer.

I am owner-lessee/mortgage in possession/of the plot on which the work is proposed and that the statements made in this Form are true and correct.

Date:

Address.

Signature of the applicant.



Form of Certificate be signed by the Licensed Personnel
Surveyor/Engineer/Structural Engineer/Supervisor or Architect employed by the Applicant.

I (Name)
employed by the applicant as his Licensed Surveyor/Engineer/Structural Engineer/Supervisor or
Architect, I have carefully pursued his covenant or conveyance in respect of this plot and I certify
that I have personally verified all the statements made by the applicant who is the
owner/lessee/mortgage in possession of the plots as in the above Form and the attach Statement
A and B and found them to be correct.

Date

Address:

Signature of Licensed Surveyor/
Engineer/Structural Engineer/Supervisor or Architect.



FORM 1
(Sr. No. 2, 9, 10, 11, 15 in ANNEXURE "I").
(At right top corner of site/building plan).

A. Area Statement

Square Metres

1. Area of plot
2. Deductions for
 - a) Road Set-back area
 - b) Proposed road
 - c) Any reservationTotal (a + b +c)
3. Balance area of Plot (1 minus 2)
4. Deduction for recreational ground (if deductible)
5. Net Area of plot (3 minus 4)
6. Additions for floor space index
 - 2(a) 100%
 - 2(b) 100%
7. Total Area (5 plus 6)
8. Floor Space Index permissible
9. Permissible Floor Area (7 X 8) above.
10. Existing floor Area.
11. Proposed area.
12. Excess balcony area taken in floor space index (as per B(iii) below).
13. Total built-up area proposed (10+11+12).

B. Balcony Area Statement.

- i) Permissible balcony area per floor.
 - ii) Proposed balcony area per floor.
 - iii) Excess balcony area per floor.
- Total excess balcony area for all floors.

C. Tenement Statement.

- i) Proposed area (Item A, 11 above).
 - ii) Less deduction of non-residential area (Shop etc.).
 - iii) Area available for tenements (i) minus (ii).
 - iv) Tenements permissible (Density of tenements/hectare).
 - v) Tenements proposed.
 - vi) Tenements existing.
- Total Tenements on the Plot.



FORM II
(At right bottom corner of plans/below Form I)

Contents of Sheet

Stamp of date of receipt of plans

Stamp of approval of plans

Revision	Description	Date	Signature
----------	-------------	------	-----------

Certificate of Area

Certified that I have surveyed the plot under reference on and that the dimensions of the sides, etc. of the plot stated on the plan are as measured on site and the area so worked out is* square metres and tallies with the area stated in the document of ownership.

Signature of Licensed Surveyor/Architect/ Engineer

Description of proposal and property

Name of owner

Job No. DRG. NO. Scale Checked Drawn by

North line

Signature Name (in block letters) and address
of Licensed Surveyor/Engineer/Structural Engineer/ Supervisor or Architect.

*Area to be stated in figures and also in words.



APPENDIX II
FORM FOR SUPERVISION
(Regulation 9(k))

To,

The Chief Officer
Matheran Municipal Council

Sir,

The development/erection./re-erection/demolition or material alternation of the building
.....on matheran/bazaar Plot No. ----- situated at Road/Street
.....Part ward
..... will be carried out under my supervision. All the materials
(type and grade) and the workmanship of the work will generally tally with the general
specifications submitted alongwith the plans and the work will be carried out according to the
sanctioned plans. I shall be responsible for the execution of the work in all respects.

Yours faithfully,

Signature of Licensed/Surveyor/Engineer/ Structural
Engineer/Supervisor or Architect

Name

(In Block Letters)

License No.

.....

Address

Date.....



APPENDIX III
(Regulation No9(O))

QUALIFICATION, COMPETENCE, DUTIES AND RESPONSIBILITIES ETC. OF LICENSED TECHNICAL PERSONNEL OR ARCHITECT FOR PREPARATION OF SCHEMES FOR DEVELOPMENT PERMISSION AND SUPERVISION.

1. General

1.1. The qualifications of Technical personnel and their competence to carry out different jobs for development permission and supervision for the purpose of licensing shall be as given in Clauses 2 to 5 below. The procedure for licensing technical personnel is as given in Clause 6.

2. Architect:

2.2. Competence of Architect – To carry out work related to development permission as given below and to submit.-

- a) All plans and information connected with development permission;
- b) Structural details and calculations for buildings on Plot upto 500 Sq.m.
- c) Certificate of supervision and completion for all buildings.

3. Engineer:

3.1 Qualifications – Corporate membership (Civil) of the Institution of Engineers or Degree in Civil Engineering or Diploma in Civil or Structural Engineering which makes him eligible for above membership.

- a) All plans and related information connected with development permissions;
- b) Structural details and calculations of buildings on plot upto 300 sq.m.
- c) Certificate of supervision and completion for all buildings.

3.2 Qualifications – Diploma in Civil or Structural Engineering

- a) All plans and related information connected with development permissions on plot upto 200 sq. m;

4. Supervisor:

4.1 Qualification – 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) Supervisor II;

i) Draftsman in Civil Engineering from I.T.I. with five years experience under architect/engineer.

4.2 Competence – a) For Supervisor I – to submit-

i) All plans and related information connected with development permission on plots upto 200 sq.m.

ii) Certificate of supervision of buildings on plots upto 200 sq.m.

For Supervisor II. To submit-

i) All plans and related information upto 50 sq.m. built-up area

ii) All plans and related information for limits at (i) above and completion thereof.

5. Structural Engineer:

5.1 Qualifications – Three years experience in structural engineering practice with designing and field work, and

a) A degree in Civil Engineering of a recognized Indian or Foreign University and Chartered Engineer of Associate Membership in the Civil Engineering Division of the Institution of Engineers (India) or equivalent overseas institution; or

b) Associate Membership in Civil Engineering Division of the Institution of Engineering (India) or equivalent overseas institution possessing exceptional merit. Three years experience will be reduced to two years for those with post-graduate degree of a recognized Indian/Foreign University in the branch of Structural Engineering and to one year for those with Doctorate in Structural Engineering.

5.2 Competence – to submit the structural details and calculations for all buildings and supervision.

5.2.1 Complicated buildings and sophisticated structures, as decided by the Chief Officer which are within the horizontal areas and vertical limits under 2-1(b), 3-2(b) and 4-2(a)(i) shall be designed only by structural engineers.

6. Licensing:

6.1 Technical personnel to be licensed – The qualified technical personnel or group referred to in Clause 3, 4 and 5 shall be licensed with the Municipal Council and the license shall be valid for one calendar year ending 31st December after which it shall be renewed annually.

Fees for Licensing – The annual licensing fees shall be as follows:-
For Engineers and Structural Engineering Rs. 250 per annum.



For Supervisors S-I Rs. 100 per annum.

For Supervisors S-II Rs. 50 per annum.

Duties and Responsibilities of Licensed Technical Personnel or Architect –

- 1) It will be incumbent on every licensed technical person or architect in all matters in which he may be professionally consulted or engaged to assist and cooperate with the Chief Officer and other Municipal Officers in carrying out and enforcing the provisions of the Municipal Act and Maharashtra Regional and Town Planning Act and of any Regulations or rules for the time being in force under the Acts.
- 2) Every licensed technical person or architect shall 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 due compliance with the provisions of Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 and of the Maharashtra Regional and Town Planning Act and of any rules or regulations 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 satisfy himself that a qualified and competent site supervisor with qualifications prescribed by the Chief Officer is constantly employed and present on the work to supervise the execution of all work 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 person or architect is professionally concerned with any building or work upon any premises in respect of which a right to require a setback has accrued or is about to accrue to the Chief Officer under the provisions of Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965. to ascertain whether the regular line of the street" has been prescribed and whether any portion of the said premises is required for the street and or any of them it, will be incumbent on such Licensed technical person, must, on any account or under any pretense, 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 person or architect is professionally concerned with any building or work upon any premises designed or intended to be used or any purpose for which the written permission or license of the Chief Officer 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 person so far as his professional connection with such case extends, to see that all conditions prescribed by the said Act, or by any rules or regulations for the time being in force thereunder, are duly fulfilled or provided for.
- 5) A licensed technical person or architect 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 Municipal Council contravention of any condition of the lease or agreement for lease.
- 6) When a licensed technical person or architect ceases to be in employment for the development work, he shall report the fact forthwith to the Chief Officer.



APPENDIX IV
(Regulation 10)
FORM OF SANCTION OF DEVELOPMENT PERMISSION BUILDING
PERMISSION AND COMMENCEMENT CERTIFICATE.

To

.....

.....

Sir,

With reference to your application No.datedfor Development Permission and Commencement Certificate under Section 45 and 69 of the Maharashtra Regional and Town Planning Act, 1966, to carry out development and building permission under Section 189 of the Maharashtra Municipal Councils, Nagar Panchayats and Industrial Townships Act, 1965 to erect a building/buildings no.on matheran/bazaar Plot No. ----- Situated at Road/Street Wardthe Building permission and Commencement Certificate are granted on the following conditions.

1. The land vacated in consequence of the enforcement of the set-back line/road widening line shall form part of the public street.
2. No new building or part thereof shall be occupied or allowed to be occupied or used or permitted to be used by any person until occupancy permission has been granted.
3. The commencement certificate/development permission shall remain valid for one year commencing from the date of its issue.
4. This permission does not entitle you to develop land which does not vest in you.

Chief Officer

Matheran
Municipal. Council

Date



APPENDIX V
(Regulation 10)
FORM OF REFUSAL OF DEVELOPMENT PERMISSION, BUILDING
PERMISSION AND COMMENCEMENT CERTIFICATE.

To

.....
.....

Sir,

With reference to your application No. dated..... for the grant of sanction of the development works, the erection of a building / execution of work for Building on matheran/bazaar Plot No..... situated at Road/Street Ward, I regret to inform you that the sanction is refused on the following grounds under Section 45/69 of the Maharashtra Regional and Town Planning Act, 1966.

1.
2.
3.
4.
5.
6.

Yours Faithfully,

Chief Officer

Matheran Municipal Council
Date



APPENDIX VI
(Regulation No.13(2))
FORM OF NOTICE FOR START OF WORK

To

The Chief Officer
Matheran Municipal Council,
Matheran

Sir,

The development work/erection/re-erection/demolition or material alternation in/of Building No on/in matheran/bazaar Plot No. . situated at Street/Road Ward Will start on in accordance with your permission No. dated..... Under the supervision of Licensed Surveyor/Engineer/Structural Engineer/Supervisor, or Architect License No. And in accordance with the plans sanctioned.

Yours faithfully,

Signature of owner

Name of the owner

(In Block Letters)

Address of owner

Date:



APPENDIX VII
(Regulation No. 13(4))
FORM FOR INTIMATION OF COMPLETION OF WORK UPTO PLINTH LEVEL

To

The Chief Officer Matheran
Municipal Council
Matheran

Sir,

The construction upto plinth/column upto plinth level has been completed in Building No..... on/in matheran/bazaar Plot No. Road/Street Ward In accordance with your permission No. dated under my supervision and in accordance with the sanctioned plan.

Please check the completed work and permit me to proceed with the rest of the work.

Yours faithfully

Signature of Licensed Surveyor/

Engineer/Structural/Engineer/
Supervisor or Architect.

Name

(In Block letters)

Address

Date



APPENDIX VIII
(Regulation No. 13(4))

FORM OF APPROVAL/DISAPPROVAL OF DEVELOPMENT WORK UPTO PLINTH LEVEL.

To

Sir,

Please refer to your intimation No.dated..... regarding the completion of construction work upto plinth/columns upto plinth level in Building No. on/in matheran/bazaar Plot No..situated at Road/Street, Ward you may/may not proceed with the further work as per sanctioned plans/ as the construction upto plinth level does/does not conform to the sanctioned plans.

Yours faithfully,

Chief Officer

Matheran Municipal Council

Office No.

Office Stamp

Date:



APPENDIX IX
(Regulation No. 13(6))
FORM FOR DEVELOPMENT COMPLETION CERTIFICATE-I

To

The Chief Officer Matheran
Municipal Council
Matheran

Sir,

I certify that the erection/re-erection or part/full development work in/on building/ part building No.on/in ----. ...situated at Road/Street, Ward has been supervised by me and has been completed onaccording to the plans sanctioned (office communication No.dated-----). The work has been completed to my best satisfaction, the workmanship and all the material (type and grade) have been used strictly in accordance with general and detailed specifications. No provision of the Act or Development Control Regulations, no requisitions made, conditions prescribed or orders issued thereunder have been transgressed in the course of the work. I am enclosing three copies of the completion plans, one of which is cloth mounted. The building is fit for occupancy for which it has been erected/re-erected or altered, constructed and enlarged.

I have to request you to arrange for the inspection and give permission for the occupation of the building.

Yours faithfully,

Signature of Licensed Architect/
Surveyor Engineer/Structural/
Engineer/Supervisor or Architect.

Name : (Name Block Letters)

Address :

Date :

License No.:



APPENDIX X
(Regulation No.13(6))
FORM FOR PLUMBING WORK COMPLETION CERTIFICATE-II
PLUMBING WORK

To
Chief Officer Matheran
Municipal Council
Matheran

Sir,

The following work (insert full particulars of the work) has been completed to my satisfaction; the workmanship and the whole of the materials used are good; and no provision of the Act or the Development Control Regulations or Building Bye-laws and no requisition made, condition prescribed or order thereunder, has been transgressed in the course of the works.

Yours faithfully

(Signature of Licensed Plumber)

Name (In Block Letters)

Address

Date :

License No.:-



APPENDIX XI
(Regulation No. 13(6))
BUILDING COMPLETION CERTIFICATE

To
Chief Officer
Matheran Municipal Council
Matheran

Sir,

The following building work (insert full particulars of the work) has been supervised by me and has been completed to my satisfaction; the workmanship and the whole of the materials used are good; and no provision of the Act or the Regulations Bye-laws and no requisitions made, condition prescribed or orders issued thereunder, have been transgressed in the course of the work.

Certified that the Building Work carried out as per my design, planning and under my supervision to which building permission and commencement certificate no. dt.....in matheran/bazaar Plot No.. -- is granted is as per the norms as specified by Indian Standard Institute for the resistance of earthquake (Seismic zone IV), fire safety and natural calamity.

Yours faithfully,

Signature of Licensed/Surveyor/

Engineer/Structural/Engineer/

Supervisor or Architect.

Name (in Block Letters)

Address :-

Date :- License No.



APPENDIX XII
(Regulation 13(6))
FORM OF ACCEPTANCE OF COMPLETION CERTIFICATE

Matheran Municipal Council
No.

To,
.....
.....
.....

Subject:-----

Reference:----- :

Sir,

The Completion Certificate submitted by you on for the above work, is hereby accepted.

Yours faithfully

Chief Officer

Matheran Municipal Council

Date :

Office Stamp :

Copy forwarded to :



**APPENDIX XIII
(Regulation 13(7))
OCCUPANCY CERTIFICATE.**

To,

.....

.....

Sir,

The part/full development work/erection/re-erection or alteration in/of building/part building No.
.....On/in matheran/bazaar Plot No.
Situating at Road/ Street City S.No.
..... Completed under the supervision of
..... Licensed Surveyor/Engineer/ Structural Engineer/Supervisor,
Architect/License No. would be occupied on the following
conditions.

1.
2.
3.
4.

A set of certified completion plans is returned herewith.

Yours faithfully

Chief Officer

Matheran Municipal Council

Date:



APPENDIX XIV
(Regulation 13(8))
FORM OF INDEMNITY FOR PART OCCUPANCY CERTIFICATE.

To
Chief Officer
Matheran Municipal Council
Matheran

Subject :-----

Sir,

While thanking you for letting me occupy a portion of the above building before acceptance of the Completion Certificate of the whole building for the plans approved in communication No. dated I indemnify the Matheran Municipal Council against any risk, damage and danger which may occur to occupants and users of the said portion of the building and also undertake to take necessary security measures for their safety. This undertaking will be binding on me/us, our heirs, administrators and our assigners.

Yours faithfully

Signature of Owner

Name of the Owner

Witness

(Signature & name in Block Letters)

Address :

Date :



APPENDIX XV
Regulation No. 63

SPECIAL PROVISIONS FOR INSTALLATION OF SOLAR WATER HEATING SYSTEMS.

Solar water heating system to be provided in the buildings for Hospitals, Hotels, Guest houses, Police men/Army barracks, Canteens, Laboratories and Research Institutions Hospitals of School and Colleges and other Institutes:

1. The solar water heating system shall be mandatory in the hospitals and hotels, where the hot water requirement is of continuous nature. In these buildings the system must be provided with auxiliary back-up.
2. The use of solar water heating system is recommended in the following type of buildings in Government/Semi-Government and Institutional buildings 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.

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.

It is suggested that solar water heating system of the capacity of about 100 litres per day based on thormonos-phonomiciple with necessary electrical back-up be installed at residential buildings like hostels.

In order to facilitate the Installation of the solar water heating systems, the new buildings shall have the following provisions:

1. All such buildings where solar water heating systems are to be installed will have open sunny roof area available for installation of solar water heating system.
2. The roof loading adopted in the design of such building should be at least 50 kg. per 2 sq.m. for the installation of solar water heating system.
3. Solar water heating system can also be integrated with the building design. These can either 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 inclination of the collector would be (latitude + 15 degrees of the south). Even if the collectors are built in the south facing vertical wall of the building the output from such collectors during winder months is expected to be within 82 per cent out put from the optimum inclined collector.
4. All the new buildings to be constructed shall have an installed hot water line from the roof top and also insulated distribution pipelines to each of the points where hot water is required in the building.



5. 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 buildings. The norms for hospitals, hotels and other functional buildings are given below.

Sr.No.	Type of Building	Per capita capacity recommended(litres)
1	Hospital	100
2	Hotel	150
3	Hostel & other such buildings	25
4	Canteen	As required
5	Laboratories & Research Institution	AS required

6. An open area of 3 Sq. would be required for installation of a collator which supply about 100 liters of water per day. At least 60% of the roof area may be utilised for installation of the system.

7. The specification for the solar water heating system laid down by the Ministry of Non-Conventional Energy Sources can be followed. Flat plate collector conforming to I. S .No. 12933 shall be used in all such solar water heating systems.



APPENDIX XVI
(Regulations No. 62)

SPECIAL FACILITIES FOR PHYSICALLY HANDICAPPED PERSONS

1.0 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.

2. SCOPE:

These bye laws are applicable to all existing and proposed buildings and facilities used by the public.

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 people, the following provisions shall be made:-

- a) Surface parking for two car spaces shall be provided near entrance for the physically handicapped 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.

4. Building Requirements: The specified facilities for the buildings for physically handicapped persons shall be as follows:-

1. Approach to plinth level.
2. Corridor connecting the entrance/exit for the handicapped.
3. Stairways.
4. Lift.
5. Toilet.
6. Drinking Water.
7. Designing for Children



4.1.1 Approach to Plinth Level:- Every building should have atleast one entrance accessible to the handicapped 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/Exit for the Handicapped:- 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 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:

Clear internal depth : 1100 mm.

Clear internal width : 2000 mm.

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/exist 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 with essential provision of wash basin near the entrance for the handicapped:-

(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 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 XVII
(Regulation No. 78)

REGULATIONS FOR HERITAGE STRUCTURES/SITES/PRECINCTS REPLACED EP-18

~~1.0 Preamble:~~ These regulations are imposed with a view to regulate and conserve the listed buildings, areas, artefacts, structures and precincts of historical and/or aesthetic and/or architectural and/or cultural value, i.e. heritage buildings and heritage precincts.

~~2.0 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.

~~3.0 Restriction on Development/Redevelopment/Repairs etc.~~

~~(i) No development or redevelopment or engineering operation or additions, alterations, 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 Matheran Municipal Council. The Matheran Municipal Council 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 Matheran Municipal Council may overrule the recommendation of the Heritage Conservation Committee with prior approval of the Government.~~

~~Provided further that the power to overrule the recommendations of the Heritage Conservation Committee shall not be delegated by the Matheran Municipal Council either to the Chief Officer or any Municipal Officer.~~

~~(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 Matheran Municipal Council 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 Matheran Municipal Council 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 Matheran Municipal Council and/or by Government.~~



~~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 city.~~

~~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.~~

~~Heritage Grade III Comprises of buildings, and precincts of importance for townscape; 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~~

~~iv) Power to alter, modify or relax Regulations — With the approval of Government and after consultation with the said Heritage Conservation Committee, the Matheran Municipal Council 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 market value to be determined by the Director of Town Planning, Maharashtra State, Pune.~~

~~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

C. 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 be in accordance with the original~~

~~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 structurally weak or unsafe or when it has been affected by accidental fire or when any remedy other than reconstruction is not available. However, unless absolutely essential, nothing should spoil or destroy the special features or attributes for which it is placed in the Heritage List.~~

~~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 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 prime landmarks of the Sub Region.~~

1.1:These regulations shall apply to the area included in Matheran Hill Station Municipal council (MHSMC)

1.2:These regulations will apply to heritage sites which means building, structures, artifacts, areas, precincts, conservation areas, forest or wooded areas, of historic and/or aesthetic and / architectural and/or cultural and/ or environmental significance and, those natural and man-made features of environmental significance and/or of scenic beauty including but no restricted to sacred groves, headlands, hills, sub-hills, hillocks, plateaus, sub-plateaus, springs, caves, water bodies (and areas adjoining the same), archaeological sites not notified by archaeological department of Government of Maharashtra/ Government of India and remains (including cemeteries), open areas, wooden areas, points, walks, rides, paths and bridle paths, parks, playground (open spaces/areas), clubs and gymkhanas with open grounds, Matheran Light Railway (including the railway lands with building and all appurtenant equipment) situated in the notified area hereinafter referred to as 'listed sites/building/ features/ features/ precincts/ areas/ properties' which are listed above Matheran Municipal Council area. The list as notified shall be hereinafter referred to as 'the said heritage list'.

2.1 No development, re-development or engineering operation including but not limited to demolition, additions, alterations, repairs, restoration, renovation, painting of building, change of name, replacement of special features in whole or part of any listed sites / features/ precincts /areas/ properties/ buildings shall be allowed except with the prior written permission of the Chief Officer (hereinafter referred to as 'the CO'). Before granting any such permission, the CO shall consult the Matheran Hill Station Heritage Conservation Committee (to be appointed by the State Government) hereinafter referred to as 'the said MSHCC' and shall act strictly on the advice of the said MSHCC.

2.2 Provided that in exceptional cases, and for reasons to be recorded in writing, the CO may overrule the advice of the MSHCC. Provided further that the power to overrule the advice of the said MSHCC shall not be delegated by the CO to any other officer. Provided further that the CO shall in writing explain the facts why he needs to differ from the advice of MSHCC and obtain



the prior written approval of the Collector, Raigad, District (hereinafter referred as 'Collector'), before overriding the advice of the said MSHCC

2.3 The said MSHCC shall have the power to direct the CO to issue stop work notice for any development if in the opinion of the Committee such development detracts from the character of the area and the Authority shall immediately comply with the directive. In case of failure by the CO to take such action the MSHCC can refer the matter to the Collector for immediate action.

2.4 In relation to the of the wider environment and ecological setting of the Matheran Hill, all proposals affecting forest lands (wooded areas within and outside the revenue plot boundary), natural topography of the hill, landscape ecology of the hill, the pedestrian status of the hill, natural water springs and water bodies, sanitation and drainage systems, collection and disposal of refuse, electrical and other infrastructural systems of the hill, and such other proposals, shall be informed by the CO to the said MSHCC.

3.1 The Government in consultation with the said heritage Conservation Committee shall approve with additions, deletions, if any, to the heritage list now published to include or exclude, but not be limited to, buildings, structures, artifacts, areas, precincts, conservation areas, forest or wooded areas, of historic and/ or aesthetic and/ or architectural and/or cultural and/ or environmental significance and, those natural and man-made features of environmental significance and/ or of scenic beauty including but not restricted to sacred groves, headlands, hills, sub-hills, plateaus, sub-plateaus, springs, caves, water bodies (and areas adjoining the same), archaeological sites and remains (including cemeteries), open areas, wooded area, points, walks, rides and bridle paths parks, playground (open spaces/areas), clubs and gymkhana with open grounds, Matheran Light Railway (including the railway lands with buildings and all appurtenants equipment). The said heritage list to which these regulations apply shall not from part these Regulations for the purpose of Section 37 of the Maharashtra Regional Town and Planning Act, 1966.

3.2 The said heritage list may be supplemented from time to time by Government, the collector and/or the CO on the advice of the MSHCC or suo moto. Provided that before the list is supplemented objections and suggestions from the public shall be invited within a period of sixty days from the date of such notice and the same shall be duly considered by Government and / or Collector and /or MSHCC. The items so included shall be deemed to form part of the said heritage list until their publication in the official gazette

3.3 Provided that said list approved by MSHMC which is in draft form and pending for approval from Government will, in the interim period, be deemed to be the said heritage list for purposes of development permission.

3.4 When a building or group of buildings is or are listed it would automatically include the entire property of which such building/ group of building are a part, including without limitation the entire plot along with all the subsidiary / ancillary structures and artifact, gardens, trees and other features within and inclusive of the plot wall and boundary, and shall also be deemed to form part of list.

3.5 When a conservation Area of precinct is listed it includes without limitation all buildings, roads, paths, trees and other features comprising the streetscape, urban cape, landscape, etc. within the boundary of such listed area



3.6 When a natural or man-made feature is listed it includes without limitation the entire area with all its other features within the designated boundary of that feature, which shall be decided by MSHCC on merits of the case.

4.1 In cases of precincts, Conservation Areas and natural and man-made features in the said heritage list, development permissions shall be granted in accordance with the special separate regulations/guidelines prescribed for the respective precinct/ Conservation Area/ natural or man-made features which shall be framed by the CO on the advice of and in consultation with the said MSHCC.

4.2 Before finalizing the above mentioned special separate regulations/guidelines for precincts, conservation areas and natural or man-made features, the draft of the same shall be published in the official gazette and/or in leading newspapers for the purpose of inviting suggestions and objections from the public. All suggestions and objections received within a period of 60 days from the date of publication in the official gazette and/or newspapers shall be considered by the CO in consultation with the said MSHCC.

4.3 After consideration of the above suggestion and objections, the CO in consultation with and on the advice of the said MSHCC, shall modify, if necessary, the aforesaid draft separate regulations for precincts, Conservation Areas and natural and man-made features and forward the same to Government for sanction.

Provided that pending invitation and/or consideration of suggestions and objections and pending final sanction from Government to the above draft special regulations/ guidelines for precincts/ Conservation Areas/ natural and man-made features, the CO and the said MSHCC shall have due regard to the above draft special regulations/ guidelines while considering applications for development / re-development, etc.

5.1 The planning Authority while framing the Development Control Regulations and/or Byelaws shall adhere to the 'pedestrian status of Matheran and 'thickly wooded road edges' and refrain from prescribing new roads / road widening line within the Matheran Hill Station Municipal Council area.

5.2 The Planning Authority i.e. the Matheran Municipal Council while framing the Development Control Regulations and /or Byelaws under respective acts shall prescribe Road Widening line so as to protect and not detract from those listed sites/ features/ precincts / areas / properties / buildings of the said heritage list.

5.3 If there are any new roads or road widening lines proposed in the draft or sanctioned Regional Plan / draft or sanctioned Development Plan / Matheran Eco Sensitive Zone in the Municipal Council area, the CO shall in consultation with the MSHCC consider the heritage provisions and environmental aspects while considering applications for development permissions. Necessary steps may be taken to modify the Master Plan / Regional Plan / Development Plan accordingly. Pending this action, the road widening/ development of new roads shall not be carried out.

5.4 No widening of the existing roads under the Maharashtra Municipalities Act or in the Development Plan or Matheran or in the Regional Plan or Master Plan of the Matheran Eco Sensitive Zone shall be carried out in a manner which may affect the existing listed sites/ features / precincts / areas / properties / buildings of the said heritage list in the notified area.

6 If there are any Development Plan/ Master Plan reservations shown specifically on heritage building It will not include property/plot as per regulation 3.4 or on listed natural features the



same shall not be implemented. If required, the CO, on the advice of the MSHCC, shall move Government to get these reservations deleted / modified as need be.

7 On the advice of the said MSHCC and with the Government approval for reasons to be recorded in writing, the CO shall alter, modify or relax the provisions of other Regulations of the Development Control Regulations/ Building Byelaws and of Regional Plan (hereinafter referred to as 'the said Regulations') if it is needed for the conservation, preservation, protection, restoration or retention of the Historic and / or aesthetic and/or cultural and/or architectural quality of any listed buildings/ heritage buildings and /or listed street and the preservation of any listed natural features and / or environment.

8.1 The CO on advice of the said MSHCC may grant permission for development, including addition, alteration. Modification, renovation, restoration. Etc. as per these regulation (but not demolition). In case of precincts, conservation areas, etc. provisions made under Special Regulations framed from time to time under these Regulations (Regulation 4 above)

8.2 If the application for development is rejected under this Regulation or under the Special Regulations or while granting such permission any conditions are imposed on the owner which deprives him of his development rights, the CO in consultation with the said MSHCC and after obtaining approval of the Collector shall provide suitable advice to the applicant in this behalf.

8.3 No permission for development at any natural feature shall be permitted except for in-situ conservation work. Construction / development only in the form of parapets, railings may be permitted at the inner periphery of the natural feature by the CO as per recommendations of the said MSHCC. However, structures existing prior to publication of the said list will be considered separately by the CO in consultation with the said MSHCC.

Development Permission shall not be required for pre-monsoon and post-monsoon for the following minor repairs, i) replacement of one or two tin sheets on roof, ii) leakages, iii) plumbing, iv) bathroom, v) removing of internal cracks to the inside walls, vi) internal plastering, vii) removal / repairs to window, door shutters, viii) internal colorings etc. This list may be curtailed or expanded by the MSHCC on experience from the time to time.

8.4 Additional ground storey structure(s) in a property (if permitted by the Development Control Regulations) shall not be closer than 6.0 m. from the existing structure. However in case of hardship this distance may be further relaxed by the CO on the advice of the said MSHCC and getting written approval from the Collector

9 After the commencement of this Regulation, adaptive reuse of listed building shall be permitted as per special guidelines by the CO on the advice of the said MSHCC. In all such cases of such change of use the owner shall maintain the heritage character of the building without alteration or loss of original character, with the advice of the said MSHCC.

Provided that if the listed building is not maintained suitably or if the heritage value of the building is allowed to be spoilt in any manner, the CO shall withdraw the permission forthwith and obtain further advice from MSHCC.

10 Development of any item in the said heritage list and in the vicinity of the listed sites/ features / precincts / areas / properties / buildings shall maintain the skyline and follow the architectural style (without any high-rise development) as may be existing in the surrounding area, so as not to diminish or destroy the value or beauty of or the view of or from any item in the said heritage list. The developments of and within any item in the said heritage list and in its vicinity shall be in



accordance with the guidelines framed by the CO on the advice of the MSHCC. However, the building height of any of these building shall not exceed 9 m.

11 Restrictions existing as on date of this Regulations imposed under covenants, terms and conditions on the leasehold plots either by State Government or by the Collector or by Municipal Council shall continue to be imposed in addition to the Development Control Regulations. However in case of any conflict with the heritage preservation interest/ environmental conservation this Regulation shall prevail.

12 With a view to give monetary health for repairs of structures in the said heritage list, a separate fund may be created by the Govt. of Maharashtra of heritage conservation and environmental preservation, which would be kept at the disposal of CO, who will make disbursement from the funds on the advice of the said MSHCC and on approval of the collector. Provision for such a fund may be made through District Planning and Development Council budget or any other suitable and appropriate means.

13 In the last column of the said heritage list "Grades" such as I, II, III, shall be indicated, except for precincts. 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 site / feature / precinct / area / property.

14 Nothing mentioned above should be deemed to confer a right on the owner/occupier of the plot to develop including to demolish and/or reconstruct and/or make addition(s) to and/or make alterations(s) to and/or repair(s) (except pre and post monsoon repairs) and/or renovation(s) and/or restoration and/or rename the structure of the listed site / feature / precinct / area / property / building if in the opinion of the said MSHCC, such demolition / reconstruction/addition/alteration/repair/ renovation/restoration/renaming is undesirable

15 So as to preserve the beauty of the region, the said MSHCC shall have the power to direct, especially in areas designated by them, that the exterior design and height of buildings should have their prior approval.

16 For listed sites, features, precincts and areas special separate regulations/guidelines shall be framed by the CO in consultation with the said MSHCC pertaining to ensure high standards of Townscape Detail and Planting and Planting including trees and shrubs (in revenue and forest lands), Signs and Advertisements, Street Furniture, Boundary (compound) Walls, Floors cape, Railings and Public Art.

17 CO on the advice of the said MSHCC shall frame regulations and/or guidelines to regulate signs, outdoor display structures and street furniture. Till such regulations and guidelines are framed, the following guidelines may be followed:

17.1.1 No display, neon signs, illuminated hoarding or advertising signs and outdoor display structures on building and land shall be in permitted. However, name plates up to 1sq.m. Area shall be permitted with approval of the CO on the advice of the said MSHCC.

17.1.2 Notwithstanding anything contained in sub-regulation 17.1.1 above, the following provisions shall apply to advertising signs, subject to regulation and/ or stipulations imposed by the MSHCC.

i) Matheran Plots: The following non-flashing neon signs with illumination not exceeding 40 watt light.

(a) One name plate with an area not Exceeding 1.5sq.m. for each dwelling Unit.



(b) for other users permissible in the zone, one identification sign or bulletin board with an area not exceeding 2 sq. m.

(c) "For sale" or "For rent" signs for real estate, not exceeding 0.5 sq.m. in area provided they are located on the premises offered for sale or rent.

ii) Bazaar Plots: Only non-flashing business signs placed parallel to the wall and not exceeding 1 m in height per establishment provided such signs do not face residential building.

iii) No part of any sign or outdoor display structure shall exceed 9 m. from the lowest ground position beneath it.

iv) No part of any sign or outdoor display structure shall be over the eaves line of the sloping roof

Prohibition of advertising signs and outdoor display structures display structures in certain cases :
Notwithstanding anything contained in sub-regulations 17.1

17.2.1 No advertisement, advertising sign or outdoor display structures shall be permitted on buildings of architectural, aesthetic, historical or heritage importance, as may be decided by the CO, on the advice of the MSHCC, 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 programmes.

17.2.2 no advertisement, advertising sign or outdoor display structures shall be permitted on or at any listed natural features save and except those relating to nature interpretation or environmental education signs, the placement and design of which shall be approved by the CO on the advice of the said MSHCC.

17.2.3 No advertisement, advertising sign or outdoor display structure shall be permitted on any rock formations or rock faces nor shall defacement of any rock formations or rock faces be permitted.

17.3 No sign or outdoor display structures shall detract form the character of the area.

17.4 No sign or outdoor display structures shall be permitted outside a plot boundary.

17.5 If the said MSHCC so advice, the CO shall refuse permission for any sign or outdoor display structure.

17.6 The CO may on the advice of the said MSHCC add to, alter or amend the provisions of sub-regulation 17.1 above.

17.7 Signs, outdoor display structures (including street furniture) will require the approval of the said MSHCC, which may prescribe additional guidelines for the same.

18.1 There shall be a MSHCC for the Matheran Hill Station Municipal Council, i.e. the notified area of Matheran Municipal Council, The Committee shall comprise of members with the following qualification:

1. Expert Members with relevant - Chairman
experience being a retired Secretary to Government, or retired Municipal Commissioner or Retired Divisional Commissioner or other expert having fifteen years experience in the field of Heritage conservation.
2. Structural Engineers having -- 2 Members



experience of 10 years in the field and membership of the Institute of Engineers.

3. Architects Engineers having – 2 Members
10 years experience and membership of the Council of Architecture (B.Arch./G.D.Arch. And M.Arch. in Architectural Conservations) Urban Designer Architects shall be having experience in Conservation architecture.
4. Qualified Environmentalists -- Member
(M.Sc. in Botany/Zoology with specialization/Ph.D in Environmental Sciences/ Engineering)having in-depth knowledge and experience of 10 years on the subject matter or Environmentalists with experience of minimum 15 years on subject matter.
5. Qualified Expert (History/Archeology) -- Member
(M.A./M.Phil. in History with specialization/ Ph.D in Museology /Archaeology having 10 years experience or Historian with experience of minimum 10 years on the subject matter)
6. Deputy Director of Town Planning, Konkan Division -- Member
7. Collector of the Raigad District -- Member
8. Chief Officer, MHSMC -- Member Secretary

18.2 The tenure of the Members of category (2), (3), (4), (5), and (7) above shall change after 5 years, provided however, that the same person shall be eligible for re-appointment as Member for one more term only.

18.3 The said MSHCC shall have the powers to co-opt up to four additional members who may have lesser experience, but who have special knowledge of the subject matter. Provided that additional members (in addition to the three above) may be co-opted for special purposes or on sub-committees of the said MSHCC.

18.4 The said MSHCC shall come into existence with effect from the date of its publication in the official Gazette.

18.5 No act of the said MSHCC done in good faith shall be deemed to be invalid reason only of some defect subsequently discovered in the organization of the Committee or in the Constitution of the Committee or in the appointment of the Member or on the ground that such member was disqualified for being appointed

18.6 No act of the said MSHCC done in good faith shall be deemed to be invalid reason only of some defect subsequently discovered in the organization of the Committee or in the Constitution of the Committee or in the appointment of the Member or on the ground that such member was disqualified for being appointed.

18.7 The Terms Of Reference of the said MSHCC shall be, *inter alia*

i) to advise the CO whether development permission should be granted under this Regulation and the conditions of such permission

ii) to prepare a supplementary list of buildings, structures, artifacts, areas, precincts, conservation areas, forest or wooded areas, of historic and/or aesthetic and/or architectural and/or cultural and/or environmental significance and, those natural and man-made features of environmental significance and/or of scenic beauty including but not restricted to sacred groves, headlands, hills, Sub-hills, plateaus, sub-plateaus, springs, caves, water bodies, (and areas adjoining the same), archaeological sites and remains (including cemeteries), open areas,



wooded areas, points, walks, rides and bridle paths parks, playgrounds (open spaces/areas), clubs and gymkhana with open grounds, etc. to which this Regulation shall apply.

iii) To advise whether any relaxation, modification, alteration or variance of any of the Regulations/ Byelaws is called for.

iv) To suggest amendments, changes or special regulations or modifications to special regulations under these Regulations and to advise the CO regarding the same.

v) To advise whether to allow adaptive re-use of any listed structure or precinct and when to terminate the same.

vi) To frame special regulations for precincts and if necessary for natural features and to advise the CO regarding the Same.

vii) To demarcate the boundaries of natural and man-made features.

viii) To prepare special regulations for ensuring a high standard of Townscape Detail and Planning affecting the said heritage list.

ix) to frame special regulations and guidelines to regulate the display / erection and siting of outdoor signs, advertisements, bill boards, street furniture, and nature interpretation and environmental education materials on buildings, roads, streets and natural sites.

x) To recommend to the CO guideline to be adopted by those private parties or public/ Government agencies who sponsor beautification schemes at public intersections and elsewhere.

xi) To advise the CO to evaluate the cost of repairs to be given to owners to bring the existing buildings back to the original condition, For this purpose the Committee may also try to help the CO to raise funds through private sources.

xii) To prepare special designs and guidelines/ publications for listed structures, control of height and essential façade characteristics such as maintenance of special types of balconies and other heritage items of the buildings and to suggest suitable designs adopting appropriate materials for replacements keeping the old form in tact to the extent possible.

xiii) To prepare guidelines relating to design elements and conservation principles to be adhered to and to prepare other guidelines, including technical guidance for conservation, for the purposes of this Regulation

xiv) To prepare and recommend guidelines on an ideal format/contents in which development proposal applications are to be received (from prospective owners/ developers) for the listed site/feature/precinct /area/property/ building and Townscape/ Landscape detail.

xv) To advise on any other issue as may be required from time to time during course of scrutiny of development permissions and in overall interest of heritage/environmental conservation.

xvi) To prepare special regulations for heritage precincts and to advise regarding the same

xvii) To prepare special guidelines and advice in relation to the protection of the Wider Environment (Ecological Setting) of the Matheran hill affecting forests (in revenue and forest lands) natural topography of the hill, landscape ecology of the hill, the pedestrian status of the hill, natural water springs and water bodies, sanitation and drainage systems, collection and disposal of refuse, electrical and other infrastructural systems of the hill within the Matheran Municipal area.

18.8 The members of MHS Heritage Conservation Committee shall be paid seating fees not exceeding Rs.500/- and travel allowance as required by the member.



Appendix XVIII
SCHEDULE
Regulation No.81
RAIN WATER 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.

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 mt. dia and 6 mt. 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 or one meter width may be excavated upto a depth of at least 3.00 mt. and refilled with stone aggregate and sand. The filtered rain water may be channeled to the 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 geomorphological and topographical condition, the pits may be of the size of 1.20 mt. width X 1.20 mt. length X 2.00 mt. to 2.50 mt. depth. The trenches can be of 0.60 mt. width X 2.00 to 6.00 mt. length X 1.50 to 2.00 mt. depth, Terrace water shall be channeled to pits or trenches. Such pits or trenches 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 up to 20% of the depth.
 - c) Coarse sand as upper middle layer up to 20% of the depth
 - d) A thin layer of fine sand as top layer.
 - e) Top 10% of pits/trenches will be empty and a splash pad be 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 sheet shall be provided on the pits/trenches
 - v. If the open space surrounding the building is not paved the layer upto a sufficient depth shall be removed and refilled with coarse sand to allow percolation of rain water into ground
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 catchments, as they would contain undesirable dirt. The mouths of all pipes and opening shall be covered with mosquito proof wire net. For the efficient



discharge of rain water, there shall be at least two rain water pipes of 100 mm dia mtr. for a roof area of 100 sq.mt.

3. Rain water harvesting structures shall be sited as not endanger the 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.
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 water utilized for drinking and/or cooking purpose, it shall be ensured that water proper filter arrangement and the separate outlet for by passing the filter rain-water has been provided.

Provided further that it will be ensured that disinfectants and the water purification arrangements have been made.

RAIN WATER HARVESTING

- a. All the layout open spaces/amenity spaces of housing societies and new constructions/reconstruction's additions on plots having area non less than 300 sq.mt.in non gathan 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.

- 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 times.
- c. The Authority may impose a levy of the exceeding Rs.1000/- per annum for every 100 sq.mt.of built up area for the failure of the owner of any building mention in the a) above to provide or to maintained Rain Water Harvesting structures as required under these byelaws.



(Disha Sawant.)
Town Planning Officer,
For Development Plan, Matheran
&
Assistant Director of Town Planning
Raigad-Alibag



(Ajay Sawant)
President,
Matheran Municipal Council
Matheran

